



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Information Notice

Extension of the consultation period for Document 24/24c titled “Know Your Customer Guidance - Draft”

Information Notice

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Content

Section	Page
1 Know Your Customer - Extension of the consultation period	3
2 Submitting comments to Document 24/24c	5
3 Next Steps.....	7
Annex 1 Letter from ALTO.....	8
Annex 2 Letter from TII.....	11

1 Know Your Customer - Extension of the consultation period

1. On 3 April 2024, ComReg published Document 24/24c¹ (“Draft KYC Guidance”), a draft best practice guide setting out the Know Your Customer (KYC) checks expected of telecoms operators when assigning Irish phone numbers to customers. The Draft KYC Guidance was prepared following ComReg’s initial consultation on KYC in Document 23/52² (Section 6.5) and was published alongside ComReg’s main Response to Consultation on Nuisance Communications in Document 24/24³.
2. To ensure that the KYC Guidance is as comprehensive as possible, ComReg provided a period for comments, from when it was published on the 3 April to 1 May 2024, and indicated that it would consider the comments received and revise the Draft KYC Guidance as needed.
3. Ireland is one of only a few countries worldwide that does not currently require prepay SIM registration⁴. Other countries have more robust processes in place in controlling access to these SIMs and consequently, the importance of the draft KYC Guidance is very clear.
4. In the prevailing absence of requiring prepay SIM registration, ComReg set out its expectation that operators will take proactive KYC measures to prevent prepay SIMs falling into the wrong hands. ComReg strongly recommended that mobile operators introduce KYC measures for all new prepay SIMs, including eSIMs⁵.
5. Since the publication of Document 24/24c on the 3 April 2024, ComReg has received two requests for extension to the consultation period from Alternative Operators in the Communications Market (“ALTO”) and one of IBEC’s trade associations, Telecommunications Industry Ireland (“TII”) (appended at Annexes 1 and 2).

¹ [ComReg 24/24c](#): Know Your Customer Guidance Document - Draft

² [ComReg 23/52](#): Consultation on combatting Nuisance Communications

³ [ComReg 24/24](#): Combatting scam calls and texts: Response to Consultation on network-based interventions to reduce the harm from Nuisance Communications

⁴ Source: GSMA as of 2021. Note – Denmark, Lithuania and Sweden have introduced mandatory SIM registration since 2021. The GSMA is a lobby organisation that represents the interests of mobile network operators worldwide.

⁵ An eSIM is an industry-standard digital SIM that allows you to activate a mobile plan from your operator without having to use a physical SIM.

6. ComReg is pleased that the issue of KYC is a high priority for telecoms operators such that both industry bodies are seeking further time to deliberate and comment on these significant matters. This suggests that industry recognises the crucially important role of KYC in preventing nuisance communications.
7. There is a great need for robust KYC processes to combat nuisance communications. Once properly implemented, KYC processes should help to prevent scammers from getting access to communications networks in the first instance. It is essential that consumers are properly protected from nuisance communications and a rigorous approach to KYC is fundamental to that end.
8. ALTO seeks a “*discretionary*” extension of the consultation period for Document 24/24c on the basis that the “*subject matter under Consultation is lengthy, complex and consumer process impacting.*”
9. ALTO opines that additional time is needed to consider the impact of the matters arising from the Decisions published in ComReg 24/24 (“Nuisance Communications Decisions”) and the impacts of the Draft KYC Guidance. ComReg agrees that these Decisions are extremely important. ComReg warmly welcomes industry’s recognition of their significance and willingness to ensure full consideration of these and related matters.
10. TII states that its members are assessing the Nuisance Communications Decisions and reviewing how to implement them as effectively and expeditiously as possible. ComReg is very pleased that TII and its member organisations are giving full consideration to the important matters contained in Document 24/24 and the related documents, including the Draft KYC Guidance in Document 24/24c.
11. TII contends that there is an overlap between the company personnel working on the implementation of the Nuisance Communications Decisions and those required to respond to the Draft KYC Guidance Draft. TII also believes that the issues raised by the Draft KYC Guidance are “*substantial, complex and have a direct impact on consumers.*”
12. ComReg welcomes TII’s commitment to “*comprehensively and thoroughly analyse all issues raised by the KYC Guidance Draft*” and its intention “*to make the best possible contribution to their development.*”
13. ComReg appreciates industry’s recognition of the significance of the Draft KYC Guidance and welcomes industry’s cooperation and commitment to reaching pragmatic, sound, and fit-for-purpose KYC Guidance. In view of the above,

ComReg considers the requests for extension of the consultation period for Document 24/24c to be reasonable and appropriate. ComReg expects that interested parties will use the significant additional consultation time to fully reflect on the importance and implementation of KYC in the telecoms industry in Ireland, and to provide useful and positive feedback to ComReg. ComReg looks forward to receiving meaningful and cooperative contributions on KYC. It is in everyone's best interest that the KYC Guidance is as complete and comprehensive as possible.

