



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

## Information Notice

Rules and Guidelines made pursuant to the  
Communications Regulation and Digital Hub  
Development Agency (Amendment) Act 2023

### Information Notice

**Reference:** ComReg 24/14

**Version:** Final

**Date:** 21/02/2024

**An Coimisiún um Rialáil Cumarsáide**  
**Commission for Communications Regulation**  
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1. Part 7 of the Communications Regulation and Digital Hub Development Agency (Amendment) Act 2023 (“the 2023 Act”) gives to the Commission for Communications Regulation (“ComReg”) new powers in relation to enforcement. In particular, the 2023 Act gives to ComReg for the first time the power to make findings of regulatory breach and also to impose administrative sanctions (including administrative financial sanctions) where a finding of regulatory breach has been made (subject to final confirmation by the High Court). Part 7 of the 2023 Act also introduces a new Adjudication regime, whereby independent adjudicators appointed by the Minister upon ComReg’s nomination will make decisions on behalf of ComReg as to whether there has been a regulatory breach in each case referred to adjudication and, if so, whether it is appropriate to impose one or more administrative sanctions.
2. Section 89(2) of the 2023 Act imposes an obligation upon ComReg to publish guidelines on the conduct of proceedings before an adjudicator in any matter referred to an adjudicator under section 71 of the 2023 Act (“Guidelines for Adjudication Proceedings”).
3. Section 86(17) of the 2023 Act imposes an obligation on ComReg to make rules providing for the conduct of oral hearings held under that section (“Rules for Adjudication Oral Hearings”) and to publish such rules on ComReg’s website.
4. ComReg is now making available for comment drafts of the documents listed in Annex 1, namely:
  - a. ComReg Guidelines for Adjudication Proceedings (ComReg Document No. 24/14a); and
  - b. ComReg Rules for Adjudication Oral Hearings (ComReg Document No. 24/14b).
5. ComReg welcomes comments on these documents from respondents. Such comments should be emailed to ComReg at [consultations@comreg.ie](mailto:consultations@comreg.ie), by no later than 5.30pm on Friday 22 March 2024.
6. Respondents should be aware that all non-confidential responses will be published on ComReg’s website, subject to the provisions of ComReg’s guidelines on the treatment of confidential information<sup>1</sup>. If Respondents believe that parts of their responses are confidential or contain confidential information, the confidential elements of responses should be clearly marked as such and be set out in a separate confidential version of the response, which must be provided to ComReg by the closing date indicated above. Respondents should

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<sup>1</sup> [ComReg Guidelines on the Treatment of Confidential Information](#)

ensure that a non-confidential version of their response is also provided by the above closing date.

7. After the closing date, following consideration of all comments received and subject to any changes that are made in response to the comments received, the documents set out at paragraph 3 above will be adopted by ComReg in final form and published by ComReg on its website.

# Annex 1: Adjudication Guidelines and Rules

**Please see the following draft documents published separately and alongside this Information Notice:**

- (1) ComReg Guidelines for Adjudication Proceedings (ComReg Document No. 24/14a); and
- (2) ComReg Rules for Adjudication Oral Hearings (ComReg Document No. 24/14b).