



ComReg issues a Notification of a Finding of Non-Compliance to Pure Telecom with respect to provisions of the Open Internet Access Regulations

Information Notice

Reference: ComReg 19/117

Date: 19/12/2019

1. On 18 December 2019, ComReg notified Pure Telecom Limited (“Pure Telecom”) of a finding of non-compliance with respect to 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) (“the 2019 Regulations”).
3. The notification relates to a failure by Pure Telecom to comply with the provisions of Article 4(1)(a) to (e) of the Open Internet Access Regulation between 9 July 2019 and 12 August 2019 by not specifying the required information in any of its customer contracts.
4. Specifically, this relates to
 - traffic management;
 - minimum, normally available, maximum and advertised download and upload speed of fixed networks;
 - estimated maximum and advertised download and upload speed of the internet of mobile networks;
 - remedies available to the consumer where there is a relevant discrepancy regarding speed or other quality of service parameters.
5. Pure Telecom has until 30 January 2020 to state its views.
6. Regulation 8 of the 2019 Regulations provides that, if at the end of the period referred to in paragraph 4 above, ComReg is of the opinion that an undertaking has not complied with its obligations ComReg may apply to the High Court for such order as may be appropriate by way of compliance with those obligations.