



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

Information Notice

Reference: ComReg 20/37

Date: 20/05/2020

1. On 18 December 2019, ComReg notified Virgin Media Ireland Limited (“Virgin Media”) of a finding of non-compliance¹ with respect to its obligations under Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 (“the 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).
3. The notification related to a failure by Virgin Media to comply with Article 4 (1)(d) of the Open Internet Access Regulation, which required Virgin Media to specify particular information relating to its internet access service in its customer contracts.
4. Virgin Media was given until 30 January 2020 to state its views.
5. Virgin Media responded on 30 January 2020 and outlined certain remedial measures and other commitments.
6. Having considered Virgin Media’s response, ComReg has nonetheless formed the Opinion that Virgin Media was non-compliant with the Article 4(1)(d) of the Open Internet Access Regulation during the period 9 July 2019 to in or around 30 January 2020.
7. Having taken account of Virgin Media’s response and its remedial actions to ensure that the required information is now published, ComReg intends, subject to completion of all commitments, to take no further action in respect of this matter.
8. ComReg will continue to monitor compliance by all Undertakings with their obligations under the 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-virgin-media-with-respect-to-provisions-of-the-open-internet-access-regulations>