14. In line with ComReg Document 24/04⁶, ComReg agrees, by exception and at its sole discretion, to extend the deadline for comments/submissions to the Draft KYC Guidance in Document 24/24c by four weeks, to **5.30pm on Friday 31 May 2024**. Submissions/comments should be sent by email to kyc@comreg.ie. Further information on submitting comments is provided in Section 2 below.

2 Submitting comments to Document 24/24c

15. The deadline for the receipt of comments/submissions to Document 24/24c is **5.30pm on Friday 31 May 2024**. Comments should be sent by email to kyc@comreg.ie.
16. All comments on Document 24/24c are welcome. Please set out the reasoning and provide supporting information for any views expressed. It would make the task of analysing responses more straightforward if comments were referenced to the relevant section/paragraph number of Document 24/24c.
17. Electronic submissions should be submitted in an unprotected format so that they may be readily included in the ComReg submissions document for electronic publication.
18. ComReg appreciates that interested parties may wish to provide confidential information if their comments are to be meaningful.
19. In order to promote openness and transparency therefore, ComReg will publish all respondents' submissions, as well as all substantive correspondence on matters relating to ComReg Document 24/24c, subject to the provisions of ComReg's guidelines on the treatment of confidential information (Document 05/24).

⁶ [ComReg 24/04](#): Consultation Procedure - Guidelines

20. In this regard, respondents should submit views in accordance with the instructions set out below.
21. When submitting a response that contains confidential information, respondents must choose one of the following options:
 - A. Preferably, submit both a non-confidential version and a confidential version of the response. The confidential version must have all confidential information clearly marked and highlighted in accordance with the instruction set out below and include the reasons as to why they consider any particular material to be confidential. The separate non-confidential version must have actually redacted all items that were marked and highlighted in the confidential version.

OR

- B. Submit only a confidential version including the reasons as to why they consider any particular material to be confidential and ComReg will perform the required redaction to create a non-confidential version for publication. With this option, respondents must ensure that confidential information has been marked and highlighted in accordance with the instructions set out below. Where confidential information has not been marked as per the instructions below, then ComReg will not create the non-confidential redacted version and the respondent will have to provide the redacted non-confidential version in accordance with option A above.
22. For ComReg to perform the redactions under Option B above, respondents must mark and highlight all confidential information in their submission as follows:
 - Confidential information contained within a paragraph must be highlighted with a chosen particular colour;
 - Square brackets must be included around the confidential text (one at the start and one at the end of the relevant highlighted confidential information);
 - A Scissors symbol must be included after the first square bracket.
23. For example, “Redtelecom has a market share of [✂<25%].

3 Next Steps

24. When it has concluded its review of all submissions received and other relevant material, ComReg's intention would be to publish a Response to Consultation on Document 24/24c, a submissions document containing the non-confidential comments/submissions received, as well as updated KYC Guidance (if needed).

Annex 1 Letter from ALTO

9 April 2024

Robert Mourik
Chairperson
Commission for Communications Regulation
1 Dockland Central
Guild Street
Dublin 1
D01 E4X0

Dear Robert

Re. ALTO – Extension of time request – ComReg Ref. 24/24 Know Your Customer (“KYC”) Draft Consultation

ALTO writes in relation to ComReg Publication Ref. 24/24 dated 3 April 2024 and containing Decisions D09/24; D10/24; D11/24; D12/24; D13/24; D14/24 and bearing the title: “*Combating scam calls and texts Response to Consultation on network-based interventions to reduce the harm from Nuisance Communications*”.

Pages 160 – 171 of Chapter 5 of the above publication refers to a further Consultation on the issue of the KYC Guidance. Furthermore, it refers out to a separate ComReg Publication Ref. 24/24c. The KYC Guidance – Draft Consultation is open until 1 May 2024.

