



End-User Affairs: Half Yearly Report

January – June 2018

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1 Introduction

One of the main objectives of the Malta Communications Authority (“MCA”) is to safeguard the interests of end-users in the electronic communications (“ECS”), postal and e-commerce sectors.

In order to fulfil this function, the MCA provides assistance to those end-users who encounter difficulties while using any of the services within its remit. In this respect, when an end-user is not satisfied with the redress or response provided by his/her service provider, he/she may file a complaint with the MCA. The extent of the action the MCA can take in relation to a complaint, depends on the particulars of the issues involved and on the MCA's powers at law. There are instances where although the complaints received relate to the provision of a service regulated by the MCA, the Authority is not empowered at law to intervene and would therefore have to refer end-users to other competent entities.

The Authority also receives a number of enquiries, as distinct from complaints, from end-users in relation to the services it regulates. The MCA makes every effort to provide end-users with the requested information in a timely manner. Alternatively, when such requests do not fall directly within MCA's remit, it assists end-users by directing them to the appropriate body. More information on MCA's complaint and enquiry procedure is available at <https://www.mca.org.mt/consumer/help>.

In addition to the above, the MCA monitors the sectors it regulates, and carries out various mystery shopping exercises to identify areas of concern and undertakes the necessary regulatory action to address such issues. In so doing, the Authority ensures that service providers comply with their obligations at law and that end-users are provided with up to date information on their rights and obligations when using any communications services regulated by the MCA.

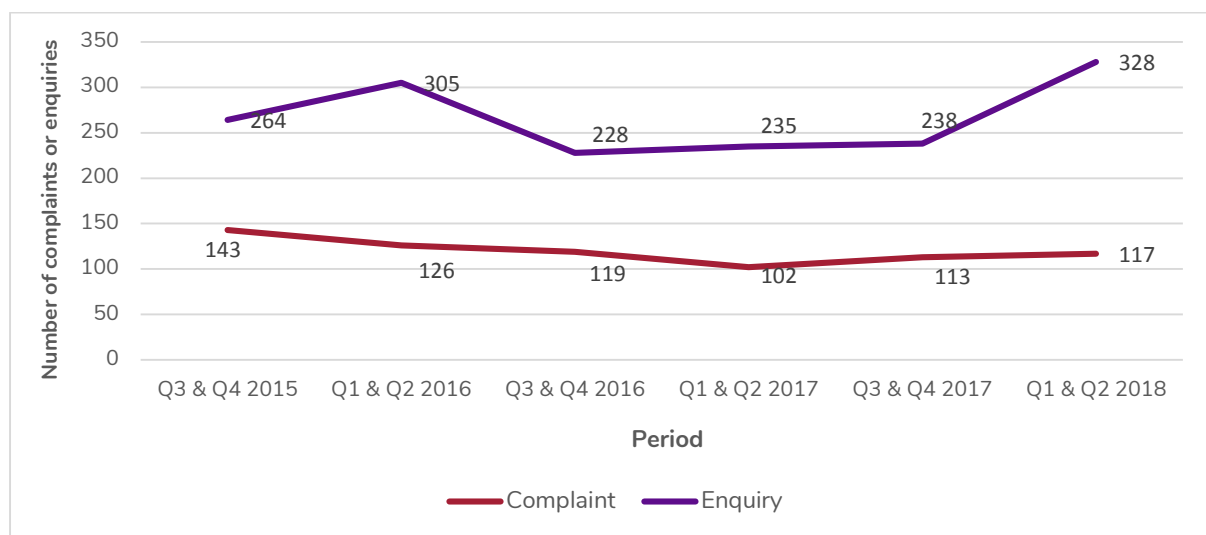
This report provides a statistical analysis of the complaints and enquiries received by the Authority during the first half of 2018 and also provides information on enforcement actions and related monitoring activities undertaken by the MCA during this period.

2 Statistical Overview of Complaints and Enquiries received

Between 1st January and 30th June 2018, the MCA received 117 complaints, an increase of 3.5% when compared to the complaints received during the second half of 2017. During the period under review, the MCA also received 328 requests for information on different matters it regulates.

