INTERNATIONAL RELATIONS

Joint BEREC/EC 2nd Technical Workshop on Geographical Surveys' Methodologies

An MCA official attended the Joint BEREC/EC second technical workshop on Geographical Surveys' Methodologies on the 22nd October 2019 in Brussels, Belgium. During the workshop, representatives of NRAs, other relevant Member State Authorities, BEREC and EC had the opportunity to discuss the forthcoming BEREC guidelines on Geographical surveys of network deployments. The survey on the geographical survey methodologies will be in public consultation from October 10th to November 21st. The workshop primarily aims to provide an important input to BEREC's tasks regarding the development of guidelines to assist NRAs and/or OCAs on the consistent implementation of their obligations under Article 22 of the EECC.

BEREC and RSPG 2nd Workshop on 5G Authorisation Process

The MCA participated in BEREC and RSPG's second workshop on 5G authorisation process between the 21st and 22nd October 2019 in Brussels, Belgium. The workshop was intended to provide an overview of the developments on the 5G spectrum bands' availability and assignments carried out in Europe and the rest of the world. The workshop proceeded by exploring other topical issues related with the subject matter of 5G Authorisations. Amongst the topics discussed, mechanisms to guarantee access to spectrum for operators and vertical alike, to address their connectivity requirements focusing in particular on mm_Wave availability was high on the agenda. In addition, the key concerns about EMF in relation to the deployment of 5G, focusing primarily on current emission levels in force, educational efforts and coordinated actions to address such concerns were also discussed.

ERGP 2nd Contact Network Meeting 2019

An official represented the MCA for the 2nd and final Contact Network meeting of the European Regulators Group for Postal Services (ERGP) of 2019. The meeting was held on the 18th October in Madrid, Spain. The Contact Network Group reviews the work carried out by the Expert Groups and prepares the agenda for the ERGP Plenary meeting. During this meeting, a number of topics were discussed, mainly on the ERGP Work Programme 2020, market indicators and cross-border parcel delivery.

Forum of European Supervisory Authorities and the ENISA Article 19 Meetings

Representatives for the MCA attended the scheduled Forum of European Supervisory Authorities (FESA) meeting between the 16th and 18th October in Paris, France. FESA comprises most of the European eIDAS Supervisory Bodies and meets twice a year to discuss issues, challenges, solutions and concerns in regards to the implementation of the eIDAS regulation.

Following an introduction by all FESA members, the forum was presented with an update on the standardisation work being conducted by CEN/ETSI for eIDAS. This was followed by a presentation by ACAB-c, which is a group of accredited conformity assessment bodies (CABs). ACAB-c provided the FESA members with a brief of their set-up and current activities. The rest of the FESA meeting focused on the planned revision of the eIDAS regulation.

The FESA meeting was followed by the ENISA Article 19 meeting which relates to security incident reporting in relation to eIDAS QTSPs. This part of the meeting focused also on the planned revision of the eIDAS regulation. Other topics on the agenda included a best practices session on Trusted List (TL) management and an update by the European Commission on the work being carried out by the eIDAS Expert Group.

BEREC Stakeholder Forum

The MCA's top officials attended the 7th BEREC Stakeholder Forum held on 16th October in Brussels, Belgium. Stakeholders from the telecoms and digital communication industries will have the opportunity to interact with BEREC on cybersecurity in the context of 5G networks, and to express their thoughts on the draft BEREC Work Programme 2020. The Forum was streamed live on the BEREC website and a video can be

accessed on BEREC's Youtube channel via the following link: https://www.youtube.com/watch?v=yKVKVPgkbF4

Frequency Coordination Meeting

The Frequency Coordination Meeting saw members of the MCA meeting with members of the Greek and Italian respective authorities in Rome, Italy on the 10th and 11th October 2019. The meeting focused on the use of the VHF band between 174 and 230 MHz for digital terrestrial broadcasting services. An agreement was reached between Malta and Italy but further discussions are required with a view to concluding a multilateral agreement on the use of this frequency band.

