

## INTERNATIONAL RELATIONS

### **BEREC Benchmarking Statistics and Indicators Working Group Meeting**

An MCA official participated through electronic means, in the meeting under reference, held on 20<sup>th</sup> March 2020. The BEREC Statistics & Indicators working group held a videoconference meeting to kick off the 2020 PRDs. The video conference was split into three sessions:

- The first session was on the OTT questionnaires and the next steps of this PRD.
- The second session dealt about the BB Geographic Mapping next stages of data collection preparation.
- The final session was related to the EC Termination Rate Delegated Act, but this PRD is on hold until the European Commission publishes the draft Delegated Act.

### **70<sup>th</sup> Meeting of the Radio Spectrum Committee (RSC#70)**

The MCA participated through electronic means, in the meeting under reference, held on 11<sup>th</sup> and 12<sup>th</sup> March 2020.

The key outcomes of RSC#70 include:

- Adoption of a draft Commission Implementing Decision amending Decision 2012/688/EU as regards an update of relevant technical conditions applicable to the frequency bands 1920-19680 MHz and 2110-2170 MHz for terrestrial systems capable of providing electronic communications services;
- Adoption of a draft Commission Implementing Decision amending Decision 2008/477/EC as regards an update of relevant technical conditions applicable to the frequency band 2500-2690 MHz for terrestrial systems capable of providing electronic communications services;
- Adoption of a draft Commission Implementing Decision amending Commission Decision (EU) 2019/784 on the designation and making available the 26 GHz frequency bands for wireless broadband electronic communications services under

harmonised technical conditions, with particular focus on 5G;

- Discussion of a draft Mandates to CEPT on the harmonization of new frequency bands above 24 GHz suitable for next-generation (5G) terrestrial wireless systems as well as on 5 GHz wireless access systems; and
- Discussion on draft elements of an Implementing decision amending Decision 2008/671/EC on the harmonised use of the frequency band 5878-5935 MHz for safety related applications of Intelligent Transport Systems.

### **42<sup>nd</sup> BEREC Plenary Meeting**

MCA attended the 42<sup>nd</sup> BEREC Plenary meeting and the first IRG General Assembly of 2020 which were held on the 5<sup>th</sup> and 6<sup>th</sup> of March, 2020 in Belgrade, Serbia. The meetings were hosted by RATEL, the Serbian national regulatory authority responsible for electronic communications. This was the first Plenary chaired by Mr Dan Sjöblom, who is the elected BEREC Chair for this year.

The meeting's agenda included various items covering expert working groups' work associated with the implementation of the European Electronic Communications Code which continues to be of high priority in BEREC's work in 2020. By the end of this year, BEREC has to deliver 11 Guidelines as required by the European co-legislators. BEREC already delivered seven guidelines, with four of these being adopted during the meeting in Belgrade. Apart from the Guidelines, BEREC also adopted a feasibility study on development of coverage information for 5G deployments and its Draft Strategy for the period 2021-2025. The latter has been opened for public consultation. A full list of public documents adopted by the Board of Regulators at the 42<sup>nd</sup> plenary meeting is available on the BEREC website.

### **RSPG Sub-Group on the Review of the Radio Spectrum Policy Programme**

The MCA participated in a web meeting of the Radio Spectrum Policy Group on the review of Decision No. 243/2012/EU establishing a multiannual radio spectrum policy programme. The meeting considered the key strategic issues

which should be considered by the sub-group as well as some organisational issues. This work is planned to be completed in 2021.

## BEREC JOINT STATEMENT

### Coping with the Increased Demand for Network Connectivity

As Malta's National Regulatory Authority (NRA) responsible for the Electronic Communications Sector, we place utmost priority on consumers' needs, this is especially important at this time with society's increased reliance on network connectivity.

During March and looking into the future we will continue collaborating with other European NRA's in the setting up of a standard reporting mechanism, through which to ensure a follow-up on the evolution of traffic and user experience.

BEREC's Joint Statement reads as following:

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Author: BEREC

The Body of the European Regulators of Electronic Communications (BEREC) and the European Commission have issued a joint statement on how to cope with the increased traffic load due to the Covid-19 pandemic and is setting up a special process in order to monitor the situation and be ready to respond to any crisis of supply on the telecom network.

Pursuant to the Open Internet Regulation (Regulation (EU) 2015/2020 Article 3.3), operators are authorised to apply exceptional traffic management measures, inter alia, to prevent impending network congestion and to mitigate the effects of exceptional or temporary network congestion, always under the condition that equivalent categories of traffic are treated equally. This could become relevant, following the

confinement measures taken to address the Covid-19 crisis by the EU Member states.

After the Board of Regulators vote on the joint statement, the BEREC Chair Dan Sjöblom emphasized "We are currently not seeing any major congestion problems and network operators seem to be coping well with the higher traffic load in the networks. But we nevertheless need to stay vigilant and be ready for if the situation changes. This is an extreme and unprecedented situation we are witnessing and we have seen over the past couple of days just how quickly things can change."

To ensure regular monitoring of the internet traffic situation in each Member State the European Commission and BEREC, with the support of National Regulatory Authorities or competent authorities, are setting up a reporting mechanism, through which to ensure a follow-up on the evolution of traffic and user experience.

"BEREC is in the process of establishing a special reporting mechanism and we will clarify how this will work in further communication. We expect this work to be ready soon, as we are not looking to build a completely new monitoring structure, but rather strengthening already existing mechanism for information sharing among National Regulatory Authorities," said the BEREC Chair.

BEREC and the Commission invite operators to inform National Regulatory Authorities or competent authorities on the measures taken to ensure the necessary transparency for individuals and businesses. The timely received information will enable efficient and effective performance of the monitoring tasks.

