

INTERNATIONAL RELATIONS

European Regulators Group for Postal Services Cross Border Working Group Meeting

The MCA participated in a European Regulators Group for Postal Services (ERGP) Cross Border Working Group (WG) meeting on 26th March 2021. During the ERGP Cross-border WG meeting comments submitted by the NRAs for the following were discussed:

- the Paper to be sent to the Commission re. the pre-assessment filter mechanism (Art. 6);
 - EC Request: Possible reduction of filter percentage.
- the questionnaire re. Art. 5;
 - Examine difficulties with the implementation of Art. 5 (esp. definitions and categories) and make suggestions for a more harmonised implementation,
- the questionnaire re. Art. 4 and,
 - Examine difficulties with definitions of Art. 4 and conclude if the data is needed for the NRAs' task in the foreseen granularity
- the template for a summary of the assessment of tariffs.
 - Develop a template for a summary of the assessment of tariffs to provide the results and elements used for the assessment in a more harmonised way.

The co-chair also emphasized that the NRAs who are not affected in any way by the overall evaluation of the implementation of Art. 6, should also participate in the e-voting to reach quorum.

Roaming Regulation – Full Roaming Working Group Meeting

On the 26th March, 2021, the MCA participated in the full roaming working group meeting to discuss a document drafted by BEREC on a proposal by the EC for amending the Roaming Regulation. The main aspects of the regulation would remain unchanged including the Roam Like at Home criteria and fair use policy, nonetheless the EC are proposing to amend or include new provisions on the quality of service, value added services, wholesale caps and emergency services.

NRAs were invited to submit their comments on the BEREC Opinion document, and the MCA has sent its feedback accordingly.

The European Regulators Group for Postal Services (ERGP) Consumers and Core Indicators Working Group Meeting

An official from the MCA participated in the European Regulators Group for Postal Services (ERGP) Consumers and Core Indicators Working Group (WG) meeting on 18th March, 2021. During the ERGP Consumers and Core Indicators WG meeting, the following was discussed:

- Report on the contractual situation of consumer:
 - First outcome of the results of the questionnaire and a presentation of the draft outline of the report.
- Quality of service, complaint handling and consumer protection report:
 - Status of draft questionnaire.
- Core Indicators Report
 - Status of draft questionnaire.

BEREC Market and Economic Analysis Working Group Meeting on Backhaul Regulatory Treatment

A representative from the MCA participated in the first meeting held by the BEREC Market and Economic Analysis (MEA) WG concerning the BEREC Report on the regulatory treatment of backhaul on 15th March 2021. The report aims to review how backhaul is addressed in market analyses by NRAs, preparing a snapshot on how backhaul is regulated (if so) across different countries and 2) provide guidance on how to apply in the market analysis process any relevant provision regarding backhaul in the European Electronic Communications Code (EECC) and related recommendations. More specifically, the report will provide a snapshot about the current situation in MSs regarding the different aspects of backhaul deployment – including fixed and mobile backhaul; and the availability for all type of actors and regulation, taking also into account the new recommendation on relevant markets to enter into force in December 2020. Also of

relevance from outside the EU is that the Competition Commission in New Zealand prepared a series of reports on backhaul, which are available on the following link:

[Backhaul Reports - NZ Competition Commission](#)

The report will not focus on access to physical infrastructure. BEREC will also assess the need of preparing a common position on the regulatory treatment of backhaul.

Going forward, for the purposes of the report, BEREC will prepare and again distribute a questionnaire to the NRAs and will organize a workshop with the main stakeholders' associations to collect their views on different aspects related to backhaul regulation. The report will be published for public consultation in Q3 2021. All actors will be asked to provide their feedback in 2022.

Next meeting is planned for the 20th of April.

BEREC Market and Economic Analysis Working Group Meeting on Internet Value Chain BEREC Report

This introductory meeting was held by the BEREC Market Economic Analysis (MEA) Working Group (WG) and concerned the BEREC Report on the Internet Value Chain on 15th March 2021. The objectives of the report are not yet fully firmed up, but it will seek to explore how the complete internet value chain is affected by players or digital ecosystems on multiple levels (competition, quality, innovation, standard-setting, collection of data, investments, open internet, users' choice and experience).

The report will aim to identify these key players on different levels, perform an initial examination of the role played by these agents and analyse the effects of their practices. As a result, BEREC will also identify potential bottlenecks and interactions within the value chain.

The meeting also covered the division of work between the MEA WG and the OI WG, whose work is related. However, overall responsibility of the deliverables falls onto the MEA-WG.

There will be a joint meeting with BEREC OI-WG on 18th March that will define the scope and objectives of the study.

Meeting of the Radio Spectrum Policy Group (RSPG) – Good Offices Subgroup

One of the subgroups of the Radio Spectrum Policy Group (RSPG) assists in bilateral spectrum management negotiations between member states. During the past meeting which was held on the 18th March 2021, the group mainly discussed a request raised by one member state for the invocation of Article 28 of the European Electronic Communications Code. The next RSPG-Good offices meeting is planned to take place on the 20th April 2021.