Conscious of ComReg’s recently reviewed Consultation Procedures – ComReg Publication Ref. 24/04 – and in particular Section 3.2.1 – dealing with the issue of Extension and extension requests. ALTO writes within the requested 10-day period from the date of the publication of ComReg Publication Ref. 24/24 to request a *discretionary* extension of time until 31 May 2024. We propose to use that additional time to respond to the KYC Consultation Guidance – Draft ComReg Publication Ref. 24/24c in full.

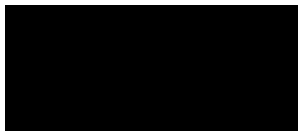
ALTO makes this *discretionary* extension request in circumstances where the subject matter under Consultation is lengthy, complex and consumer process impacting. It is

considered that additional time is required to fully consider the impact and practicality of the matters arising from the various Decisions published in ComReg Publication Ref. 24/24 and the impacts of the KYC Guidance – Draft as published for Consultation at ComReg Publication Ref. 24/24c.

ALTO is aware that it is not alone in making this request and that the wider industry also seeks additional time to consider the various matters arising in both ComReg Publication Ref. 24/24 and ComReg Publication Ref. 24/24c.

We trust that you will consider this request and decide accordingly.

Yours sincerely,



Ronan Lupton
Chair – ALTO

Copy: Commissioners Garrett Blaney & Helen Dixon; Director of Retail: Barbara Delaney; Director of Market Framework: George Merrigan.

Annex 2 Letter from TII

Mr Robert Mourik
Chairperson
Commission for Communications Regulation
1 Dockland Central
Guild Street
Dublin 1
D01 E4X0

10 April 2024

Re: ComReg Information Notice Ref. 24/24c Know Your Customer (KYC) Guidance - Draft

Dear Robert

I write on behalf of the members of Telecommunications Industry Ireland to seek an extension to 31 May 2024 of the deadline for submissions in response to ComReg Information Notice Ref. 24/24c Know Your Customer (KYC) Guidance – Draft.

Our member companies are currently assessing the 7 major Decisions (D 09/24, D 10/24, D11/24, D12/24, D13/24, D14/24 and D15/24) contained in ComReg Response to Consultation and Decisions Ref. 24/24 of 3 April 2024 (“Combating scam calls and texts: Response to Consultation on network-based interventions to reduce the harm from nuisance communications”) and reviewing how to implement them as effectively and expeditiously as possible. ComReg has implicitly recognised the scale of what is involved by deferring the initial meeting of the reconstituted Nuisance Communications Industry Taskforce to 19 April. The obligation regarding the implementation of these complex Decisions of necessity has first claim on the time of the numerous relevant company personnel. There is a significant overlap between these personnel, who work in different departments across companies, and those required to respond to the KYC Guidance Draft. The issues raised by the KYC Guidance Draft are substantial, complex and have a direct impact on consumers.

In these circumstances it would be unreasonable to expect the relevant company personnel to be able to devote the time required to properly analyse and respond to the important issues raised by the KYC Guidance Draft.

Please be assured that the motivation for this request is to ensure that companies can comprehensively and thoroughly analyse all issues raised by the KYC Guidance Draft and respond meaningfully. Industry is particularly mindful of the significance of any guidelines subsequently published as best practise and are keen to make the best possible contribution to their development.

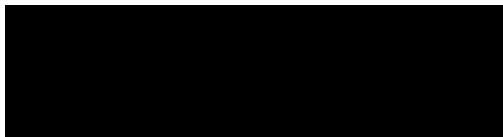
In view of the above considerations the members of Telecommunications Industry Ireland hope that their request for an extension of the deadline for responses to the KYC Guidance Draft to 31 May 2024 can be accepted.

They look forward to engaging energetically and constructively as previously at the Nuisance Communications Industry Taskforce. In this regard it would be most helpful if the draft terms of reference of the reconstituted taskforce could be circulated as early as possible in advance of its first meeting.

Please let me know if you have any further questions or require any additional information regarding our request.

I would like to close by assuring you and your colleagues of the full and wholehearted co-operation of Telecommunications Industry Ireland in addressing the societal and economic threat posed by scam calls and texts.

Yours sincerely



Torlach Denihan

Director

cc Mr Garrett Blaney, Commissioner

cc Ms Helen Dixon, Commissioner

cc Mr Barbara Delaney, Retail and Consumer Services Director

cc Mr George Merrigan, Market Framework Director