For further information follow link to BEREC's Press Release on:

[https://berec.europa.eu/eng/document\\_register/subject\\_matter/berec/press\\_releases/9237-press-release-coping-with-the-increased-demand-for-network-connectivity](https://berec.europa.eu/eng/document_register/subject_matter/berec/press_releases/9237-press-release-coping-with-the-increased-demand-for-network-connectivity)

## BEREC GUIDELINES on EECC

### **BEREC issued guidelines on the Implementation of the Union Regulatory Framework for Electronic Communications**

#### **BEREC Guidelines on Geographical Surveys of Network Deployments**

In accordance with Article 22(7) of the European Electronic Communications Code (EECC), by 21 June 2020, to contribute to the consistent application of geographical surveys and forecasts, BEREC shall, after consulting stakeholders and in close cooperation with the Commission and relevant national authorities, issue guidelines to assist NRAs and/or other competent authorities on the consistent implementation of their obligations under this Article.

In this respect, BEREC commenced its work on the draft Guidelines to assist NRAs on the consistent application of geographical surveys of networks deployment in 2019. A public consultation on the drafting of these Guidelines ran from 10 October to 21 November 2019. BEREC received a total of 27 contributions including operators (9), operator's associations (10), public authorities (4) and citizens (2). The Guidelines were then revised to reflect some of the comments made and further discussion of the Working Group.

The main goal of these Guidelines is to enable the production of data on the reach of broadband networks, geographically referenced and relevant to regulation and policy in each Member State.

#### **BEREC Guidelines detailing Quality of Service Parameters**

In accordance with Article 104(2) of Directive (EU) 2018/1972 (EECC), the present Guidelines are issued to provide guidance to National Regulatory Authorities in respect to Article 104 of the EECC and to contribute to the consistent application of Article 104(2) and Annex X, with the aim of defining:

- the relevant Quality of Service (QoS) parameters, including the parameters relevant for end-users with disabilities
- the applicable measurement methods for these QoS parameters

- the content and format of publication of the QoS information
- the quality certification mechanisms.

Therefore, BEREC commenced its work on the draft Guidelines. A public consultation on the drafting of these Guidelines ran from 10 October 2019 to 5 December 2019. BEREC received 11 submissions from stakeholders, mainly operators (and their associations) and consumer associations. The Guidelines were then revised to reflect some of the comments made and further discussion of the Working Group.

#### **BEREC guidelines on common criteria for the assessment of the ability to manage numbering resources**

In accordance to Article 93(2) of Directive (EU) 2018/1972 (EECC), the present guidelines set out to assist EU Member States in case they decide to assign numbering resources to undertakings other than providers of electronic communications networks or services (non-ECN/ECS entities). This newly introduced piece of legislation is intended to take account of recent trends and address the potential demand for numbering resources from non-ECN/ECS entities.

A public consultation ran from 14 June 2019 until 28 August 2019. In response to the consultation on the draft guidelines BEREC received contributions from the following nine stakeholders. The Guidelines were then revised to reflect some of the comments made.

The main goal of these Guidelines is to:

- facilitate the assessment by NRAs that will decide to allow the assignment of numbers to non-ECN/ECS players.
- contribute to regulatory clarity for the market, as well as consistency throughout the EU.
- cover all kinds of services and numbers, including those for machine-to-machine services and those with rights of extra-territorial use.

#### **BEREC Guidelines on Common Approaches to the Identification of the Network Termination Point in different Network Topologies**

According to the European Electronic Communications Code (EECC) Art. 61(7), by 21 June 2020, BEREC has to adopt guidelines on common approaches to the identification of the network termination point (NTP) in different network

topologies. "NTP" means the physical point at which an end-user is provided with access to a public communications network; in the case of networks involving switching or routing, the NTP is identified by means of a specific network address, which may be linked to an end-user's number or name." EECC Art. 2(9). The NTP represents a boundary, for regulatory purposes, between the regulatory framework for electronic communication networks and services on one side and the regulation of the telecommunications terminal equipment (TTE) on the other.

As a result, BEREC issued a public consultation which ran from 7 October until 21 November 2019 through which 68 responses were collected from the relevant stakeholders including mainly; individuals, network operators and associations of network operators. NRAs shall take utmost account of these Guidelines when defining the location of NTP. The Guidelines shall also contribute to the harmonisation of defining the location of NTPs in the EU.

## PUBLICATIONS

### **MCA End-User Half Yearly Statistical Report July - December 2019**

*Published On: Mar 17th 2020 News*

### **MCA End-User Half Yearly Statistical Report July - December 2019**

*Published On: Mar 17th 2020 End User Half Yearly Report*

### **Monthly Newsletter - February 2020**

*Published On: Mar 11th 2020 News*

### **Telecoms Customer Care Support**

*Published On: Mar 3rd 2020 News*

### **The Single Digital Gateway**

*Published On: Mar 3rd 2020 News*

### **Universal Services in Telecoms**

*Published On: Mar 3rd 2020 News*

### **Roaming**

*Published On: Mar 3rd 2020 News*

### **MCA Guidelines on Cross-Border Portability of Online Content Services – Regulation (EU) 2017/1128**

*Published On: Mar 3rd 2020 News*

### **MCA Guidelines on Unjustified Discrimination of Online Sales based on Customers' Nationality, Place of Residence or Place of Establishment within the Internal Market – Regulation (EU) 2018/302**

*Published On: Mar 3rd 2020 News*

### **Communications Market Review: January to June 2019**

*Published On: Mar 2nd 2020 Market Review*

## MEDIA ACTIVITY

### **Television:**

**Date:** 12.03.2020

**Channel:** TVM

**Programme:** Sanofsinhar

**Topic:** Wangiri Scam Calls

**Participant:** Deborah Pisani