



Notification Form for General Authorisation
Provision of Electronic Communications Networks and / or Services

Malta Communications Authority

Valletta Waterfront, Pinto Wharf, Floriana FRN 1913, MALTA

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Web: <http://www.mca.org.mt>

Part 1: Information about submitting a notification

Note for the guidance of persons notifying their intention to provide, or changes affected with respect to the provision of, an electronic communications network and, or an electronic communications service in accordance with Article 19 of the Electronic Communications (Regulation) Act (hereinafter referred to as “the Act”) and Regulation 66 of the Electronic Communications Networks and Services (General) Regulations (hereinafter referred to as “the Regulations”).

The general authorisation does not exempt any person from the obligation to obtain, and comply with, any permit, licence, right of use and, or other approval or authorisation however so described that may be necessary to construct, operate and maintain the network and, or services.

This notification form is in three parts:

Part 1 provides information about submitting a notification.

Part 2 should be completed in type or in block letters by all notifying persons.

Part 3 is a declaration, which must be signed:

- In the case of an individual, by the person in whose name the notification is made;
- In the case of a partnership, a co-operative, a company or other body corporate or incorporate, by the person or persons duly authorised to act for, and on behalf of, the partnership, co-operative, company or other body corporate or incorporate as the case may be.

Where the notifying person is located overseas the notification must include an address for service of notice in Malta and the notifying person must, as a minimum, be registered as an overseas company in accordance with Maltese Law.

This form may be completed electronically to facilitate processing and sent to authorisations@mca.org.mt. However in all cases, two original copies of the duly filled-in notification form together with, (where applicable) original copy of the Memorandum & Articles of Association of the applicant company, must be submitted to the Authority in an envelope clearly marked “Notification for General Authorisation” addressed to:

**The Chairman
Malta Communications Authority
Valletta Waterfront
Pinto Wharf
Floriana FRN 1913
Malta**

In accordance with Article 19 (3) of the Act, and Regulation 66 (3) of the Regulations, upon receipt by the Authority of a correctly completed Notification Form the person concerned is:

- deemed to be authorised to provide an electronic communications network and, or service as indicated in the same notification, subject to the conditions of the General Authorisation established in the Twelfth Schedule to the Regulations;
- required to be included, by the Authority in accordance with Regulation 68 of the Regulations, in the Register of Authorised Undertakings.

In accordance with regulation 66 (4) of the Regulations, authorised undertakings are required to notify the Authority:

- i) **of any changes to the information supplied in the Notification Form within fourteen days prior to the commencement of the relevant activity in relation to information**

supplied as required under paragraphs (d) to (f) of regulation 66(2) of the Regulations, namely -

- the description of the network or service provided;
- the estimated date of commencement of the activity;
- the geographical area to be covered by the network or service in question;
- any material changes to the company such as mergers and acquisitions.

ii) of any changes to the information supplied in the Notification Form within fourteen days following such change in relation to the information supplied, as required under paragraphs (a) to (c) of regulation 66(2) of the Regulations, namely -

- information relating to the name of the notifying persons concerned, including in the case of a body corporate, the company registration number thereof;
- the names, addresses and contact details of relevant contact persons, including the commercial, technical, legal and finance contact persons;
- the business address of the person concerned and, in the case of a body corporate, where that address differs from the address of its registered office, the address of its registered office.

Undertakings are required, in accordance with regulation 66(6) of the Regulations, to notify the Authority immediately when they cease to provide electronic communications networks, and, or services.

Failure to notify the Authority in accordance with the above will result in the taking of regulatory measures which may include the imposition of fines.

The Authority will update the Register of Authorised Undertakings within 5 working days of receipt of a correctly completed notification. In the event that the form is not completed correctly, the Authority shall inform the notifying party accordingly. Undertakings are responsible for ensuring receipt of notification either directly with the Authority or by reference to the Register of Authorised Undertakings, available on the Authority's web-site.

Part 2: Information Required from Notifying Person

1.1 NOTIFYING PERSON

1.1	Name under which the notifying person provides, or intends to provide, electronic communications networks and, or services	
1.2	Business postal address of notifying person	
1.3	Telephone number	
1.4	Fax number	
1.5	Web-site address	
1.6	Postal address of registered office ¹	
1.7	Company registration number	
1.8	VAT number	

1.2 TYPE OF NOTIFICATION

Please indicate the nature of this notification:

a) Commencement of the provision of electronic communications networks and, or services

b) Changes in relation to information supplied in a previous notification

c) Cessation of the provision of electronic communications networks and, or services

In the case of notifications of cessation please proceed directly to Part 3

¹ In the case of registered companies whose business address differs from that of the address of their registered office

