



Commission for
Communications Regulation

Premium Rate Services Code of Practice Update

Information Notice

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An Coimisiún um Rialáil Cumarsáide
Commission for Communications Regulation

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Additional Information

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Information Notice

In an Information Notice published on 5 April 2012 (ComReg Document 12/30), ComReg notified the public of a decision to implement a new Code of Practice (“Code”) for Premium Rate Services (“PRS”).

As a result of a last-minute application to the High Court on Friday 31 May by Modeva Interactive, Zamano plc and the Phone Paid Services Association, the High Court granted a stay on the implementation of Sections 4.15, 4.22, 5.13-5.15 and 5.64 of ComReg’s new Code for PRS providers. This new Code was due to come into effect in its entirety on 5 June 2012 but as a result of the Order of the High Court the new Code will come into effect but not the sections referred to above.

ComReg very much regrets this development and is conscious of the impact it will have on consumers and providers of PRS who have already taken steps to prepare for the implementation of those aspects (Sections 4.15, 4.22, 5.13-5.15 and 5.64) of the new Code.

ComReg fully and vigorously defended the application by Modeva Interactive, Zamano plc and the Phone Paid Services Association for a stay and ComReg will take all appropriate steps through the Courts to address this development. ComReg will issue a further Information Notice as soon as possible once it has an opportunity to consider the effect of the stay granted by the High Court (and in particular the fact that the effect of the Order made by the High Court means that the new Code comes into effect but not in its entirety.).

In the meantime, to the extent that providers have put in place mechanisms to comply with all aspects of the new Code and wish to proceed to implement those mechanisms, ComReg would be pleased to discuss how this would operate in practice.

The Communications Regulation (Licensing of Premium Rate Services) Regulations 2012, and the associated e-licensing facility to be implemented by ComReg are not affected by these developments and will come into effect on 5 June 2012 as planned.