

INTERNATIONAL RELATIONS

ERGP – Contact Network 2nd Meeting

On the 25th October 2018, an MCA representative attended the ERGP Contact Network in London, England. During this meeting, a number of points were discussed which focused primarily on the postal market evolution, the current work being done in the different work group streams and the ERGP Plenary Meeting to be held in November 2018. During this meeting, the Chair also presented a brief summary of the results and evaluation of the Stakeholder Forum which was held earlier this year.

49th Electronic Communications Committee (ECC) Meeting

An MCA official attended the 49th Electronic Communications Committee Meeting between the 23rd and 26th October 2018 in Bordeaux, France. This ECC plenary meeting made good progress in consolidating the regulatory framework applicable to spectrum for 5G. The meeting has also taken a number of key decisions on a range of spectrum issues covering ITS, Ultra-Wide Band (UWB) applications, Short Range Devices (SRD) and Fixed-satellite service earth stations.

BEREC – Expert Working Groups on Roaming Mobile and Net Neutrality Meetings

The MCA was represented in the Roaming Mobile and Net Neutrality BEREC Expert Working Groups meetings held on the 23rd and 24th October in Brussels, Belgium. Various discussions were held during these meetings, concerning a number of documents that BEREC is preparing in view of the 4th Plenary Meeting.

Commission Kick-off Workshop on Fixed Termination Rates Cost Modelling

On the 23rd October 2018 in Brussels, Belgium, an MCA official participated in a workshop organised by the European Commission to kick off its cost-modelling project that will be

used to set a single EU Fixed Termination Rate. A number of procedural and methodological matters were discussed during the meeting. National Regulatory Authorities (NRAs) will also be engaging with national stakeholders in order to contribute to this project.

DIGINV - Digital Invasions Project for the promotion of Cultural Heritage

The MCA has actively participated in the Digital Invasions Project for the promotion of Cultural Heritage on the 19th and 20th October 2018 in Brussels, Belgium. The main objectives of this project are to promote and enhance the care of cultural heritage through the strengthening of digital skills of European cultural and educational operators, the proactive participation of citizens, and also the increased cooperation between cultural heritage entities from different European backgrounds. This project involves seven partners from six different countries (Italy, Belgium, Croatia, Cyprus, Malta and Hungary) and other associated partners. Furthermore, the project involves two training activities in Italy (to be held by Invasioni Digitali and the Municipality of Bevagna) and six project meetings including the kick-off meeting and the final meeting in Italy 2020.

All Digital Annual Summit

During this meeting, which was held on the 19th October 2018 in Brussels, Belgium, each partner gave out a brief presentation of the main activities carried out nationally in the field of cultural heritage and digital cultural heritage. Both Invasioni Digitali and the Municipality of Bevagna presented their organisations respectively. The dates for the first training activity in Italy and 2nd project meeting in Cyprus were set and the project work-plan was discussed.

All Digital Summit and Awards 2018

On the evening of 18th October 2018, participants of the ALL DIGITAL Summit celebrated the finalists of ALL DIGITAL Awards. Over 100 guests gathered in the Inspire Room of the Hotel Bloom to meet the finalists, learn who the winners are, and congratulate them. The Ceremony was hosted by ALL

DIGITAL Chief Operating Officer Peter Palvolgyi and Communication manager Ekaterina Clifford.



In 2018, the Awards Competition was held for the 6th time to recognise the achievements of individuals and organisations across Europe that enable people to exploit the benefits and opportunities created by digital transformation.

The entries were submitted in five categories:

- Best Digital Resource
- Best Cooperation project
- Best Digital Change-maker
- Best e-Facilitator
- BRIGHTS Digital Story

The Malta Communications Authority made it amongst the finalist, under the best cooperation category by the SMART Women project, coordinated by Mark Schembri and Matthew Borg. This project focuses on women in online entrepreneurship.



The Awards were presented by Sara Van Damme from Digipolis Gent, the Board Member of ALL DIGITAL. And the

winner in this category was “Connect Seniors to the Digital World.

The MCA also had the opportunity to showcase the results of the Smart women project and invited interested parties to participate.

6th BEREC Stakeholder Forum / IRG Heads' Workshop

On the 17th October, in Brussels, BEREC held its 6th Stakeholder Forum where stakeholders from the telecoms and digital communications industries had the opportunity interact with BEREC and put forward their thoughts on the draft BEREC Work Programme 2019, BEREC's effectiveness and stakeholder engagement, and efficient investment in European telecoms. BEREC Chair 2018, Johannes Gungl (RTR), opened the Stakeholder Forum and closing remarks were provided by the Director General of DG CONNECT, Roberto Viola.

65th Radio Spectrum Committee (RSC) Meeting

On the 18th October 2018, in Brussels, Belgium, an MCA official attended the 65th Radio Spectrum Committee Meeting. Various measures were discussed during the meeting, aimed at harmonising the use of radio spectrum in the EU. Among other things, the meeting continued with its deliberations on a draft decision amending the Commission's Decision 2008/411/EC concerning the 3.4-3.8 GHz band. The proposed amendments will establish new harmonised technical conditions suitable for next generation (5G) wireless broadband electronic communication services. During the meeting, a new draft Commission Implementation Decision on the designation and availability of the 26 GHz frequency band for the same type of services was also considered. A discussion also took place on the extension of the Intelligent Transport Systems (ITS) safety-related band at 5.9 GHz.