High Level Group on Internet Governance Meeting

The MCA participated in the scheduled High Level Group on Internet Governance (HLIG) meeting on the 10th October 2019 in Brussels, Belgium. The meeting comprised of a multi-stakeholder session in the morning and a closed session dedicated for Member States in the afternoon. In the morning session, the European Commission provided a detailed update on the content of the .eu Delegated Act defining the eligibility and selection criteria of the .eu domain, and the planned procedure for the designation of a domain registry managing the .eu domain. The timelines for the implementation of the .eu Regulation, namely the adoption of the implementing act and the adoption of the delegated act remain as planned i.e. February 2020 and March 2020 respectively. Other points on the agenda related to the rising problem of DNS abuse and ways this can be mitigated. Finally, there was also a discussion around DNS over HTTPs (DoH) and the various benefits and challenges this can bring.

Training Programme with RTR on Implementation of an ADR Function

On the 9th and 10th October 2019, representatives for the MCA attended a two-day training experience in Austria which was hosted by the Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR) in Vienna, Austria. This was possible by means of the Implementing better QoS through

Expert Mobility Project which is co-funded by the ERASMUS+ Programme.

The scope of this training was to acquire first-hand experience from a similar national regulator which provides Alternative Dispute Resolution (ADR) in regard to consumer disputes concerning telecommunications and postal services, given that the MCA is actively considering taking up the similar role and act as the ADR entity responsible for consumer disputes concerning electronic communications services and possibly other communications services falling within the remit of the MCA, once the provisions of the European Electronic Communications Code (EECC) are implemented into national legislation and brought into force.

During the first day of the visit we discussed the legal instrument under Austrian law – the Alternative Dispute Resolution Act, which establishes that RTR is the competent ADR responsible for consumer disputes concerning telecommunications and postal services. RTR explained how this law also catered to establish another seven ADRs under Austrian law. This provided insight to the actual legal basis on which RTR has the power to fulfil all the functions of a conciliation body. RTR gave presentations on the role of RTR, on the ADR conciliation team, as well as an overview of RTR's conciliation body. The presentation featured the conciliation procedures which are adhered to when a complaint is received, which included the notion of payment deferral of the consumer's bill until the conciliation process is finalised.

During the second day of training, RTR explained the decision-making process subsequent to a complaint. If an amicable solution is not reached between the parties, once all the necessary information is gathered and verified by technical staff, a written settlement is drafted by the conciliation team and presented to one of the two Arbitrators at RTR who endorses or otherwise the proposed settlement. If the Arbitrator does not endorse the proposed settlement, this is sent back to the conciliation team who take the Arbitrator's feedback in consideration before resending the amended proposed settlement to the Arbitrator once again. Following this, the proposed settlement is sent to both parties and if they both agree, they will be legally bound by this settlement. If one or both of the parties do not agree, then the conciliation proceedings with the ADR will be terminated and any of the parties can seek alternative legal avenues if they wish to do so. In Austria, a decision by the ADR is not legally binding and any

of the parties can take the matter to court, even if a decision has already been given by the ADR. The database used by the ADR to process these complaints was shared with the participating MCA representatives, noting that the use of such software would facilitate the processing of complaints and at the same time safeguard important knowledge that can be used to handle subsequent complaints. Such a database would also be beneficial to handle the personal data found in these complaints in line with GDPR.

The final part of the training programme provided the MCA representatives with the possibility to visit another ADR entity - Verbraucherschlichtung Austria. Verbraucherschlichtung Austria is an independent, non-profit association and is one of the eight nationally recognised consumer arbitration boards in Austria. They handle the residual complaints and arbitration cases which are not handled by any of the other seven consumer arbitration boards in Austria, similar to the Complaints and Conciliation Directorate at the Malta Competition and Consumer Affairs Authority (MCCAA), which is primarily responsible to offer assistance to consumers and provide mediation between consumer and traders. Participants were also given an overview of the work carried out as well as practical examples of complaints and disputes which they handled in the past.

An interesting fact observed from this training programme is the realisation that the MCA already carries out many of the functions of an ADR and similar procedures are used when dealing with consumer disputes. The knowledge acquire through this training programme will facilitate the process that the MCA must undergo when it will be established as the ADR entity responsible for telecommunications and postal services.

