

INTERNATIONAL RELATIONS

Forum for European Supervisory Authorities Meeting

The MCA attended for the scheduled meeting of the Forum for European Supervisory Authorities (FESA) on the 19th October, 2021. FESA brings together representatives of eIDAS Supervisory Bodies from the European member states. The meeting was held online as per the on-going travel restrictions due to the COVID-19 pandemic.

The meeting started with a discussion with the European Commission on the on-going eIDAS review. The discussion focused mostly on the proposed changes related to trust services whilst it also touched upon other new areas such as eID notification and the proposed European Digital Identity Wallet. The proposed NIS 2 Directive was then also discussed particularly in relation to the planned changes that will affect the eIDAS Regulation. The next session focused on the work that the European Union Agency for Cybersecurity (ENISA) has carried out over the past few months in relation to trust services. Amongst others, a number of new reports and guidelines were issued in this regard. The meeting closed off with a presentation by ETSI who presented new and updated standards that are related to trust services.

76th Radio Spectrum Committee Meeting

An MCA official participated in the 76th Radio Spectrum Committee meeting held on 13th and 14th October, 2021. The key agenda items considered amendments to the harmonised frameworks for:

- (i) 5 GHz wireless access systems including radio local area networks,
- (ii) terrestrial systems capable of providing electronic communications services in the 900 MHz and 1800 MHz bands, and
- (iii) short range devices.

The meeting also agreed on the text of a draft mandate to CEPT concerning the shared use of the 3.8-4.2 GHz band for terrestrial local-area wireless broadband systems.

27th Meeting of the ECC Working Group NaN3

Representatives from the MCA participated in a meeting of a project team within WG NaN which was held between the 12th and 13th October 2021. The project team held discussions on multiple aspects related to emergency numbers, including ongoing Report drafting. During the meeting, it was agreed to present one Report to WG NaN for final adoption, and another Report for approval for public consultation.

The 100th Working Group on Frequency Management

The Electronic Communications Committee's Working Group on Frequency Management (WG FM) is responsible for developing strategies, plans and implementation advice for radio spectrum management within CEPT (European Conference for Postal and Telecommunication Administrations).

The last meeting was held online, between the 4th and 8th of October 2021. The meeting discussed aspects related to a number of radiocommunication services and reviewed several ECC decisions, recommendations and reports.

The participation of the MCA allowed Malta to be involved in the process leading to the adoption of European spectrum management and licensing deliverables. This will feed into the review process of legal instruments pertaining spectrum management, in particular Malta's National Frequency Plan (NFP) and general authorisation (radiocommunications apparatus) frameworks.

31st Meeting of the ECC Working Group NaN2

MCA representatives participated in a meeting of a project team within WG NaN which was held between the 4th and 5th October 2021. The project team held discussions on multiple aspects related to number portability, switching and trust in numbers, including ongoing Report drafting. During the meeting it was agreed to present two Reports to WG NaN for final adoption.

BEREC Numbering Task Force Ad hoc Virtual Meeting

The MCA participated in an ad hoc virtual meeting of the BEREC Numbering Task Force discussing the goals of the databases envisaged in the context of the draft new Roaming Regulation and possible ways to implement these databases, specifically

- (i) the database of value-added services numbering ranges and
- (ii) the database of the means for accessing emergency services.

BEREC Regulatory Framework Comms ENG Working Group and Meeting

An MCA official attended the third meeting of WG and ENG Co-chairs in 2021 in Jurmala on the 14th and 15th October 2021, as the Comms ENG Co-Chair. The BEREC Chair and his office participated as well. After one and a half years of working with the Communications ENG Co-Chair through numerous virtual meetings, this event was very appreciated as it took place in person. The attendees had a discussion on 5G that was followed by a team-building event on the Latvian seaside forest. The networking part of the program which took place in the open air, was a refreshing and stimulating activity, allowing for creative discussions.

BEREC Stakeholder Forum

A representative from the MCA attended the BEREC Stakeholder Forum in Brussels on 28th October 2021, along with the Comms ENG Co-Chair Jennifer Gartland. The Comms ENG also ran a meeting and workshop on the morning prior to the Stakeholders Forum. During this meeting a discussion was held on the new Message House Document for BEREC. This year, stakeholders were invited to participate physically, however, it was also possible to follow the livestream. In order to improve the consistency and enhance the working methodology, the Forum had a new format of two parts. BEREC invited stakeholders to meet-and-greet the WG Co-chairs to exchange ideas and challenges in the telecom sector, which was followed by the conference part that concluded

with the Q&A sessions and the networking reception. In total, around 150 participants were present for the event.

PUBLICATIONS

Consultation on proposed Amendments to the General Authorisation Regime for Radiocommunications Apparatus

Published On: Oct 29th 2021 Consultation

MCA International News Week 22

Published On: Oct 26th 2021 News

Modalities of Payment for General Authorisations and Rights of Use under the Electronic Communications (Regulation) Act

Published On: Oct 26th 2021 Consultation

Broadband as a Universal Service: Ensuring the availability of an adequate Broadband Internet Access Service, including the Underlying Connection, at a Fixed Location – Decision Notice

Published On: Oct 22nd 2021 Decision

MCA International News Week 21

Published On: Oct 20th 2021 News

MCA International News Week 20

Published On: Oct 18th 2021 News

End-User Affairs: Half Yearly Report (January – June 2021)

Published On: Oct 18th 2021 *End User Half Yearly Report*

Monthly Newsletter - August/September 2021

Published On: Oct 15th 2021 *News*

Public Consultation - Review of the Web Accessibility Directive

Published On: Oct 14th 2021 *News*

Directive Number 1 of 2021 on the Obligations related to the Administration of the Unified Legal Interception System

Published On: Oct 12th 2021 *News*

Review of GO plc's Application for Funding of the Net Cost claimed to have been incurred to provide Universal Service Obligations during 2017, Decision Notice

Published On: Oct 8th 2021 *Decision*

MCA 2020 Annual Report

Published On: Oct 7th 2021 *Annual Report*

LEGAL UPDATES

Litigation:

18th October 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
MaltaPost continued with their evidence – two witnesses gave evidence and were cross-examined. Case has been adjourned to 18th January 2022 for the continuation of the evidence by MaltaPost.
- 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 18th January 2022 for Epic to summon two witnesses.

Legislation:

- 1.1 Publication – LN 405 of 2021 – “Online Intermediation services for Business Users (Enforcement Measures) Regulations, 2021”. Published on the 29th October, 2021
- 1.2 Publication - LN 381 of 2021 – “General Authorisations (Radiocommunications Apparatus) (Amendment) Regulations, 2021. Published on 8th October, 2021.
- 1.3 Publication - LN 377 of 2021 – ‘Communications Laws (Amendment No. 2) Act, 2011 (Act No. LII of 2021) – Commencement Notice. Published on 1st October 2021.
- 1.4 Publication - LN 378 of 2021 – ‘Emergency Communications, the Single European Emergency Call Service (“112” Number) and the European Harmonised Services of Social Value (“116” Numbering Range) Regulations, 2021. Published on 1st October, 2021.
- 1.5 Publication - LN 379 of 2021 – ‘Electronic Communications Networks and Services (General) Regulations, 2021’. Published on 1st October, 2021.

Consultations:

On the 26th October 2021 - Publication of a consultation revising the current Modalities of Payment for General Authorisation and Rights of Use Directive.