



End-User Affairs: Half Yearly Report

July – December 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.

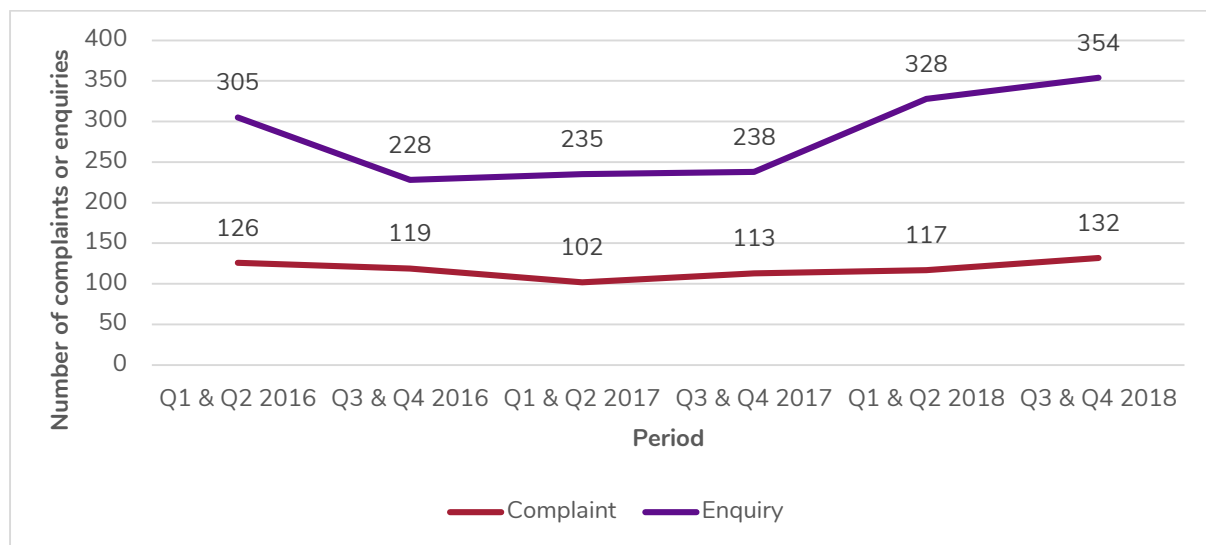
This report provides a statistical analysis of the complaints and enquiries received by the Authority during the second half of 2018 and also provides information on enforcement actions and related monitoring activities undertaken by the MCA during this period.

2 Statistical Overview of Complaints and Enquiries received

Between the 1st of July and the 31st December 2018, the MCA received 132 complaints, an increase of 13% when compared to the complaints received during the first half of 2018. During the period under review, the MCA also received 354 requests for information on different matters it regulates. The total number of queries and complaints for 2018 when compared to the previous year increased by 35%. Figure 1 provides further details for the period 2016-2018.

