

INTERNATIONAL RELATIONS

2nd Plenary Meeting of the European Regulators' Group for Postal Services 2019

Malta was represented by an MCA official when the heads of the national regulatory bodies responsible for postal services met for their second ERGP Plenary for this year. The meeting was held on the 29th November in The Hague, The Netherlands. During the meeting the national representatives unanimously chose the Polish NRA Head, Marcin Cichy, to become the new Chair for 2021. The Plenary also adopted a number of documents, which include: the new ERGP Medium Term Strategy for 2020-2022; the Work Programme for 2020; a report on quality of service, consumer protection and complaints handling; a report on postal core indicators; and a report on cross-subsidisation practices.

Web Accessibility Directive Expert Group (WADEX) Meeting

As the regulatory authority entrusted by Government to implement the Web Accessibility Directive (WAD), the MCA attended for the 6th Web Accessibility Directive Expert Group meeting in Brussels, Belgium on the 28th November 2019. The meeting comprised of experts from all Member States, who are tasked with the enforcement of the new WAD including also its monitoring and reporting functions. The meeting covered various areas which are now coming into force. Amongst others, a presentation by the European Commission on the setting up of a Digital Accessibility Observatory was delivered. The aim of the observatory would be to establish a placeholder for all Digital Accessibility resources in Europe and beyond. In the afternoon, the attendees were split into separate working groups and each group discussed pertinent themes and challenges being faced by the regulatory authorities and possible mitigation measure that can be adopted to lessen the impacts from such challenges. These included a scoring mechanism for compliance testing, best practices on website accessibility statements and monitoring approaches in the individual member states.

High Level Cybersecurity Meeting on 5G

On the 26th November 2019, a representative for the MCA attended a BEREC meeting organised by the Market and Economic Analysis Working Group (MEA EWG), which focuses on the market and economic issues concerning digital platforms. The final deliverable of this work-stream is a report with the objective to provide a better understanding of digital platforms and to highlight the potential competition concerns as well as consumer, privacy and security concerns in this area. The report will then delve into the current legal framework to determine which ex ante regulatory tools could be utilised to tackle such concerns and what role NRAs & BEREC could play to provide expertise on the matter.

Two presentations were delivered during the meeting, entitled 'Competition Policy for the Digital Era', which was based on a report commissioned by DG competition on the subject, and 'Unlocking Digital Competition', which was based on another report published by the Digital Competition Expert Panel in the UK.

The very first draft of the BEREC report should be available by May or June 2020. The MCA will be contributing to this report at drafting stage.

BEREC Training on Regulatory Framework for Electronic Communications

The MCA participated in the first session of the BEREC National Regulatory Authorities (NRAs) training held in Brussels, Belgium, on the 25th and 26th November 2019. The BEREC NRA Training Programme provides training on the regulatory framework and other issues related to BEREC activities. This course is divided into four sessions with the rest of the sessions taking place in February, March and April 2020.

4th BEREC Contact Network Meeting of 2019

An MCA official attended the fourth BEREC Contact Network meeting of 2019 on the 14th and 15th November in The Hague, The Netherlands. The Contact Network Group reviews the work carried out by the Expert Groups and prepares the

agenda for the BEREC Plenary meeting. During this meeting a number of topics were discussed mainly on the Regulatory Framework, Market and Economic Analysis and Open Internet.

High Level Group on Internet Governance (HLIG) Meeting

The MCA attended the scheduled HLIG meeting on the 14th November 2019 in Brussels, Belgium. The main theme of the meeting was the draft text of the Delegated Act foreseen by Regulation 517/2019 on the .eu domain. The act establishes the eligibility, the selection criteria and the procedure for the designation of the Registry operator. With the IGF being held in Berlin later during November, a presentation by the German delegation was also provided to the attendees and final queries were tackled. In the afternoon, attention was turned to the UN High Level Panel on Digital Cooperation where various opinions of the Member State representatives were discussed. The topic of DNS abuse, including recent incidents and mitigation methods, concluded the discussion, with the group agreeing to maintain this topic in focus as more potential threats around DNS emerge.

BEREC Statistics and Indicators Working Group Meeting

An MCA official attended the BEREC Statistics and Indicators Working Group meeting on the 5th November 2019 in Brussels, Belgium. The Working Group discussed the OTT Indicators Report and also produced an update on the Commission Broadband Pricing Study. The main focus of the meeting concerned the OTT report, during which, several points were raised and discussed. The scope of this report is to provide an overview on why the NRAs and BEREC may need to collect such information, from whom, and possible indicators that may be required. The OTT project is still work in progress and will be continued during next year.

