



## **Malta Communications Authority** **Annual Plan 2011**

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**27<sup>th</sup> January 2011 (MCA/11/0060/O)**

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## 1. Introduction

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This document represents the Malta Communications Authority's (MCA's) Annual Plan for the period 2011. It focuses on the priority work-streams and related individual tasks that the MCA intends to undertake during 2011.

The Annual Plan is based on an understanding of the MCA's mandate, mission and strategic objectives as well as on an assessment of ongoing and envisaged trends in the sectors that the MCA regulates, namely, electronic communications, radiocommunications, radio spectrum management, postal services and e-commerce - at both national and international levels.

The Annual Plan also deals with non-regulatory work-streams within its mandate, namely the Information Society (IS) initiatives emerging from the National ICT Strategy as well as 'ad hoc' assignments by the Ministry for Infrastructure, Transport and Communications (MITC).

The Annual Plan is reflective of the MCA's Strategic Plan Update covering the period 2011 - 2013.<sup>1</sup> The MCA's Strategic Plan Update sets out the MCA's strategic direction and the key tasks from now to 2013.

### 1.1 Mission Statement

The mission of the MCA is:

*'To regulate the electronic communications, e-commerce and postal sectors with a view to achieving sustainable competition, enabling customer choice and value for money;*

*To facilitate the development of an environment that is conducive to investment, innovation and continued social and economic growth.'*

### 1.2 Strategic Objectives

For the MCA to achieve its mission over the next three (3) years, the following are the identified strategic objectives emerging from the MCA's Strategic Update 2011 - 2013.

<b>Electronic Communications</b>	
<b>T1</b>	Regulating an electronic communications environment that is capable of sustaining competition among existing providers while ensuring ease of entry to new undertakings.
<b>T2</b>	Ensuring that electronic communications undertakings provide a transparent, value for money service to users whilst adhering to incumbent social obligations.
<b>T3</b>	Contributing to the ongoing discussion at an international level, on the consistent development of the electronic communications regulatory framework and related issues.
<b>T4</b>	Facilitating innovation in the provision of broadband and other services, via ongoing research and the continued development of the policy and regulatory environment.
<b>E-Commerce</b>	

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<sup>1</sup> Refer to MCA's Strategic Plan Update covering the period 2011 - 2013

<b>E1</b>	Facilitating e-Commerce uptake and the use of electronic signatures, via the ongoing development of the legal, institutional and regulatory frameworks, and related public awareness raising.
<b>Postal Services</b>	
<b>P1</b>	Attaining the target, within envisaged timeframes, of a liberalised postal services environment that ensures ease of entry to new undertakings and sustainable competition.
<b>P2</b>	Ensuring that postal undertakings provide a transparent, value for money service to users whilst adhering to incumbent social obligation.
<b>P3</b>	Contributing to the ongoing discussion, at an international level, on the consistent implementation and ongoing development of the postal regulatory framework and related issues.
<b>Information Society</b>	
<b>IS1</b>	Achieving widespread e-literacy, digital inclusion and the use of ICTs as a tool to improve quality of life for all citizens, in particular, disadvantaged groups.
<b>IS2</b>	Encouraging the use of e-Business models by local enterprises as a means to improve competitiveness.

## 2. Detailed Work Programme

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What follows is an overview of the key activities, projects and work-streams (including the MCA's ongoing major work areas) envisaged to be carried out during the annual plan period grouped by the MCA's strategic objectives.

### 2.1 Electronic Communications

#### 2.1.1 Strategic Objective T1

Regulating an electronic communications environment that is capable of sustaining competition among existing providers while ensuring ease of entry to new undertakings.

##### **A Regulatory Environment for Next-Generation Access Networks**

The electronic communications sector is at a critical stage of development. Over the coming years there will be a move to next generation access networks - i.e. the provision of high speed broadband access via solutions such as fibre to the cabinet and to the home - across all platforms and across an increasing proportion of the national territory. The move to next generation access (NGA) networks presents opportunities for both business and domestic users in terms of new applications and services with resultant socio-economic benefits.

The MCA will continue to work towards facilitating the introduction of NGA networks from a regulatory standpoint, whilst ensuring that their coming into existence does not result in competition bottlenecks.

