

## INTERNATIONAL RELATIONS

### BEREC Roaming Working Group Meeting

The MCA participated in the BEREC Roaming Working Group meeting which was organized on the 31<sup>st</sup> October 2022. The main area of discussion included the Retail Roaming Guidelines which are currently being updated by the working group to act as a guideline document for the telecoms industry to ensure a holistic implementation of the EU Roaming Regulation across Europe. The work programme proposed for 2023 was presented to the members of the working group.

### ERGP 2<sup>nd</sup> Contact Network Meeting 2022

An official represented the MCA for the 2<sup>nd</sup> Contact Network meeting of the European Regulators Group for Postal Services (ERGP) of 2022. The meeting was held on the 28<sup>th</sup> October in Zadar, Croatia. The following ERGP documents were discussed to pass to the Plenary for adoption and publication:

- Medium Term Strategy 2023-2025;
- Work Programme for 2023;
- Report of the impact of online platforms in the postal sector;
- Report on future needs of the Universal Service Obligation;
- Report on Quality of service, consumer protection and consumer handling;
- Report on postal core indicators;
- Report on access to the postal network in a context of booming e-commerce;
- Internal study of the impact of VAT rules and customs procedures on international postal deliveries;
- Report on environmental sustainability in the postal sector.

## **34<sup>th</sup> Meeting of the ECC Working Group NaN2**

Two representatives from the MCA participated virtually in a meeting of a project team within WG NaN which was held between the 25<sup>th</sup> and 26<sup>th</sup> October, 2022. The project team held discussions on multiple aspects related to number portability, switching, and trust in numbers, including ongoing Report drafting and discussions on future work items.

## **eCommerce Expert Group Meeting**

Representatives from the MCA participated in an eCommerce Expert Group meeting which took place on 25<sup>th</sup> October 2022 and focused on the DSA and the P2B Regulation. The COM initiated the meeting by providing an update of the work it is carrying out in preparation of the DSA and invited Member States to share progress made on, namely the designation of the Digital Services Coordinators and information on competent authorities, ahead of the entry into force of the DSA. The COM provided an overview of the secondary legislation that it will need to put into place for the well-functioning of the DSA. It informed experts that meetings will be held in the coming months, specifically on the delegated acts for supervisory fees and independent audits. Concurrently, it is also working on procedural regulation for inspections, market monitoring, right to be heard and access to file.

After the lunch break, the focus was on the P2B Regulation. The COM made reference to the ongoing assessment of the implementation of the P2B Regulation and informed the experts that the focus was primarily on communication and stakeholder awareness. The COM highlighted the large untapped potential of the P2B due to low awareness and enforcement. It then invited the

consultants engaged by the COM in the evaluation of the P2B Regulation to provide a more detailed update of the review. This consisted of interviews with EU stakeholders (platforms, national authorities, business users, associations, experts, mediators, venture capital) and the assessment centred around articles 3 to 11. This was followed by two presentations by the Netherlands and Italy who shared their experience about the implementation of the P2B Regulation. The meeting was concluded with a presentation by Ireland on the progress of the informal network of cooperation that is being set up to facilitate communication between member states.

## **The 103<sup>rd</sup> Working Group on Frequency Management (WGFM#103)**

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 hosted by the European Communications Office in a hybrid environment, between the 10<sup>th</sup> and 14<sup>th</sup> of October 2022. The meeting discussed aspects related to a number of radiocommunication services and reviewed several ECC decisions, recommendations and reports. The next meeting is planned to take place in February 2023.

## **52<sup>nd</sup> BEREC Plenary Meetings and IRG General Assembly**

MCA participated in BEREC's Board of Regulators (BoR) and the Management Board meetings and the IRG General Assembly held in Salzburg, Austria on 6-7<sup>th</sup> October 2022. The BoR elected Tonko Obuljen (Chair of the Council at the Croatian Regulatory Authority for Network Industries

HAKOM), as the BEREC Chair for 2024. Next year, Tonko Obuljen will serve as a Vice-Chair and as incoming BEREC Chair 2024. The other Vice-Chairs who were elected are Hana Továrková (CTU, Czech Republic) and Robert Mourik (ComReg, Ireland). Branko Kovijanić (EKIP, Montenegro) was elected as the representative of participants without voting rights. Together with outgoing BEREC Chair Annemarie Sipkes (ACM, the Netherlands), they will compose the BEREC Mini Board for 2023 and will support Kostas Masselos (EETT, Greece), who is the BEREC Chair 2023.

During the meeting the BoR approved the publication of a number of documents, including the draft BEREC Work Programme 2023. It also adopted BEREC's preliminary assessment in relation to the discussion on the mechanism for "direct compensation" also referred to as "fair share" proposed by ETNO members during 2021/22. A full list of BEREC's public documents adopted at the 52<sup>nd</sup> ordinary plenary meetings is available on BEREC's website. During the meeting, MCA had the opportunity to present to BEREC its experience in implementing the 5GZorro EU-funded project.

