

## INTERNATIONAL RELATIONS

### **DSA - First Meeting of the Informal Network**

On the 27<sup>th</sup> October 2023, 2 MCA officials attended the "First Meeting of the Informal Network." The informal setup serves as a temporary arrangement preceding the formation of the DSA Board. Main topics discussed included the Commission's high-level plans for the network and the urgency to act due to terrorist content related to the Israel-Hamas War. The Commission is mandated to intervene in DSA infringements by VLOPs and aims to achieve a coordinated response to systemic issues. Future meetings are planned to be monthly, with the involvement of high-level future DSC representatives.

### **62<sup>nd</sup> Meeting of the Radio Spectrum Policy Group (RSPG#62)**

RSPG#62 was held on the 25<sup>th</sup> October and considered the progress of work within its various sub-groups. The meeting approved three RSPG Opinions on the future use of the UHF band, Digital Decade and 5G/6G, and a Report in relation to the use of radio spectrum to help combat climate change. The meeting also approved, for public consultation, a draft RSPG opinion on the 2 GHz band for mobile satellite services and its draft work programme for 2024 and beyond. A new RSPG chair was also appointed to lead the RSPG for the coming 2 years.

## **3<sup>rd</sup> P2B Informal Network Meeting**

An MCA representative participated in the 3<sup>rd</sup> P2B Informal Network meeting which was held remotely on the 26<sup>th</sup> October 2023. During this meeting:

- The Commission presented the findings of the P2B Implementation report
- Ireland informed the group of the coordinated activity that a number of Member States, including Malta, are undertaking. It explained the goals, scope and methodology of this exercise and informed the group that the participating Member States will be meeting in November, to discuss findings and decide on whether to publish the outcome of this activity.
- The P2B Steering Group represented by Italy informed the group about the new working group recently established which is intended to discuss issues relating to the interpretation and application of the P2B Regulation. It will seek to facilitate discussion within a coordinated structure. Invitations to join were extended to all Member States, encouraging their participation to foster productive discussions.

## **37<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 Working Group NaN, which was held between the 24<sup>th</sup> and the 25<sup>th</sup> October, 2023. The project team held discussions on multiple aspects related to number portability, switching, and trust in numbers, including ongoing Recommendation and Report drafting and discussions on future work items.

## **3<sup>rd</sup> Meeting of the Digital Services Expert ICT Subgroup**

MCA officials attended the 3<sup>rd</sup> Meeting of the Digital Services Expert ICT Subgroup by the European Commission's DG CONNECT. Held on 24<sup>th</sup> October 2023, the agenda covered updates on work streams, feedback from Member States on the Information Society Service under article 85, and presentations on data protection implications. The session also discussed national IT tool developments and provided a demo on the Information Society Service. The meeting wrapped up with talks on interoperability requirements.

## **The Web Accessibility Directive: Looking Forward - EESC's Permanent Group on Disability Rights**

The meeting, which was held on the 23<sup>rd</sup> October 2023, was intended to give an overview of the state of play and discuss ways to improve the WAD implementation across the member states. Ms June Lowery from the EU commission gave a brief overview of the Directive and what it entails. Furthermore, she explained that in 2022, following the first reporting cycle from all member states, there was a review and a public consultation, with the aim of gathering feedback on the outcome of the first 3 years of monitoring. Some key lessons that emerged from this exercise, included the fact that there is a great lack of expertise in the web accessibility field and an alarming poor take up of the feedback and redress mechanism in all member states. Other issues related to; classification of accessibility levels during monitoring and the lack of standard testing tools and reporting templates for all states, something that would streamline the process

and make the findings more comparable. Going forward, these are some of the issues that the Commission intends to address.

The hybrid meeting included interventions from representatives of Ireland, Latvia and Estonia, who spoke of their experience of the WAD implementation. Some points that emerged here, were the issues related to PDF documents that are uploaded on public sector websites, a lack of knowledge on web accessibility by procurement staff, as well as the use of overlays which many times does not ensure accessibility.

While it was agreed that accessibility is a process that takes time, Ms Susanna Laurin - Representative of the International Association of Accessibility Professionals (IAAP) to the EU, stated that the WAD initiative has started giving positive results and improvements in public sector websites and apps have already been recorded, going forward, it is imperative that more effort is put in awareness and education programmes, together with a harmonisation of processes and the involvement of users with disabilities in the testing and drafting of policies.