Figure 1

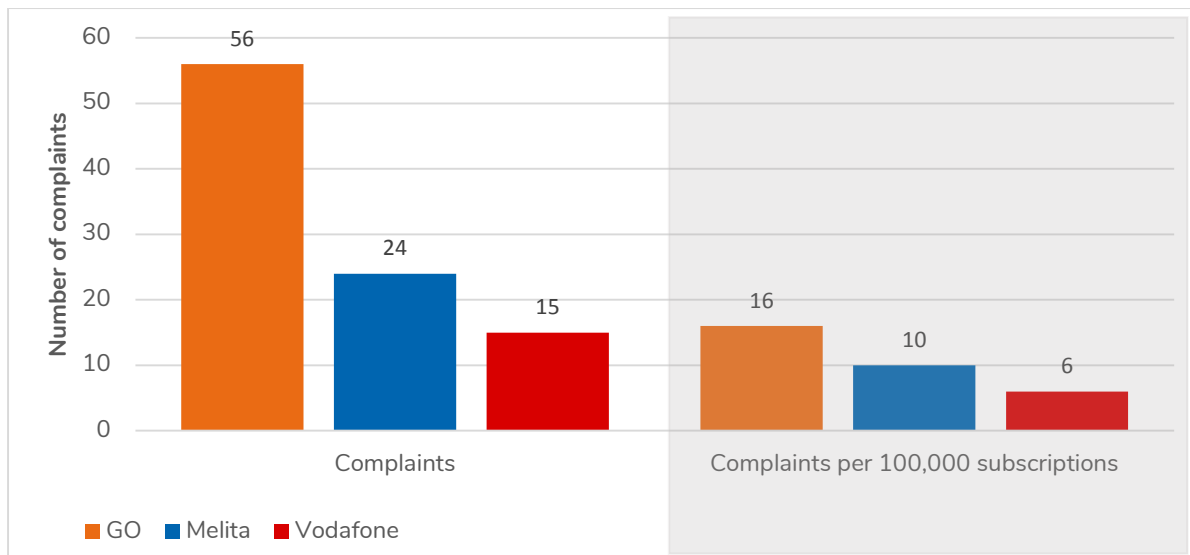
Complaints and Enquiries by Quarter



The MCA receives complaints from customers about their landline, mobile, internet, TV and postal services. These complaints tend to be more complex in nature due to the fact that the MCA requires that customers seek its intervention only after they have lodged a complaint with their service provider and should they still not be satisfied with the outcome of their claim. Figure 2 provides statistical information about the total number of electronic communication services complaints received by MCA during the first 6 months of 2018, and classified according to the complainant's ECS provider. Along with these figures, the MCA is also presenting the ratio of complaints per 100,000 subscribers, thus taking into account market differences.

Figure 2

Complaints received by MCA (January - June 2018), classified by ECS Provider

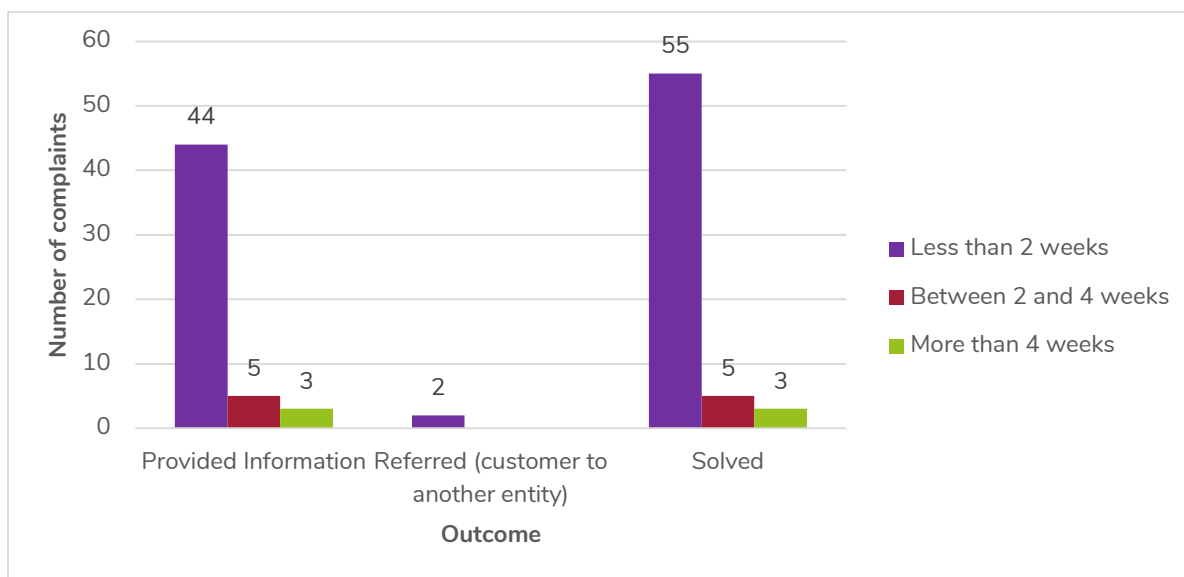


This graph excludes service providers with less than 5 complaints reported to the MCA

The time required to address a complaint may vary from one instance to another depending on the nature of the particular case. The MCA commits to close complaints within the shortest timeframe possible. During the period under review 86% of all complaints received were addressed within 2 weeks. 95% were closed within 20 working days.