26th Meeting of the European Communications Committee Working Group NaN3

Two MCA representatives participated in a meeting of a project team within Working Group NaN which was held between the 16th and 17th March 2021. The project team held discussions on multiple aspects related to numbering, including on numbering resources being used for eCall and implications on eCall call-back.

46th BEREC Plenary Meeting / IRG General Assembly

MCA participated in these virtual meetings held on the 11th and 12th March 2021. The BEREC Board of Regulators approved the BEREC Opinion on the Digital Markets Act; the BEREC Opinion on the revision of the BCRD; and BEREC Guidelines on Geographical surveys of network deployments regarding the consistent implementation of Article 22 (2), 22 (3) and 22 (4). BEREC also approved a number of draft reports that will now be issued for public consultation, namely:

- Draft BEREC Report on the harmonised definitions for indicators regarding Over-The-Top (OTT) services, relevant to electronic communication markets;
- Draft BEREC Report on the ex-ante regulation of digital gatekeepers;
- Draft BEREC Report on how to handle third-party payment charges on mobile phone bills.

74th Radio Spectrum Committee Meeting

The meeting was held on the 9-10th March 2021. In terms of the key outcomes, the meeting agreed on the draft text of Commission Implementing Decisions on:

- (i) the harmonised use of radio spectrum in the 5945-6425 MHz frequency band for the implementation of wireless access systems including radio local area networks (WAS/RLAN), and
- (ii) the harmonised use of the paired frequency bands 874.4-880.0 MHz and 919.4-925.0 MHz and of the unpaired frequency band 1900-1910 MHz for Railway Mobile Radio.

The meeting also agreed on the text of a draft Mandate to CEPT to review the limit of out-of-band emissions below 5935 MHz applicable to very low power WAS/RLAN devices.

55th CEPT/ECC Plenary Meeting

A representative for the MCA participated in the 55th European Conference of Postal and Telecommunications Administrations (CEPT) and European Electronic Communication Committee (ECC). The meeting was held between the 1st and 5th March 2021. The meeting has, amongst other things, adopted various CEPT Reports which include the results of the technical studies undertaken by the CEPT/ECC in response to Mandates from the European Commission. Other reports were adopted and published for public consultation. The progress made by the various ECC groups with respect to their work plan was also considered and decisions taken where necessary.

ENISA Article 19 Meeting

The MCA attended for the ENISA Article 19 meeting on the 2nd March 2021. This meeting is open for all eIDAS Supervisory Bodies and is focused on security management and particularly incident reporting. During the meeting, the European Commission presented the new Unified Portal for Trust Services. This portal will consolidate the online tools related to Trust Services and which are currently dispersed across a number of online resources in a common location making it easier for the Trust Services community to access relevant information. A round-up of reported security incidents that occurred in 2020 was then presented by ENISA during

which the reported issues were highlighted and the reporting process was also analysed. At the end, the group discussed the proposed NIS 2 Directive and any effects it may have on the eIDAS Regulation.

PUBLICATIONS

Review of Universal Service Obligations on Electronic Communication Services, Response to Consultation and Decision

Published On: Mar 30th 2021 News

Review of Universal Service Obligations on Electronic Communication Services, Response to Consultation and Decision

Published On: Mar 30th 2021 Decision

End-User Affairs: Half Yearly Report (July – December 2020)

Published On: Mar 29th 2021 End User Half Yearly Report

Monthly Newsletter - February 2021

Published On: Mar 18th 2021 News

Monthly Newsletter - January 2021

Published On: Mar 17th 2021 News

Procurement & Administrative Officer

Published On: Mar 16th 2021 Recruitment

Annual Plan 2021 & Strategy Update 2021-2023

Published On: Mar 15th 2021 **News**

Annual Plan 2021

Published On: Mar 12th 2021 **Annual Plan**

Strategy Update for 2021 - 2023

Published On: Mar 12th 2021 **Strategic Plan**

LEGAL Updates

Litigation – 23rd March 2021:

- MaltaPost vs MCA appeal before the Administrative Review Tribunal – MaltaPost are contesting a decision the MCA issued last August where MaltaPost were required to pay compensation for not having attained the QoS targets for 2019. Sitting was adjourned to 11th May 2021 for MaltaPost to commence with their evidence in this case
- Vodafone (now EPIC) vs MCA – re contestation of MCA’s VULA 2016 decision. GO who intervened in this case presented an affidavit of one’s of its witnesses. Case has been adjourned to 11th May 2021 for continuation of evidence by GO and any cross-examinations.

Legal Notices:

Publication on the 16th March 2021 of LN 13 of 2021 entitled ‘Electronic Trust Services (Remote Identification Procedures) Regulations, 2021.

MEDIA ACTIVITY

Television:

Date: 17.03.2021

Channel: TVM

Programme: TVAM

Topic: Purchasing Goods from Abroad – What to look out for

Participant: Matthew Farrugia

Date: 09.03.2021

Channel: TVM

Programme: Niskata

Topic: Purchasing Goods from Abroad – What to look out for

Participant: Matthew Farrugia

Radio:

Date: 15.03.2021

Channel: Radju Malta

Programme: Aħna I-Maltin

Topic: Purchasing Goods from Abroad – What to look out for

Participant: Matthew Farrugia