The MCA will carry out an exercise to articulate the necessary regulatory framework to facilitate the roll-out of NGAs, typically characterised by a fibre-to-the-home (FTTH) environment.<sup>2</sup> The MCA will, amongst others, assess the benefits of the sharing of network elements, such as ducts and in-building wiring between operators.

In addition, the MCA will support the work that Government is carrying out in facilitating the path to NGA network deployment in Malta. The MCA will assist Government in the role of a regulatory and technical sounding board in facilitating the path to next generation access deployment in Malta. As part of the MCA's support to Government the MCA will this year carry-out a technical and economic analysis for a FTTH infrastructure in Malta.

##### **Regulation to Support Effective Competition – Market Analysis**

Under the EU system of market reviews, the MCA must review a defined set of wholesale markets and decide, based on facts and evidence, whether they are effectively competitive. If not, appropriate remedies must be imposed. NRAs may mandate an equivalent provision of service for wholesale access seekers, thus allowing other operators to use wholesale inputs from the dominant operator's network to create and sell retail services.

This requires the MCA to review the level of competition to determine, in the case of dominance finding of Significant Market Power (SMP), whether

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<sup>2</sup> In articulating its strategic direction the MCA has taken into account the Commission Recommendation on regulated access to NGA dated 20<sup>th</sup> September 2010 - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:251:0035:0048:EN:PDF>.

mandated access is justified, and if so, at what price. It must regularly review those judgements and, if regulation is no longer justified, it must remove it.

The MCA will continue to monitor the application of the imposed 'ex-ante' remedies resulting from the analysis of the relevant markets carried out during the past years. In addition, the MCA will continue with the 'second round' of market reviews in line with the EU Recommendation on Relevant Markets.<sup>3</sup>

Two key markets to be reviewed in 2011, namely Markets 4 (Wholesale network infrastructure access – including unbundling access at a fixed location) and Market 5 (Wholesale broadband access) bear significant importance to the transition to NGA networks. Due consideration to the Commission Recommendation on regulated access to NGA will be given in the course of the analyses concerned.

The proliferation of bundles is a welcome development. It is nonetheless necessary to ensure that bundling does not hamper the development of lasting competition. The MCA intends to closely review the phenomenon of bundled services in order to establish the extent to which this phenomenon may cut across established market definitions and dynamics. The exercise needs to be couched within the established market analysis framework and in line with principles and practices established by the Body of European Regulators for Electronic Communications (BEREC), on the matter.

#### **Low Barriers to Entry – Application of Remedies**

The MCA will continue to ensure that rights to access and interconnection will, within the boundaries delineated by regulation, be available to all service providers and that the MCA will have the necessary enforcement tools to ensure 'de facto' access and interconnection.

Reference Interconnection Offers (RIO's) will continue to be mandated where necessary, and will be supplemented by mechanisms such as regulatory accounting, accounting separation and cost modelling.

Termination markets represent a situation of two-way access where both interconnecting operators are presumed to benefit from the arrangement. Nonetheless, the fact that operators are also in competition with one another for subscribers, termination rates can have strategic and competitive implications. Where termination rates are set above efficient costs, this creates substantial transfers from between fixed and mobile markets and consumers. In addition, in markets where operators have asymmetric market shares, this can result in significant payments from smaller to larger competitors. In line the new EU Commission Recommendation on Fixed and Mobile Termination Rates (MTRs) published in May 2009<sup>4</sup> and in line with the

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<sup>3</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:344:0065:0069:EN:PDF> – Refer to Commission Recommendation of 17 December 2007 on relevant product and service markets within the electronic communications sector susceptible to *ex ante* regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services.

<sup>4</sup> Refer to Commission Recommendation of 7<sup>th</sup> May 2009 on the regulatory treatment of fixed and mobile termination rates in the EU (2009/369/C) – <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:124:0067:0074:EN:PDF>

MCA's Interconnection Strategy<sup>5</sup>, the MCA will next year start the necessary work to develop Bottom-Up Cost Models (BUCMs) for fixed and mobile networks in order to set termination rates based on the costs incurred by an efficient operator.

