



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

ComReg issues an Opinion of Non-Compliance to Imagine in respect of obligations under the Open Internet Access Regulation

Information Notice

Reference: ComReg 21/13

Version: 1.0

Date: 19/02/2021

An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation

1 Lárcheantar na nDugaí, Sráid na nGildeanna, BÁC 1, Éire, D01 E4X0.
One Dockland Central, Guild Street, Dublin 1, Ireland, D01 E4X0.
Teil | Tel +353 1 804 9600 Suíomh | Web www.comreg.ie

Additional Information

Document No:	21/13
Date:	19/02/2021

1. On 18 December 2019, ComReg notified Imagine Communications Ireland Limited (“Imagine”) of a finding of non-compliance¹ with respect to obligations under Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 (“the EU Open Internet Access Regulation”).
2. The notification of non-compliance was made in accordance with Regulation 8 of the European Union (Open Internet Access) Regulations 2019 (S.I. 343/2019) (“the Open Internet Access Enforcement Regulations”).
3. The notification related to a failure by Imagine to comply with Article 4 (1)(d) of the EU Open Internet Access Regulation, which required Imagine to specify particular information relating to its internet access service in its customer contracts.
4. Imagine was given until 30 January 2020 to state its views.
5. Imagine responded on 30 January 2020 and committed to complying with the requirements.
6. Imagine confirmed that updated Terms and Conditions were published on Imagine’s website.
7. Having considered Imagine’s response, ComReg has formed the Opinion that Imagine was non-compliant with Article 4(1)(d) of the EU Open Internet Access Regulation during the period 9 July 2019 to on or about 1 June 2020.
8. Having taken account of Imagine’s response and its remedial actions to ensure that the required information is now published, ComReg intends to take no further action in respect of this matter.
9. ComReg will continue to monitor compliance by all Undertakings with their obligations under the EU Open Internet Access Regulation and other consumer legislation and, where necessary, will investigate any matters arising.

¹ <https://www.comreg.ie/publication/comreg-issues-a-notification-of-a-finding-of-non-compliance-to-Imagine-with-respect-to-provisions-of-the-open-internet-access-regulations>