Figure 3

Time taken by MCA to Handle Complaints (from receipt to closure), January - June 2018

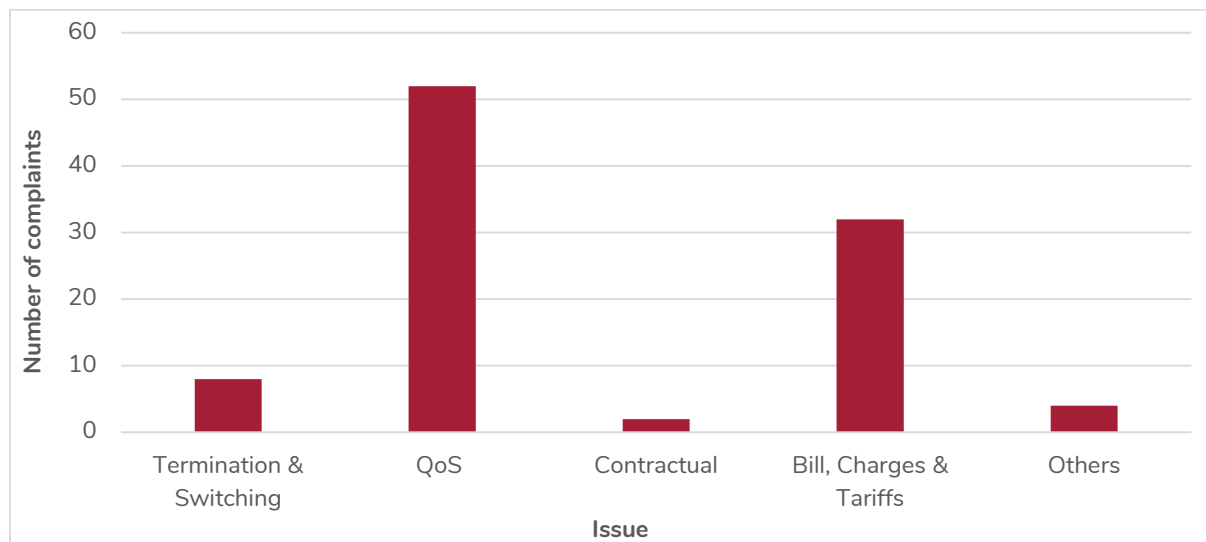


3 Electronic Communications

53% of the ECS complaints received during the first half of 2018, related to quality of service (QoS) followed by billing issues (33%). Other complaints received by the Authority related to termination and switching of services (8%), contractual issues (2%) and a few complaints on other matters (4%). This report provides information on the main findings for the period covering January to June 2018.

Figure 4

Electronic Communications Complaints by Issue



3.1 Quality of Service and Service Provision

- Complaints received which are classified in this category include complaints regarding faults (34), internet speed (7), non-access of service/s (3), mobile reception (3), installation (2), customer service (2) and compensation (1).
- Fault complaints remain the most common type of quality of service issues reported to the MCA with a total of 34 cases investigated by the MCA which mainly related to fixed telephony and internet services.
- Faults are generally caused by damages to the operator's external network, damages to subscribers' equipment (e.g. Internet modem or TV set-top box), or damages to the subscribers' in-house wiring. A number of factors could cause faults including weather conditions, damages caused by third parties and/or by end-users. In the cases reported to the Authority, the MCA monitored the actions undertaken by the service providers to ensure that faults were repaired within the shortest time possible.

- The timeframes for the restoration of services may vary depending on the nature of the fault. Service providers publish maximum timeframes within which they commit to repair and restore services as well as compensation schemes applicable in cases of faults.