## **BEREC Markets and Economic Analysis Workshop**

On the 4<sup>th</sup> of October 2022, an official from the MCA attended the BEREC Markets and Economic Analysis Workshop. This workshop was held in preparation of the BEREC report on the regulatory treatment of business services. Attendees at the workshop included NRAs and representatives from ETNO, FTTH Council Europe, ECTA and ELFA. The morning discussion focused on the NRAs' views on current regulation in M2/2020, M1/2020, M3b/2014 to encourage competition, investment, innovation and protection of business user and the

adaptation of regulation in view of new emerging trends. The afternoon session focused on the views of external stakeholders on the relevance of regulation particularly for ensuring new entry and ultimately to guarantee better quality and prices for business entities.

## **11<sup>th</sup> WADEX Meeting - Ensuring Website Compliance with Accessibility Guidelines & W3C Accessibility Guidelines**

Representatives from the MCA attended the 11<sup>th</sup> WADEX Meeting on 4<sup>th</sup> October 2022. The first speaker, namely, Mr Peteris Jurčenko from Latvia explained how the monitoring body of the Latvian state addressed the accessibility statement compliance issue. Mr Jurcenko and his team, in fact, designed and developed a template for the generation of accessibility statements. It is a very basic and simple to use plug-in which facilitates the compilation of such statements by indicating the correct fields and content that should be included. The template supports headers and has been designed in conformance with accessibility requirements. Mr Jurcenko strongly suggested that such practice should be adopted across all member states since it will greatly impact the overall compliance status of the public sector entities and it will also significantly aid the vetting processes of the monitoring bodies.

The second part of this meeting was dedicated to the WCAG guidelines, Ms Judy Brewer and Mr Daniel Montarvo from W3C gave an overview of these guidelines explaining briefly the 4 main principles they are based on (Perceivable, Operable, Understandable, Robust) and the wide spectrum of disabilities that they cover. Moreover, the W3C speakers elaborated on the various versions of these guidelines and how they map with

the EN 301546 standard. The WCAG 2.1 is the version that has been adopted in 2018 by the EU and that is currently being used by the monitoring bodies across all member states to gauge the compliance of public sector websites against the A and AA levels. Ms Brewer and Mr Montarvo also gave an update on the continuous development of these guidelines. Version 2.2, which is expected to reach completion by December 2022, is currently in the Candidate Recommendation stage and will mostly see improvements related to navigability whilst version 3.0 is expected to have a more granular approach, providing more specific rules for compliance categorisation and for more consistent and harmonised testing.

## ITU Plenipotentiary Conference

The MCA attended the International Telecommunications Union (ITU) Plenipotentiary Conference. The ITU is the United Nations specialized agency for telecommunications and information and communication technologies. It develops the technical standards which ensure that networks and technologies seamlessly interconnect, allocates global radio spectrum and satellite orbits, and strives to improve access to connectivity and ICTs across the world.

The said conference is the top policy-making body of the ITU and the key event at which Member States agree on the future role of the organization and determine its ability to influence and affect the development of telecommunications/ICTs on a global level.

## PUBLICATIONS

### MCA International News Week 30/31 - 2022

Published On: Oct 20th 2022 [News](#)

### MCA 2021 Annual Report & Financial Statements

Published On: Oct 20th 2022 [Annual Report](#)

### Monthly Newsletter - September 2022

Published On: Oct 12th 2022 [News](#)

### MCA International News Week 29 - 2022

Published On: Oct 4th 2022 [News](#)

## LEGAL UPDATES

### Litigation:

- 11<sup>th</sup> October 2022: Elmo Insurance arbitration case relating to a collision in 2014 involving MCA's van. Parties made their respective submissions both in writing and verbal. Case is now adjourned sine die for the Arbitrator's award.
- 27<sup>th</sup> October 2022: EPIC (previously) Vodafone vs MCA before ART – contesting MCA's decision entitled 'Virtual unbundled Access to Fibre-to-the-home: implementing the VULA remedy' –



parties concluded with their evidence. Case has been adjourned to the 14<sup>th</sup> February 2023 for the final written submissions – commencing with those by EPIC.

- 27<sup>th</sup> October 2022: MaltaPost vs MCA before ART contesting a regulatory decision whereby MaltaPost were required to make a compensation payment for not having achieved the postal service targets set for 2019. During this sitting MaltaPost CEO Joe Gafa gave evidence submitting various documents in support of MaltaPost's case. Case was adjourned to the 14<sup>th</sup> February 2023 for the continuation of evidence by the parties.

## EVENTS

### **‘Digital Technology for Independent Living’ – seminar held on 25/10/2022 at UOM Valletta Campus**



Organised by the Commission for the Rights of Persons with Disability (CRPD), the Malta Communications Authority (MCA) and Tech.mt, the seminar, entitled ‘Digital Technology for Independent Living’, brought together stakeholders from the disability and technology sectors in order to create a dialogue between them. The seminar formed part of a national drive towards independent living within the community and away from the institutionalization of persons with disability, in line with CRPD’s strategy, the

national disability strategy and the United Nations Convention for the Rights of Persons with Disability, which was transposed into Maltese legislation last year. Mr Joseph Seychell from MCA was part of a round table discussion where he explained the role of the MCA in the ongoing implementation of the Web Accessibility Directive and the improvements that this exercise is bringing about in the level of accessibility of public sector websites and applications.

CRPD, MCA, and Tech.mt all concur that, while recognising the social disparities within the tech industry, innovation presents a window of opportunity for persons with disabilities, thereby enhancing their quality of life and encouraging their independence within society. All organisations look forward to further discuss this topic and take action to what is needed by the community in the coming future.