PUBLICATIONS

MCA Consumer Perceptions Survey – Fixed Broadband

Published On: Nov 29th 2019 Broadband Internet

Monthly Newsletter - October 2019

Published On: Nov 20th 2019 News

Business Perception Postal Survey - 2019

Published On: Nov 19th 2019 Small Business

MCA Decision on Postal Markets in Malta, Competition Assessment and Regulatory Approach

Published On: Nov 18th 2019 Decision

2018 Annual Report & Financial Statements

Published On: Nov 14th 2019 Annual Report

Data Report Sheet (DRS) with the Latest Figures is Published

Published On: Nov 5th 2019 Data Report Sheet

Price Developments Presentation for September 2019

Published On: Nov 4th 2019 Monthly Pricing Developments

Recruitment - Technical Specialist

Published On: Nov 1st 2019 Recruitment

Recruitment - Financial Analyst

Published On: Nov 1st 2019 Recruitment

Recruitment - Market Analyst

Published On: Nov 1st 2019 Recruitment

Recruitment - MCA Careers

Published On: Nov 1st 2019 Recruitment

MEDIA ACTIVITY

Television:

Date: 22.11.2019

Channel: TVM

Programme: TVAM

Topic: Consumer Seminar

Participant: Yanika Bugeja

LEGAL UPDATES

Litigation:

•11th November 2019: Sitting before ART in the appeal by Aspider Solutions Malta Ltd. Aspider are contesting a regulatory decision of the MCA imposing an administrative fine for non-compliance with Number Porting Requirements. Aspider continued with their evidence in this case. Appeal has been adjourned to the 16th January 2020 for the continuation of evidence by Aspider.

•11th November 2019: Vodafone vs MCA before ART – contesting MCA’s decision entitled ‘Virtual Unbundled Access to Fibre-to-the-home: implementing the VULA Remedy’ – adjourned to the 16th January 2020 for the MCA’s evidence presentation.

•11th November 2019: Vodafone vs MCA before ART – contesting an MCA decision following a dispute filed by Vodafone. MCA submitted its written submissions in response to those previously submitted by Vodafone. Case has been adjourned to the 16th January 2020 for Tribunal’s decision.

•11th November 2019: Final judgment by ART in the appeal filed by Vodafone contesting MCA’s regulatory decision on Wholesale Call Origination on the Public Telephone Network

given on the 21st April 2016. Appeal was not upheld. It does not result, at the time of writing, that Vodafone have appealed this judgement before the Court of Appeal.

EVENTS

Seminar: Placing Consumers at the Heart of Electronic Communications Services

Rapid evolution in technology directly impacts consumer expectation in the sector of electronic communications. This Seminar brought together various other stakeholders to discuss how to address consumer expectations. Speakers came from relevant organisations which included the European Commission, BEUC (the European Consumer Organisation), OFCOM (the UK’s Telecoms Regulator), Cullen International, the University of Malta and local industry players.

The Hon. Silvio Schembri positively noted that Malta is well on track to be amongst the first Member States to meet the goals set by the European Union’s 2025 Gigabit Society targets also thanks to its investment-friendly policies and robust regulatory frameworks that facilitate private sector participation in new digital sectors that rely on telecommunications infrastructure and services. He added that telecommunication rules will be modernised to take into account developments in technologies and markets and that deliver positive and tangible benefits to consumers.



MCA’s CEO Jesmond Bugeja, emphasised that on-going investments in connectivity of both a fixed and wireless nature have placed Malta as the best performing EU country in broadband coverage and speed.

The seminar also featured a panel discussion between the CEOs of the three main telecoms companies Mr. Nikhil Patil (GO plc), Mr. Harald Rosch (Melita Ltd) and Ms Sonia Hernandez (Vodafone Malta Ltd) who answered questions about their expectations as consumers about the challenges faced by the telecoms industry to support and keep up with the demands and necessities of new and disruptive technologies.



MISCO also took the floor to provide an overview of the results of a study it conducted on behalf of the MCA to gauge consumers' quality of experience. This research was carried out among the general public with the objective of assessing

the experiences, behaviour and opinions regarding electronic services.

Some Results:

92% of respondents consider the contact details of their provider very accessible or fairly accessible.

For 71% of respondents, the telephone is the most preferred customer contact channel. The telephone is the most preferred channel among all age groups. However, there is a higher level of preference among persons aged over 34 years.

On the other hand, the preference for e-mail is higher among persons aged under 35 years.