## **BEREC Digital Markets Working Group Meeting**

An MCA expert took part in a meeting held on October 20<sup>th</sup> 2023, by the BEREC Digital Markets Working Group to discuss the 'Draft BEREC Report on the participation of major content and application providers in electronic communications network and service markets'. In accordance with the guidance of the MCA's Operations Unit, we also offered input in advance of the meeting, with a particular emphasis on CDNs.

## **The 105th (bis) Working Group on Frequency Management**

## **(WGFM#105bis)**

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 remotely on the 12<sup>th</sup>, 13<sup>th</sup> and 17<sup>th</sup> of October 2023. The meeting discussed aspects related to several radiocommunication services and also elected chairpersons to chair several project teams. The next meeting is planned to take place in February 2024.

## **Informal Meeting on Data Access with Prospective-DSCs**

An Informal Meeting on Data Access with Prospective-DSCs was held on 12<sup>th</sup> October 2023 and centered on key aspects of the Digital Services Act (DSA). Discussions covered the implementation of Article 40, vetting criteria for data access, as well as the role of trusted flaggers and out-of-court dispute settlements. The meeting served as a platform for experts and representatives from COM and MS to discuss DSA preparedness and data access mechanisms.

## **3<sup>rd</sup> Meeting of the Digital Services Expert Group**

The 3<sup>rd</sup> Meeting of the Digital Services Expert Group took place on 12<sup>th</sup> October 2023 to discuss key aspects of the Digital Services Act (DSA). The session provided updates on transparency articles, VLOPs/VLOSEs designations, and the state of preparedness for DSA implementation among Member States. The meeting stressed the need for Member States to finalize their Digital Services Coordinators (DSCs) and to align national laws with the DSA. It served as an important checkpoint for

assessing progress and ensuring coordination among stakeholders.

## **84<sup>th</sup> Meeting of the Radio Spectrum Committee (RSC#84)**

RSC#84 was held on the 11<sup>th</sup> October 2023, during which discussions continued on measures leading to the harmonisation of radio spectrum within the European Union. These discussions focused on the use of radio spectrum for mobile communication services on-board vessels, equipment using ultra-wideband technology and terrestrial systems capable of providing wireless broadband electronic communications services in the 40.5-43.5 GHz band. The meeting also considered a draft mandate to CEPT to develop harmonised technical conditions for the usage of aerial terminal stations in certain EU-harmonised frequency bands. An overview on the Commission's activities on revising the eCall framework was also provided.

## **56<sup>th</sup> Meeting of the ECC Working Group NaN1**

Two representatives from the MCA participated virtually in a meeting of a project team within WG NaN which was held between the 10<sup>th</sup> and 11<sup>th</sup> October, 2023. The project team held discussions on multiple aspects related to future numbering issues, including ongoing drafting of Reports, reviewing of ECC Recommendations and discussions on future work items.

## **56<sup>th</sup> BEREC Plenary Meetings**

On the 5<sup>th</sup> and 6<sup>th</sup> October 2023, the MCA participated in the BEREC Board of Regulators (BoR) and Management Board meetings held in Funchal, hosted by ANACOM the national

regulatory authority responsible for electronic communications in Portugal. The BoR approved for public consultation the draft BEREC Work Programme for 2024 which stems from BEREC's strategic priorities, which are promoting full connectivity, supporting sustainable and open digital markets, and empowering end users. BEREC will also focus on strengthening its monitoring and comprehension of emerging technologies in preparation for future developments as well as monitoring how regulatory mechanisms provided by the European Electronic Communications Code (EECC) work in practice. BEREC also adopted a report on the security of 5G networks, which showed that the rollout of 5G is still in its early phase, particularly in standalone mode and slicing. The report highlights the identified high-risk factors and the plans for the 5G networks deployments. A full list of BEREC's public documents adopted at the 56<sup>th</sup> ordinary meeting is available on the BEREC [website](#).

## **Four-Lateral Summit**

On 4<sup>th</sup> October 2023, MCA participated in the biennial summit of regulatory organisations around the world which was held just before the BEREC ordinary meeting. The Summit brought together members from BEREC, EaPeReg (Eastern Partnership Electronic Communications Regulators Network), EMERG (Euro-Mediterranean Regulators Group) and Regulatel (Latin American Forum of Telecommunications Regulators). The summit provided a valuable opportunity for the regulators to reaffirm their commitment to collaborate on research, innovation and regulatory initiatives within their remit, shaping a sustainable and inclusive digital future that benefits end users. The participants also pledged to work together to improve international connectivity through the utilisation of submarine cables and satellite systems.