Figure 1

Complaints and Enquiries by Quarter 2016 - 2018

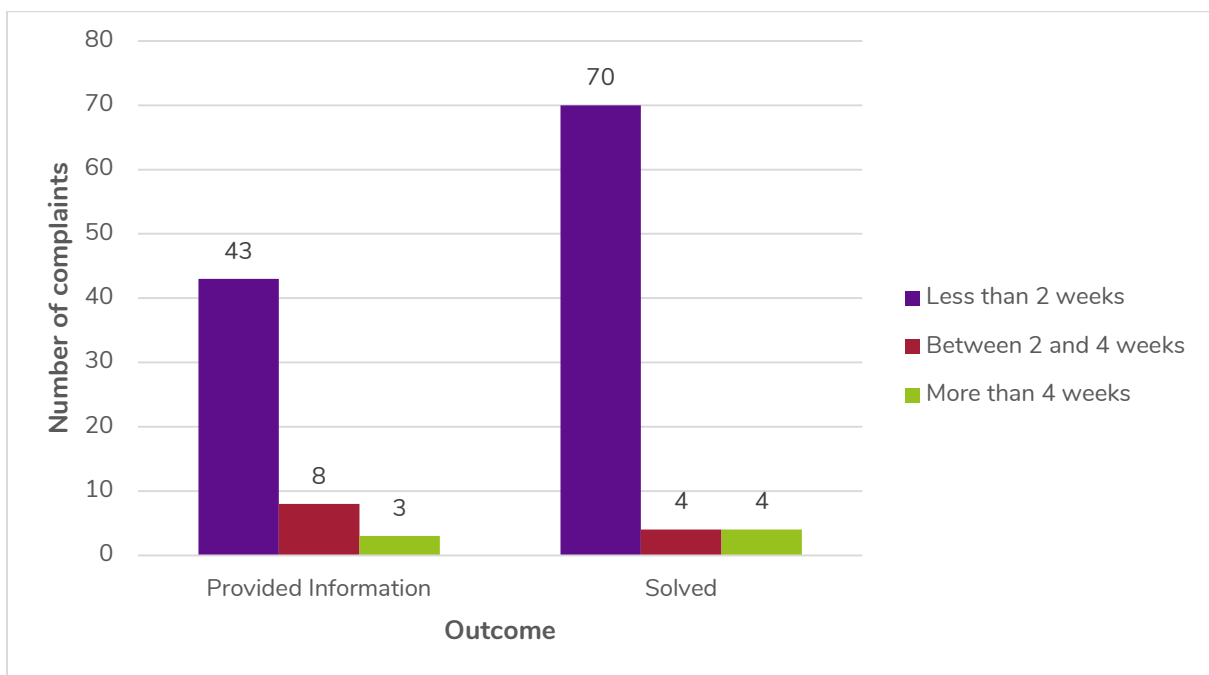


The MCA receives complaints from customers about their landline, mobile, internet, TV and postal services. These complaints tend to be more complex in nature due to the fact that the MCA requires that customers seek its intervention only after they have lodged a complaint with their service provider and should they still not be satisfied with the outcome of their claim.

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. Further details are provided in Figure 2 below.

Figure 2

Time taken by MCA to Handle Complaints (from receipt to closure), July - December 2018



3 Electronic Communications

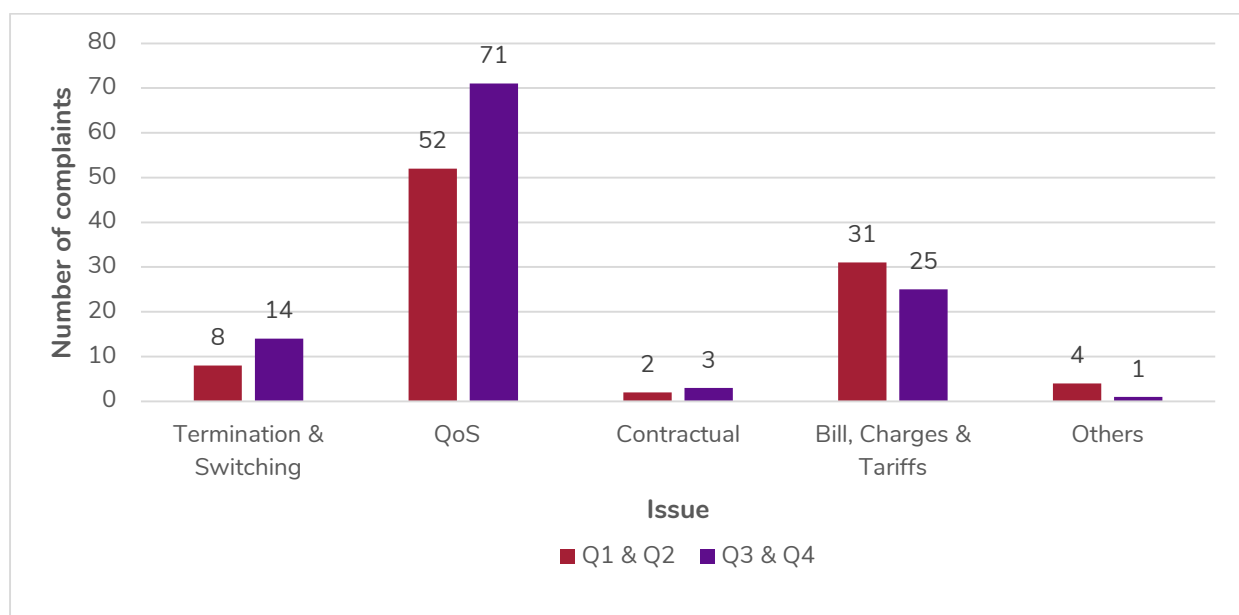
The vast majority of complaints received by the MCA during the second half of 2018, totalling 114 of 132 (or 86%) relate to electronic communication services, i.e. fixed telephony, mobile telephony, pay TV and internet services.

