



Virgin Media to pay €255,000 penalty for failing to provide customer contracts on durable medium

Information Notice

Reference: ComReg 16/83

Date: 22/09/2016

1. Virgin Media Ireland Limited (“Virgin Media”) is to pay ComReg a penalty of €255,000 after an investigation found that between November 2015 and April 2016 Virgin Media had failed to provide 26,046 of its customers with a contract on a durable medium, contrary to Regulation 12 of the Consumer (Information and Cancellation) Regulations 2013 (the “2013 Regulations”).
2. ComReg has imposed this penalty in the form of Fixed Payment Notices, pursuant to Section 85 of the Consumer Protection Act 2007.
3. Virgin Media has accepted that it breached the 2013 Regulations and has committed to pay the penalty in full.
4. ComReg has required Virgin to comply with further remedies, as a result of which Virgin Media will do as follows:
 - a. Virgin Media will communicate with its affected customers individually and provide them with confirmation of their contract in a durable form;
 - b. Virgin Media will inform those customers of their right to a “cooling off” period of 14 days from receipt of the communication. This cooling off period will allow Virgin Media’s affected customers to cancel their contracts if they wish. Virgin Media will inform its affected customers of how they can cancel their contracts;
 - c. Virgin Media will publish a corrective statement on its website explaining how it has contravened the 2013 Regulations. The corrective statement will remain published on Virgin Media’s website for 60 days¹;
 - d. Virgin Media will demonstrate to ComReg’s satisfaction, with independently verified (and verifiable) and audited documentary proof, that it has fully performed the above remedial actions; and
 - e. Virgin Media will confirm to ComReg that it has put in place the necessary measures to ensure that there will be no repetition of what has occurred. These measures will remain in place. Virgin Media will immediately notify ComReg of any proposed change(s) in Virgin Media’s processes with respect to compliance with the relevant provisions of the 2013 Regulations.
5. Virgin Media has committed to implement all of the above remedies required by ComReg by 13 October 2016.

¹ <https://www.virginmedia.ie/about-us/announcements/>

6. ComReg will continue to monitor compliance with consumer rights legislation and to investigate as appropriate consumer complaints arising in respect of the 2013 Regulations.