In line with the EU Commission Recommendation, the evaluation of efficient costs must be based on current cost and the use of a bottom-up modelling approach using long-run incremental costs (LRIC) as the relevant cost methodology. The target is to have a 'pure' LRIC model for wholesale voice FTRs and MTRs by the end of 2012. The MCA will tackle these two models over a two year period starting with the review of the current cost model for a fixed network in 2011 and for the mobile network in 2012. Ultimately, the lowering of termination rates carries significance only if accompanied by concomitant reductions in retail prices. The MCA will carefully study the relationship between the two variables in its market analysis exercise, particularly in the case of mobile call origination.

The regulatory framework requires that other operators can interconnect with the local access network at a point between the incumbent's site and the end user. This arrangement is referred to as sub-loop unbundling (SLU). The MCA will, in the course of 2011, finalise the ground rules for SLU. SLU refers to the level of the street cabinet rather than the exchange (LLU). When an NGA deployment involves a roll-out of fibre from the exchange to the cabinet, SLU is the main remedy available to new entrants. The street cabinet is connected to a point of presence on the national network using long-range wireless or fibre. LLU and SLU provide two important avenues for interested operators to enter the electronic communications market.

#### **Development of Radio Spectrum Potential**

In recent years there has been an increase in usage and demand for mobile data services and broadband applications / services. This is partly driven by the increasing variety of smart-phones and social dynamics, 3G dongles and relevant data retail tariffs as well as the continuing development of more efficient spectrum technologies.

Radio spectrum needs to be provided in sufficient quantities on a liberalised, technology neutral basis, to facilitate the rollout of competitive, high-quality wireless services. This in turn will stimulate competitive pressures on all platforms, notably fixed line telecoms and cable. The MCA is committed to responding to market needs by managing spectrum usage rights in an open, transparent and non-discriminatory fashion.

The MCA will this year finalise the process to reassign the currently licensed GSM spectrum in the 900 MHz band and 1800 MHz band and the vacant spectrum in the said frequency band. These strategically important bands can be used for the provision of mobile broadband technologies such as GSM, UMTS and in the near future LTE and WiMAX.

The MCA will continue to coordinate spectrum in the 470-862 MHz frequency bands with neighbouring countries with a view to increasing the potential of broadcasting and other services.

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<sup>5</sup> Refer to MCA's Decision on the Interconnection Pricing Strategy for the Electronic Communications Sector in Malta published in May 2010.

Furthermore, the MCA will continue to make available additional spectrum to enable new and innovative services subject to expressions of interest from the market (refer to **Strategic Objective T4**).

In making spectrum available for wireless services, the MCA will continue to apply the principles of technology and service neutrality in line with WAPECS (Wireless Access Policy for Electronic Communications Services)<sup>6</sup>.

Following a consultation process carried out in 2010 the MCA intends to put in place a process to support spectrum trading in select bands with the necessary safeguards against anti-competitive conduct and speculative use. The introduction of spectrum trading will help to encourage efficient use of spectrum by enabling it to be transferred to, and used by, the user that values it most.

### **Numbering**

The MCA is responsible for the efficient management of Malta's telephone numbering plan. Numbering is a key enabler of communications services and the need to preserve this finite national resource must be balanced against the need to ensure an adequate supply of numbers to support the demands of new and existing customers and service providers.

Management of the numbering plan involves:

- Allocating telephone numbers and short codes to service providers and customers for new and existing services and ensuring that these numbers are promptly provisioned on all national and international networks.
- Monitoring number utilisation and implementing number changes when and where required.
- Ensuring that numbers are used in accordance with their conditions of use as specified in National Numbering Conventions.
- Developing numbering policies that foster both competition and innovation, whilst also ensuring consumers remain protected and informed.

The European Commission has in recent years taken a more proactive role in implementing a framework for European wide harmonised numbering ranges such as 112 for emergency services<sup>7</sup> and 116 for services of social value. As part of its numbering plan management function, the MCA works closely with the European Commission and other Member States to ensure that appropriate harmonisation measures are implemented at a national level.

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<sup>6</sup> WAPECS is a framework for the provision of electronic communications services within a set of frequency bands to be identified and agreed between European Union Member States in which a range of electronic communications networks and electronic communications services may be offered on a technology and service neutral basis, provided that certain technical requirements to avoid interference are met, to ensure the effective and efficient use of the spectrum, and the authorisation conditions do not distort competition.