The total number of ECS complaints per 100,000 subscriptions classified by the main electronic service providers were 22, 11 and 4 for GO, Melita and Vodafone respectively. Although no harmonised international benchmarks exist, from independent research undertaken by the MCA, these are considered to be within the norm of those recorded in some other international jurisdictions such as the UK.

62% of the ECS complaints received during the second half of 2018, related to quality of service (QoS) followed by billing issues (22%). Other complaints received by the Authority related to termination and switching of services (12%), contractual issues (3%) and a few complaints on other matters (1%). Figure 3 presents more details on complaints classified by issue and compares the number of complaints received by MCA between January and June to those received between July and December 2018. These increased by 17% in the last six months with the main increases recorded in relation to two categories (Termination and Switching and QoS).

Figure 3

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 (45), installation (9) internet speed (7), mobile reception (5), compensation (2), non-access of service/s (1), Traffic Management (1) and Customer care (1).
- Fault complaints remain the most common type of quality of service issues reported to the MCA with a total of 45 cases investigated by the MCA which mainly related to fixed telephony and internet services. The majority of such complaints were reported by GO subscribers. From information gathered regarding complaints received in Q1 2019, the MCA notes that such complaints have significantly decreased. The MCA will keep monitoring trends in this respect to ensure that the measures taken by GO continue to contribute to address this matter.
- 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 and where necessary impacted end-users were provided with a compensation in line with their service provider compensation scheme.
- 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-rate 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 3 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 remaining cases, end-users were provided with tips and other information on how to improve their internet coverage range over Wi-Fi connections.

3.2 Billing, Charges and Tariffs

- This category of complaints includes claims received regarding incorrect billing or overcharging (19), itemised billing (2), deposit (1), tariffs (1), top-up (1) and non-payment of bills (1).
- During the period under review, the MCA positively noticed that there was a decrease (19%) in the number of complaints which fall under this category when compared to the first six months of 2018.
- Most of the complaints received related to incorrect billing or overcharging with a total of 19 complaints received. In 9 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 and any credit which was entitled to the end-users was refunded.
- In the other 10 cases the MCA provided the end-users with the necessary information and the necessary clarifications regarding disputed charges.

3.3 Termination and Switching

- The MCA received 9 complaints regarding issues encountered by subscribers when porting their number from one operator to another and 5 regarding termination of service/s.
- MCA's intervention was only warranted in 4 of the complaints received. In the remaining complaints, the MCA provided guidance to subscribers on the procedure they need to follow to terminate the service/s.

3.4 Contractual

- During this period the MCA received only 1 complaint about non provision of contract and 1 complaint regarding services provided without the subscriber's consent. .
- 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 signed contract in line with the applicable legal requirements. With respect to the other complaint, the MCA contacted the respective service provider where it was confirmed that the subscriber was being given a post-paid service without the subscribers consent. Following MCA's investigations, any bills issued were reversed and the subscriber was migrated back to the plan he had previously been subscribed to.