## 41<sup>st</sup> ECASEC meeting

The MCA attended the 41<sup>st</sup> ECASEC meeting held in Athens, in October 2023. In addition, joint meetings with BEREC WG on Cybersecurity and the NIS Cooperation Group on 5G/Telecoms cybersecurity were held. The forums are intended to discuss and share best practices, and policies related to the security of networks and services.

## Training Session

MCA officers also attended a training session organised by ENISA in collaboration with the University of Piraeus Research Centre on Information Security Management under NIS2.

## Regulatory Workshop on the Safe Coexistence between Mobile Networks and Aircraft Radio Altimeters within the Frequency Range 3.4-4.4 GHz in the Union

The workshop was organised jointly by the Directorate-Generals responsible for aviation safety and radio spectrum policy. A draft EU roadmap which aims to ensure the safe coexistence between the said systems was presented. Amongst other things, the draft roadmap defines the key activities and milestones towards ensuring the safe coexistence between mobile networks and aircraft radio altimeters and sets out a coordinated approach for Europe, within the frequency range 3.4-4.4 GHz for both systems.

## PUBLICATIONS

## National Frequency Plan

Published On: Oct 30th 2023 [News](#)

## The Contribution of the Communications Sector and the MCA's Potential Role towards achieving Malta's Environmental Sustainability Goals - Discussion Paper

Published On: Oct 27th 2023 [Consultation](#)

## MEFL Public Consultation: Proposed Amendments to the Postal Service Act, Cap. 254

Published On: Oct 26th 2023 [News](#)

## Key Market Indicators for Electronic Communications and Post: Q1 2019 to Q2 2023

Published On: Oct 24th 2023 [Data Report Sheet](#)

## MCA International News Week 26 2023

Published On: Oct 24th 2023 [News](#)

## Career Opportunity: Junior Analyst (External Relations)

Published On: Oct 23rd 2023 [Recruitment](#)

## Decision on the Review of GO plc's Application for Funding of the Net Cost claimed to have been incurred to provide Universal Service Obligations during 2018

Published On: Oct 17th 2023 [Decision](#)

## Notice in Relation to the Consultation and Proposed Decisions titled 'Preventative Measures to Mitigate CLI Spoofing and Vishing Scams' (MCA/C/23-5080)

Published On: Oct 16th 2023 [News](#)

## Review of Quality of Service to be achieved by MaltaPost for the Universal Postal Service

Published On: Oct 12th 2023 [Consultation](#)

## Monthly Newsletter - September 2023

Published On: Oct 11th 2023 [News](#)

## MCA Consumer Perceptions Survey - Pay-TV

Published On: Oct 6th 2023 [Broadcasting Services](#)

## MCA Consumer Perceptions Survey - Fixed Telephony

Published On: Oct 3rd 2023 [Fixed Telephony](#)

### MEDIA ACTIVITY

#### Television:

**Date:** 09.10.2023

**Channel:** TVM

**Programme:** Għaddi S'Hawn

**Topic:** MCA's Remit Vis-à-vis Consumers

**Participant:** Yanika Bugeja

#### Radio:

**Date:** 19.10.2023

**Channel:** ONE

**Programme:** Minn Jum għal Jum

**Topic:** MCA's Remit Vis-à-vis Consumers

**Participant:** Yanika Bugeja

# LEGAL UPDATES

## Litigation:

24<sup>th</sup> October 2023: Sitting before the Administrative Review Tribunal in the appeal by Vodafone Malta Limited (now EPIC Communications Ltd) contesting the MCA VULA regulatory decision issued in 2016. MCA and GO submitted their final written submissions. The case was adjourned to the 7<sup>th</sup> March 2024 for the Tribunal's judgement.

24<sup>th</sup> October 2023: Sitting before the Administrative Review Tribunal in the appeal filed by MaltaPost contesting MCA's decision issued in 2020 requiring MaltaPost to pay compensation for not having attained 2019 quality of service delivery targets. During the sitting the Informa representative was cross-examined by MCA. The case stands adjourned for 5<sup>th</sup> March 2024 for continuation in relation to the evidence of the parties.

10<sup>th</sup> October 2023: Sitting before the Court of Appeal in relation to the appeal filed by Vodafone Malta Limited (now EPIC Communications Limited) and GO Plc contesting a decision by the First Hall of the Civil Court given in 2018 in relation to the payment legal interception fees. During this sitting the Court heard submissions by the MCA and the other parties in relation to the objections raised by Epic & GO contesting MCA's plea to make an incidental appeal following the appeal filed by Epic and GO in 2018. The case stands adjourned for the 15<sup>th</sup> November 2023 for the Court of Appeal's decision in the validity or otherwise of MCA's incidental appeal.