Fault Repair Timeframes and Compensation Schemes In accordance with the applicable terms and conditions of service providers					
Fixed Telephony and Internet Services					
	GO plc	Melita Ltd	Ozone Ltd	Vanilla Telecoms	Vodafone
Fault Repair Timeframes	within 4 working days	within the next working day	within 1 working day	within 5 working days	within 2 working days
Compensation	If not restored within 4 working days subscribers are entitled to a pro-rata refund of the monthly fee (of up to 1 month) equivalent to the number of days taken to resolve the fault	If fault is not restored within: <ul style="list-style-type: none"> • 1 working day: a free add-on service • 3 working days: a pro-rata compensation equivalent to 15 days of service • 5 working days: compensation equivalent to 1 month of service 	If not restored within 1 working day subscribers are entitled to a pro-rata refund of the monthly fee equivalent to the number of days taken to resolve the fault	If not restored within 5 working days subscribers are entitled to a pro-rata refund of the monthly fee equivalent to the number of days taken to resolve the fault. Subscribers may terminate the service without incurring any penalties if fault is not addressed within 30 days	If not restored within 2 working days subscribers are entitled to a pro-rata refund of the monthly fee equivalent to the number of days taken to resolve the fault

- The Authority received 7 complaints regarding internet performance. In such cases, subscribers are invited to provide suitable evidence to enable investigation, such as screenshots of speed tests carried out through a wired connection. In 4 of the cases received, after the end-users provided the MCA with screenshots of speed tests showing lower speeds than that listed in their contract, the MCA contacted the respective service provider in order to ensure that the necessary actions are taken to address these issues. In the other 3 cases, end-users were provided with tips and other information on how to improve their Wi-Fi connections.

3.2 Billing, Charges and Tariffs

- This category of complaints includes claims received regarding incorrect billing or overcharging (21), non-payment of bills (4), top-up (2), refund (1), mobile data (1), deposit (1) and premium rate numbers (1).
- Most of the complaints received related to incorrect billing or overcharging with a total of 21 complaints. In 7 of these cases the MCA monitored the actions undertaken by the service providers to ensure that any incorrect charges are waived from the end-users bill. In the other 14 cases the MCA provided the end-users with the necessary information and the necessary clarifications regarding disputed charges.

- The MCA received 4 complaints regarding non-payment of bills. Service providers apply a late payment fee in instances where bills are not paid within the timeframes indicated in the bills. In these cases the MCA ensures that the charges were applied in accordance with the conditions stipulated in the subscribers' contract.

3.3 Termination and Switching

- The MCA received 6 complaints regarding termination of service/s and 2 regarding issues encountered by subscribers when porting their number from one operator to another.
- In 4 cases, the Authority provided guidance to subscribers on the procedure they needed to follow to terminate the service/s. In the remaining 2 complaints the Authority was required to intervene to ensure that the services were effectively terminated in line with the subscriber's request;
- In the past 2 years, number portability issues continued to decline with only 2 complaints received during the first half of 2018. In the complaints referred to MCA, the Authority ensured that the subscribers' requests were adhered to in the least possible time.

3.4 Contractual

- During this period the MCA received only 1 complaint about non provision of contract and 1 complaint about changes to the terms and conditions.
- In the first case the MCA followed the matter with the respective service provider and ensured that he/she was provided with a copy of the contract in line with the applicable legal requirements. With respect to the other complaint, the MCA indicated to the client how the changes being notified by the service provider would impact him/her and on what options at law are applicable to him/her in such instances. It is important to note that when applying changes to the terms and conditions, service providers are required to notify their clients about the changes being implemented and provide them with a 30 day notice within which they may terminate the service without incurring any penalty fee. Before sending such notifications to impacted subscribers, service providers are required to send the aforesaid notifications to the MCA. During the period under review, the MCA received 3 notifications in this regard.

4 Postal Services and E-Commerce

- In total the MCA received 20 complaints regarding the postal services. This included undelivered mail (5), mis-delivered mail (5), delayed mail (5), customer service (2), registered mail (2) and overcharging (1).
- When dealing with postal complaints, the MCA refers the issues to the service provider so that it could look into matters and address any ensuing issues accordingly. In doing so, the MCA requests the service provider to monitor the provision of the service affecting the client until it is satisfied that any possible issues identified that could be impacting the provision of the service in the area concerned are addressed.
- More information on postal services and the type of redress applicable in cases of lost or undelivered mail is available in the end-users section on MCA's website.
- During the first half of 2018, the MCA did not receive any complaints regarding e-Commerce services.

5 Customer Care Telephone Response Time

The MCA conducts on an ongoing basis mystery shopping exercises aimed at measuring the time taken for a telephone call to be answered by a customer care agent of the 3 main electronic communications service providers.

The average time taken for a call to be answered was 1 minute 5 seconds. This is based on more than 150 measurements taken at various times of the day between January and June 2018. Approximately 94% of all calls made were answered within 5 minutes.

Figure 5 below presents a moving average trend line based on measurements recorded for each operator. Ongoing analysis of such metrics and relative trends, helps the MCA in carrying out its compliance monitoring function, especially when sudden shift in trends are recorded.

Figure 5

Average Call Waiting Time (in seconds) to be answered by a Customer Care Agent