50th Radio Spectrum Policy Group (RSPG) Meeting

AN MCA official participated in the 50th Radio Spectrum Policy Group (RSPG) meeting on the 9th October 2019 in Brussels, Belgium. A number of documents were adopted during this meeting, namely the RSPG report on the practical implementation of EECC Article 35, the revised Rules of Procedure and the draft RSPG work programme for 2020-2021 (for public consultation). The meeting has also considered progress achieved within the relevant RSPG

working groups and elected a new Chair and vice-Chair to lead the RSPG for the coming two years.

20th eCommerce Working Group Meeting

The purpose of the 20th eCommerce Expert Group meeting held on 8th October 2019 in Brussels, Belgium, was to discuss and seek Member States' feedback on the guidelines referred to in Article 5(7) of the that the Platform-to-business Regulation that the Commission is committed to undertake. Suggestions made include that the guidelines should differentiate between the different types of platforms and focus on specificities. Also, consumers should be taken into consideration and informed about ranking, without the need to access the terms and conditions. Furthermore, the Commission reminded all present that Member States need to ensure adequate and effective enforcement of this Regulation. During the meeting, the Commission presented an update of the results achieved so far by the Observatory on the Online Platform Economy, making reference to the interim report, the process of its preparation and also the new topics which the Observatory will look into after the publication of the report. The interim report focuses on 3 areas, namely:

- Key features & measurement of the online platform economy
- Differentiated treatment (ranking, economic insights, etc.)
- Data access and sharing (limits of sharing, data usage, etc.)

The latter part of the meeting was a dedicated discussion, in a workshop format, covering the evaluation of the eCommerce Directive. The experts from the different Member States were divided into groups to informally discuss about the suitability of the current legal framework for information society services and whether this legislation needs to be revised in light of the developments brought about by digital technology.

40th BEREC Plenary Meeting

MCA participated in the 40th BEREC Plenary Meeting held in Crete on 3-4 October 2019, hosted by EETT, the Greek National Regulatory Authority. During the ordinary plenary meeting the BEREC Board of Regulators elected the BEREC Chair for 2021 Michel Van Bellinghen – the Chairman of the

Council of Belgian Institute for Postal Services and Telecommunications (BIPT). In 2020, Michel Van Bellinghen will serve as a Vice-Chair and the incoming BEREC Chair 2021. The other elected Vice-Chairs are Monika Karas (NMHH, Hungary) and Tonko Obuljen (HAKOM, Croatia) together with Jeremy Godfrey (ComReg, Ireland) as the outgoing BEREC Chair. They will support Dan Sjöblom (PTS, Sweden), who will be the BEREC Chair 2020. During the Plenary meeting, BEREC signed an MoU with the International Telecommunications Union that foresees the establishment of a high-level cooperation framework in the area of electronic communications between the two bodies aimed to bring the benefits of internet and communication technologies to people worldwide and particularly in Europe. A number of documents, including various draft BEREC Guidelines were approved for public consultation. A full list of public documents adopted at the 40th ordinary plenary meeting is available on the BEREC website. The 41st BEREC ordinary plenary meeting will take place on 5-6 December 2019 in Malta.

Cullen International's Specialist Training: Consumer Protection in the Telecoms

A representative from the MCA attended a two-day training seminar focusing on most relevant consumer protection rules applying in the telecommunications sector. The seminar was organised by Cullen International between the 1st and 2nd October 2019 in Brussels, Belgium. Amongst the topics covered during this seminar include transparency, quality of service measures, enforcement, net neutrality, contracts, switching and termination.

PUBLICATIONS

Executive Coordinator

Published On: Oct 30th 2019 Recruitment

Key Market Indicators for Electronic Communications and Post: Q1 2015 to Q2 2019

Published On: Oct 30th 2019 Data Report Sheet

Monthly Newsletter - September 2019

Published On: Oct 16th 2019 News

Interoperability of Car Radio Devices

Published On: Oct 8th 2019 Consultation

Implementing Better QoS for Telecommunications through Expert Mobility

Published On: Oct 7th 2019 News

2nd ERGP Stakeholders Forum

Published On: Oct 7th 2019 News

Price Developments Presentation for June & July 2019

Published On: Oct 2nd 2019 Monthly Pricing Developments

Price Developments Presentation for August 2019

Published On: Oct 2nd 2019 Monthly Pricing Developments