<sup>7</sup> The new EU electronic communication rules ensure that European citizens gain better access to emergency services by extending the access requirements from traditional telephony to new technologies, strengthening operators' obligation to pass information about caller location to emergency authorities, and by improving general awareness of the European emergency number '112'.

The MCA will this year carry out a review of the charging methodology for the usage of numbers in light of the introduction of fixed and mobile number portability and the entry of new operators in the market and to ensure that numbers are used effectively and efficiently in a competitive environment. Following a consultation process with all stakeholders the MCA will submit its proposals to Government.

### **2.1.2 Strategic Objective T2**

Ensuring that electronic communications undertakings provide a transparent, value-for-money service to users whilst adhering to incumbent social obligations

#### **Continued Availability of the Universal Service**

A competitive market in which all the key players have a purely commercial remit will serve the needs of most consumers, but there is a danger that some may be left behind. Access to electronic communication services is now such an essential part of life that, without it, citizens run the risk of social exclusion. The European Regulatory Framework therefore recognises the importance of ensuring that a basic service – “the Universal Service” - is provided to all consumers at an affordable price.

The Universal Service, as currently defined, consists of access to the publicly available telephone network at a fixed location, capable of supporting voice, facsimile and data communications at data rates that are sufficient to permit functional Internet access; payphones; services for users with disabilities; and affordability.

The Universal Service regime in Malta is based on the decision notice entitled “Universal Service Obligations on Electronic Communication Services” published on the 15<sup>th</sup> April 2010. In line with this decision, GO Plc is currently designated by the MCA as the Universal Service Provider (USP).

The MCA will this year designate an operator for the provision of a comprehensive printed and electronic directory, which would include all subscribers of publicly available telephone service providers.

Following a consultation process carried out in 2010 the MCA will issue its decision on its approach to the setting of requirements to be complied with by the designated universal service provider (USP) for the provision access at a fixed location - currently GO Plc - in relation to the provision of a connection capable of supporting functional Internet access at a specified minimum broadband data rate. The minimum broadband data rate will be set by taking into account the prevailing bandwidth used by the majority of subscribers and technological feasibility.

Regulators have an important role to play in defining the Universal Service, to ensure that it keeps pace with the needs of consumers; in designating the Universal Service Provider(s); and in ensuring quality of service. The current scope of universal service was designed for the conventional telecommunications environment of voice-based networks, where the main infrastructure provider was also the service provider. As technology develops and consumer needs evolve, policymakers must consider the appropriate factors to ensure that the services provided continue to be aligned to consumer’s needs and in step with the market. Consumer needs for a universal service are changing: “Broadband for all” is often stated as a policy

objective at European and national levels, and the European Commission is deliberating on the role of universal service in meeting this objective.<sup>8</sup> The MCA's position will be informed by national policy developments, with respect to broadband availability, and further development on the part of the European Commission, regarding universal service.

The new EU Regulatory Framework, currently in the process of transposition in Maltese legislation, also places additional emphasis on the need for consumers with disabilities to be able to access and choose from the range of electronic communication services available to all consumers.

#### **Monitoring of Service Quality**

The USP is required to deliver a quality service to its customers. In June 2005, the MCA set QoS requirements on GO Plc with respect to its USO. The performance of GO Plc's USO will continue to be monitored and reported on a yearly basis.<sup>9</sup>

The MCA will continue to review and maintain quality of service (QoS) provision concepts in light of technology evolution and a multiple operator environment. To the extent necessary the MCA will continue to enforce and monitor QoS standards and measures particularly in those areas where market forces fall short of producing desired results. The MCA will continue to provide information to the public relative to the performance of undertakings.

In particular, this year the MCA will implement measures to prevent significant disparities between consumers' expectations of broadband performance and their actual experience. The MCA will also make available information on how end-users can make informed choices about the type of service they are likely to receive upon entering into a contract with a broadband electronic communication service provider (e.g. information on broadband speeds taking into consideration different technologies, information that should be made available to end-users at point of sale, and information to be provided on the providers' website). The availability of comparisons of broadband connection speeds and service prices of all broadband electronic communication service providers is another initiative that the MCA intends to carry out. These initiatives will help ensure that end-users choose the package that is the most appropriate for them in light of their individual circumstances and needs.

