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The MCA designated as the Digital Services Coordinator for Malta following the publication of LN 66 of 2024.

Today, following the publication of Digital Services (Designation and Enforcement) Order, 2024 the Malta Communications Authority (MCA) was designated as the Digital Services Coordinator (DSC) for Malta for the purposes of the EU Digital Services Act (DSA) Regulation.

In this capacity, the MCA will oversee the compliance of Malta-based intermediary service providers with the DSA's provisions. The MCA is tasked with facilitating the resolution of cross-border complaints and enhancing EU-wide cooperation through the EU Digital Services Board.

The DSA is an important update in the EU's digital services regulation framework and applies to a broad spectrum of intermediary service providers, such as hosting providers, online platforms, and search engines, requiring them to enhance accessibility and transparency. Providers are mandated to establish mechanisms for users to report illegal content, improve the transparency of online advertising, provide clearer terms, and safeguard the protection of minors. These measures align with the principles of freedom of expression, fairness, and the integrity of the single market. Moreover, the DSA facilitates the harmonisation of regulatory processes across EU Member States ensuring consistent and effective enforcement across the Union.

Very Large Online Platforms and Search Engines (VLOPs and VLOSEs) will have further obligations under the DSA. These platforms, exercising a significant societal impact due to their size, will be subject to stricter requirements, including risk assessments and independent audits. The European Commission will directly oversee their compliance, ensuring they adhere to their heightened responsibilities.

The DSA does not determine whether content is illegal. Instead, it sets out the obligations for providers on how they should act when illegal content is encountered by them. This distinction is important as the DSA focuses on the mechanisms of content moderation and the responsibilities of platforms, and not on whether content carried online is illegal or otherwise.

In announcing this designation, the CEO of the Malta Communications Authority, Jesmond Bugeja, stated, "The Digital Services Act is a positive step towards a digital future that respects the rights and safety of all users. The MCA as the DSC for Malta is committed towards ensuring that providers established in Malta not only comply with the new EU regulations but also embrace the spirit of transparency and accountability that the DSA embodies."

The Malta Communications Authority looks forward to working closely with all relevant parties to implement the DSA effectively, ensuring Malta remains at the forefront of digital innovation and safety.

Further information about the DSA can be found on - <https://www.mca.org.mt/initiatives/dsa>