WIK Consult 'The Future of Connectivity' and 'Platforms and Data' Conferences

An MCA representative attended two conferences organised by WIK Consult in Brussels, Belgium, between the 16th and 18th October 2018. The first conference gathered experts, industry stakeholders, representatives of national regulators and the European Commission for a discussion of 'The future of connectivity' in the context of the new European Electronic Communications Code (EECC) that is set to come into force in 2020. The discussion mainly focused on the regulatory tools put forward in the EECC to promote the deployment of Very High Capacity Networks (VHCN) - namely symmetric access, lighter regulation of co-investments and wholesale-only networks. The issue of state aid and how its role could define business models of fibre deployment also featured on the agenda.

Data sharing, online platforms and interoperability were the subjects of discussion during the Conference Day, at a conference on 'Platforms and Data'. Significant attention was addressed to the proposed platform to business (P2B) regulation and how competition law can regulate algorithms. On the latter subject, experts highlighted that algorithms can be used to implement explicit collusion. In that case, competition authorities need to effectively address such shortcomings by implementing measures based on Article 101 of the Treaty on the Functioning of the European Union (TFEU), which prohibits anticompetitive agreements, granted they have the technical know-how to take this route. It was also underlined that, in the future, algorithms may be increasingly used to facilitate tacit collusion, which is not covered by Article 101 of the TFEU but may in theory be pursued by competition authorities under Article 102 of the TFEU (abuse of dominance). This is where it becomes unclear how competition law can be effective.

BEREC – Expert Working Groups meeting on Geographic Aspects of Market Analysis Access to Physical Infrastructure

On the 15th October 2018, the MCA was represented during a meeting in Brussels, Belgium, organised by BEREC. The purpose of this meeting was to discuss issues and comments raised by NRAs on two reports drafted by members of two expert working groups (EWG); namely 'Geographical Aspects of Market Definition (GMD)' and 'Access to Physical Infrastructure in Market Analysis (API)'. Both reports are to be

delivered for the 4th Contact Network / Plenary this year, which is to be held in Prague, Czech Republic (6th-7th December).

The first report discussed matters related to the geographic aspects of market analysis giving special attention to NRAs which have applied for geographic segmentation during their market analysis. The outcome of this submission resulted in no major issues and as a result BEREC wavered the need to revise said position. The second report dealt with matters related to access to physical infrastructures in the context of market analysis; more specifically, on the effectiveness of current remedies related to physical infrastructure. Moreover, the report delved into the possibility of creating a market specifically on access to physical infrastructures. From the outcomes of the API report, NRAs generally felt that the list of relevant markets were sufficient in imposing access to physical infrastructures where necessary. However, a number of NRAs identified current and future issues that may necessitate the need for a market, centred on access to physical infrastructures; the result of the construction of said market may potentially create a path in resolving some of these issues.

The report on geographical segmentation will be published in December after plenary approval, and the report on access to physical infrastructure will be published for public consultation on the same date with the aim to have the final version, taking into account feedback received from stakeholders, published after Plenary 2 in 2019. This means that the API report should be delivered for the 4th CN to take place in Luxembourg not later than the 2nd November 2019.

The MCA agrees in principle with the outcomes of conclusions of the API and GMD reports.

High Level Internet Governance Group Meeting

An MCA official attended the High Level Internet Governance (HLIG) group meeting, which took place at the Centre Albert Borschette in Brussels, Belgium on the 9th October 2018. It was chaired by Pearse O'Donahue who is the Head of Unit Software, Services & Cloud, DG CONNECT, and European Commission.

The meeting was split in two sessions: in the morning there was the multi stakeholder session and during the afternoon, there was a closed session dedicated solely for the member states.

The session started with an update by the European Commission on the ongoing .eu TLD legal proposal – this comprised an overview of the state of play of the negotiations with the Council and European Parliament. The .eu TLD legal proposal aims to ensure the .eu TLD is kept updated to cater for new requirements as they emerge over time ensuring the relevance and suitability of existing rules and adapt them to ensure the continued viability of the .eu TLD.

An update on the next stages of the Internet Governance Forum (IGF) 2018 and 2019 was also given. IGF 2018 will take place in Paris between the 12th and the 14th November 2018, whilst IGF 2019 is planned to take place in Berlin. The French and German delegations present at the meeting gave an overview of the current status of their preparations for the upcoming IGFs.

The WHOIS service was once again a main topic of discussion during this HLIIG meeting. This service was affected by the GDPR regulation and a refreshed version of WHOIS is currently in the works. ICANN were present during the meeting and gave an update of the current status of WHOIS and the upcoming WHOIS Unified Access Model.