2. PRINCIPAL CONTACT PERSON

2.1	Name of primary contact person	
2.2	Designation	
2.3	Postal address	
2.4	Telephone number	
2.5	Email address	

3. COMMERCIAL CONTACT PERSON

3.1	Name of commercial contact person	
3.2	Designation	
3.3	Postal address	
3.4	Telephone number	
3.5	Email address	

4. TECHNICAL CONTACT PERSON

4.1	Name of technical contact person	
4.2	Designation	
4.3	Postal address	
4.4	Telephone number	
4.5	Email address	

5. LEGAL CONTACT PERSON

5.1	Name of legal contact person	
5.2	Designation	
5.3	Postal address	
5.4	Telephone number	
5.5	Email address	

6. FINANCE CONTACT PERSON

6.1	Name of finance contact person	
6.2	Designation	
6.3	Postal address	
6.4	Telephone number	
6.5	Email address	

7. NETWORK AND, OR SERVICE DESCRIPTION

7.1 Network and, or Service Categories

Please indicate category of networks and, or services to be provided¹:

- a) Public communications network
- b) Publicly available telephone service
- c) Television and radio distribution services
- d) Other publicly available communications services
- e) Non-public electronic communications services
- f) Publicly available telephone directories and directory enquiry service
- g) Private electronic communications networks and, or private electronic communications services

¹ Definitions of the category of networks and services are laid out in the Electronic Communications (Regulation) Act and the Electronic Communications Networks and Services (General) Regulations.

7.2 Description of Network and, or Service:

a) Description of service/s to be provided¹:

b) Description of network/s to be operated, including high-level network maps²:

c) Description of any radio spectrum to be used in the network²:

¹ Any additional details should be provided in separate attachments.

² Any additional details should be provided in separate attachments.

d) Description of any international connectivity infrastructure to be operated in the network²:

7.3 Geographical Scope

Please indicate geographical scope of the network and, or service:

7.4 Estimated Date of Commencement of the Relevant Activity

Please indicate the estimated date of commencement of activities.

Month:

Year:

Part 3: Declaration

I / We hereby declare that:

- The information provided is accurate and complete in all respects; and
- The notifying person shall, at all times, comply with lawful decisions and directives of the Malta Communications Authority and with the obligations at law; and
- The notifying person shall, at all times, comply in every respect with the conditions attached to the General Authorisation; and
- The notifying person shall inform the Malta Communications Authority of any changes in accordance with Part 1 of this notification.

Full name of Signatory/Signatories	Designation	I.D. Card No ¹	Signature

Date: _____

¹ If not applicable please insert Passport Number.

Rights and Obligations attached to the General Authorisation

The Rights and Obligations attached to a General Authorisation to provide electronic communications networks and, or services are laid out in the Ninth Schedule to the Electronic Communications Networks and Services (General) Regulations.

Administrative charges are specified in the Eighth Schedule (Part A) to the Electronic Communications Networks and Services (General) Regulations and are charged by the Authority in accordance with the Directive on the Modalities of Payment.

Additional Information

The Malta Communications Authority is established by virtue of the Malta Communications Authority Act, and is the National Regulatory Authority responsible, amongst other functions related to the field of communications, for carrying out the functions laid out in the Electronic Communications (Regulation) Act in line with the European Framework on electronic communications.

While notifying persons should seek independent legal advice prior to submitting a notification, the Authority makes every effort to maintain updated information on the regulatory framework available on its website. A non-exhaustive list of information available on the Authority's website, which may be relevant to notifying undertakings, is provided below:

- Directive on the Modalities of Payment;
- Malta Institute of Accountants Technical Release: Engagements to report on actual revenues generated by undertakings regulated by the Malta Communications Authority;
- Quarterly Statistical Data Collection Guidelines;
- Guidelines on Confidentiality;
- National Numbering Conventions;
- Guidelines on handling of inter-operator complaints, disputes and own initiative investigations;
- Guidelines for MVNOs, ESPs, SPs and MVNEs;
- Information Regarding Licensing of Satellite Earth Stations and Satellite Uplink Services;
- General Authorisations (Radiocommunications Apparatus) Regulations (S.L.49.09);
- National Frequency Plan.

Malta Communications Authority website:

<http://www.mca.org.mt>

Laws of Malta website:

<http://justiceservices.gov.mt/LOM.aspx?pageid=27&mode=chrono>

Data Protection Clause

In terms of the Data Protection Act (Chapter 440 of the Laws of Malta), the Malta Communications Authority (hereafter 'the Authority') will process any personal data supplied on this application/notification form or subsequently supplied by yourself, whether orally or in writing, for all or any of the following:

- the proper processing of your application/notification form as submitted;
- preventing, detecting and/or prosecuting fraud, any administrative non-compliance, and any other non-compliant or criminal activity or omission which the Authority is bound to report and/or act upon whilst meeting any other legal or regulatory obligations;
- establishing, exercising or defending any legal action;
- internal management, research and statistics, systems administration, the development and improvement of the Authority's services;
- the proper conduct of our obligations arising under any law or statutory instrument and the protection and promotion of our legitimate interests ; and
- to make public the necessary information as specified in the relevant law and/or instrument.

Relevant data will be disclosed or shared as appropriate with all our employees and with other third parties if pertinent to any of the purposes listed above.

By signing this form, you confirm that you are giving your explicit consent, in terms of the Data Protection Act, on behalf of yourself and all the other persons specified in this form, for the Authority to process your respective personal information as outlined above and you confirm that you have brought this Data Protection notice to the attention of these other persons and obtained their respective consents.

The Authority undertakes to implement appropriate measures and safeguards for the purpose of protecting the confidentiality, integrity and availability of all data processed.