4 Postal Services and E-Commerce

- In total the MCA received 18 complaints regarding the postal services. This included undelivered mail (8), delayed delivery (4), mis-delivered mail (3), customer service (2) and ordinary mail (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 second half of 2018, the MCA did not receive any complaints regarding e-Commerce services.

5 Customer Care Telephone Response Time

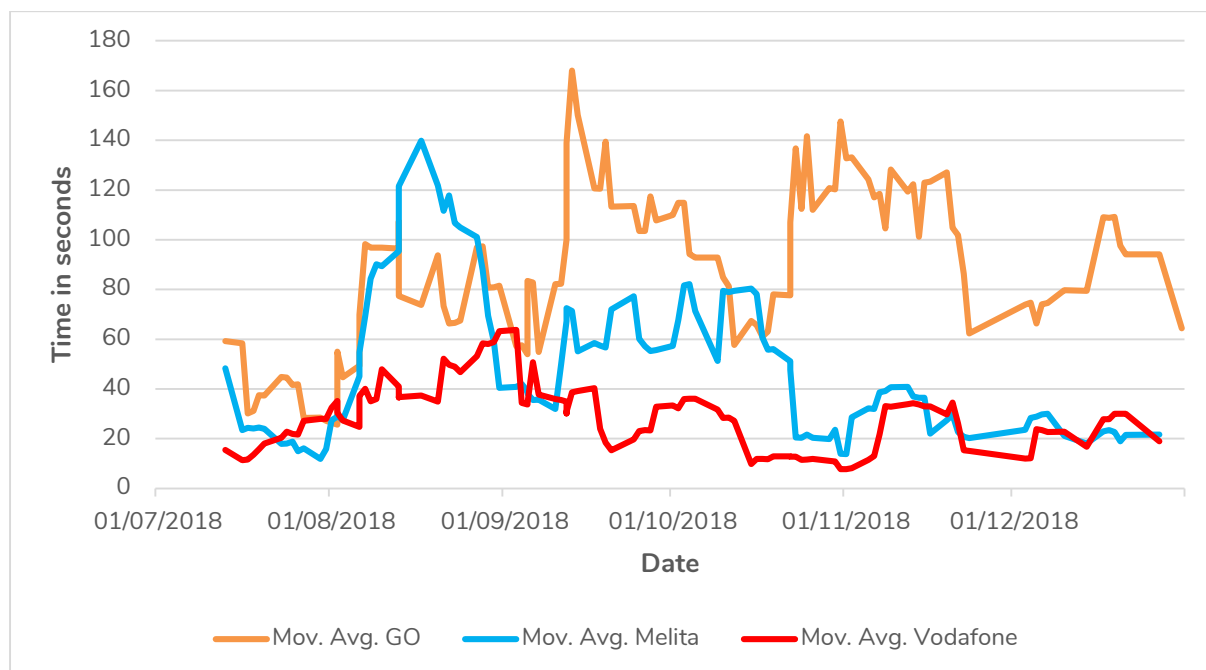
The MCA conducts, on an ongoing basis, mystery shopping exercises aimed at measuring the time taken for a telephone call to be answered by a customer care agent of the three main electronic communications service providers.

From the information gathered, the MCA positively notes that the average time taken for a call to be answered was 54 seconds, a decrease when compared to the average time taken of 1 minute and 5 seconds as recorded by MCA during the first 6 months of 2018. The information gathered is based on 364 measurements taken at various times of the day between July and December 2018. 95% of the calls made were answered within 5 minutes.

Figure 4 below presents a moving average trend line based on measurements recorded for each operator.

Figure 4

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



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. From investigations carried out, the peaks recorded in the previous chart were mainly a direct outcome of faults and other issues triggered by cable cuts and storms that caused major damages to the service providers' infrastructure, thus affecting a large number of subscribers. This in turn put considerable strain on the service providers' customer care channels. The

MCA positively notes, that in such cases the service providers are taking a more pro-active stance to inform their subscribers of actions being taken to resolve such issues, including providing regular updates on their websites and their social media channels.