36th BEREC Plenary Meeting

MCA representatives attended the 36th BEREC Plenary meeting of the BEREC Board of Regulators (composed of heads of NRAs), which was held in Portorož, Slovenia on 4th and 5th October 2018. The event was hosted by AKOS, the Slovenian telecoms regulator. In the Plenary, BEREC approved its draft Work Programme for 2019, intended to be issued for public consultation. The Work Programme 2019 reflects BEREC's commitment to serve as a body for thoughtful and proactive debate and advice for the European Parliament, the Council and the European Commission in the electronic communications field. In 2019 and 2020, BEREC will develop in total twelve guidelines, for example one on the criteria a network has to fulfil to be considered a very high capacity networks, one to assess the sustainability of the domestic pricing model or an update to the BEREC Guidelines on Net

Neutrality. A full list of documents adopted at the Plenary meeting is available on the BEREC website.

47th Radio Spectrum Policy Group (RSPG) Meeting

The MCA was represented in the 47th Radio Spectrum Policy Group (RSPG) meeting on the 3rd October 2018 in Brussels, Belgium. This meeting considered the progress being made by the various RSPG working groups. In particular, the meeting approved for public consultation a draft Opinion (3rd) on 5G (please refer to: <http://rspg-spectrum.eu/public-consultations/>). The meeting also adopted a draft Opinion on the 2019 ITU World Radio-communication Conference (WRC-19). This Opinion identifies the common policy objectives on items which are of particular importance for EU harmonisation measures.

Cullen International Training Event – ‘Mastering European Postal Regulation’

An MCA representative attended a two-day course organised by Cullen International entitled ‘Mastering European Postal Regulation’ on the 2nd and 3rd October 2018 in Brussels, Belgium. The course addressed the key regulatory issues affecting the sector, providing an overview of regulatory concepts, issues and developments in the postal and parcel delivery sector. Attention was given to the challenges facing the traditional postal operators and how they are reacting in different ways to these challenges. In this regard, the concept of universal service was put in the spotlight, highlighting its relevance in postal regulation and how this concept has developed over time, reflecting changing market realities. The application of competition law in the sector, including state aid and abuse cases was also addressed and discussed.

PUBLICATIONS

The MCA hosts FESA & ENISA Meetings in Malta

Published On: October 31st 2018

A Vision for the Postal Market

Published On: October 29th 2018

MCA International News Week 37

Published On: October 29th 2018

Price Developments Presentation for September 2018

Published On: October 26th 2018

MCA International News Week 36

Published On: October 22nd 2018

The MCA welcomes nominations for the eBusiness Awards 2019

Published On: October 22nd 2018

Next Generation Internet (NGI) Forum 2018

Published On: October 16th 2018

Registered Mail - A Consultation

Published On: October 15th 2018

Registered Mail - MaltaPost plc change in tariffs

Published On: October 15th 2018

Consultation on Changes to Postal Collection Times

Published On: October 15th 2018

MCA International News Week 35

Published On: October 11th 2018

Monthly Newsletter - September 2018

Published On: October 10th 2018

Celebrating World Post Day

Published On: October 9th 2018

ZEST – DELTA Edition is now behind us - Thank you to all

Published On: October 8th 2018

Consumer complaints rise by 4% in the first 6 months of 2018

Published On: October 8th 2018

MCA End-User Half Yearly Statistical Report January - June 2018

Published On: October 8th 2018

Data Report Sheet (DRS) with the latest figures is published

Published On: October 3rd 2018

Key market indicators for electronic communications and post: Q1 2014 to Q2 2018

Published On: October 3rd 2018

MCA publishes market trends for July to December 2017

Published On: October 3rd 2018

Communications Market Review: July to December 2017

Published On: October 3rd 2018

Career Opportunity: Policy Analyst

Published On: October 3rd 2018

Price Developments Presentation for August 2018

Published On: October 2nd 2018

MEDIA ACTIVITY

Television:

Date: 12.10.2018

Channel: TVM

Programme: TVAM

Topic: Report on Complaints & Enquiries received by MCA

Participant: Yanika Bugeja

LEGAL UPDATES

Pending Lawsuits:

- 16th October 2018: Vodafone vs MCA before ART – contesting MCA’s decision entitled ‘Virtual unbundled Access to Fibre-to-the-home: implementing the VULA remedy’ – adjourned to the 22nd November 2018 for continuation of evidence.
- 16th October 2018: Vodafone vs MCA before ART - contesting MCA’s decision entitled “Wholesale call origination on the public telephone network provided at a fixed location in Malta – MCA decision on market definition and the assessment of competition”. Case adjourned for Vodafone’s final written submissions for the 22nd November 2018.
- 16th October 2018: Vodafone vs MCA before ART - contesting an MCA decision following a dispute filed by Vodafone against GO plc requesting access to GO’s ducts networks. Adjourned to 22nd November 2018 for the presentation of Vodafone’s written submissions.
- 25th October 2018: Elmo Insurance traffic accident arbitration sitting adjourned to the 10th January 2019 for the continuation of MCA’s evidence.