#### **Keeping the Radio Spectrum Free of Interference**

The MCA monitors the radio spectrum and takes action to prevent harmful interference. The MCA will continue the ongoing programme to ensure that only equipment compliant with the Radio and Telecommunications Terminal Equipment (R&TTE) regulations is placed on the market.

The MCA will also, in collaboration with other institutional stakeholders, develop a national plan for telecommunications infrastructures/towers. This plan will include, amongst others, recommendations on infrastructure sharing.

#### **Monitoring of Electronic Magnetic Emissions**

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<sup>8</sup> The Universal Service Directive (USD) is currently limited to the provision of a connection to a network allowing access to the Internet, thus excluding internet services from the scope of universal service obligations.

<sup>9</sup> Refer to MCA's Decision on the measurement of authorised operator quality of service performance <http://www.mca.org.mt/infocentre/openarticle.asp?id=669&pref=1>.

The MCA will continue to monitor electromagnetic emissions with a view to ensuring that levels of electromagnetic radiation are in conformity with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines.

The MCA will address, as far as possible, and within the boundaries of its responsibilities at law, concerns made by the general public on the installation of mobile phone transmission facilities.

#### **Licensing of Access to the Radio Spectrum / Co-ordination**

The MCA manages the licensing of radiocommunications equipment requiring spectrum assignment for non-electronic communication services. Where necessary the MCA makes frequency assignments and also co-ordinates the use of radio spectrum internationally.

In 2010 the MCA was delegated the responsibility for the issuance and management of all radiocommunications equipment licences (excluding TV licences which will be retained by the Ministry). This function will this year be completely taken over by the MCA.

In parallel with the inward migration of radiocommunications equipment licences the MCA will continue to enhance the radio communications equipment licensing regime (e.g. amateur radio, citizens band, public mobile radio, aeronautical and maritime radio equipment licences) and examine the scope for applying general authorisations where appropriate.

In order to improve the facility for the payment of radiocommunications equipment licences the MCA will provide a one-stop-shop service and will also enable on-line licence applications and payments.

#### **Digital TV Switchover (DSO)**

As part of the smooth transition of free-to-air analogue terrestrial TV to digital the MCA together with other stakeholders from the MITC, Broadcasting Authority (BA) and the Public Broadcasting Services (PBS) will continue to steer the transition of free-to-air broadcasting meeting General Interest Objectives (GIOs) to a digital platform.

Switchover from analogue to digital will take place on the 1<sup>st</sup> of February 2011. Analogue turn-off will take place four months later.<sup>10</sup> Among others the MCA will, during the first half of 2011, in tandem with its institutional partners in the Digital Switchover initiative, carry out an extensive communications campaign and monitor the progress towards the transition to digital television by the analogue switch-off date.

In parallel, the MCA will finalise a review of the existing must carry obligations against the backdrop of the digital switchover and the implications on the current and future television distribution networks. The MCA will develop guidelines on when and how to impose must carry obligations, and will explore the validity of various methods of implementation models.

#### **Network Security and Resiliency**

As electronic communications networks become ever more globalised, and with the increasing separation of networks from content, the quality and

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<sup>10</sup> Refer to the digital switchover website: <http://www.dso.org.mt>

security of networks is becoming increasingly an issue for consumers. Increasing demand for capacity as well as increased consumer expectations will inevitably test the reliability and resilience of networks. Network operators need to adjust and manage networks to meet consumer needs while facing variable and unpredictable traffic flows. The question of their security and resilience is therefore becoming increasingly pertinent and the MCA will work with consumers and service providers to ensure continued quality of service and that the security and redundancy are maintained at the necessary levels.

A related consideration which has arisen at international level is so-called "net neutrality", the question of whether operators which own and manage networks carry out their tasks in a manner which treats all traffic equally, or whether they favour their own traffic over their competitors, or give preference to specific content providers.

### **Informing, Empowering and Protecting Consumers**

As competition intensifies, consumers must be appropriately informed, empowered and protected. The revised European Commission Universal Service Directive strengthens the specific rights applicable to consumers of electronic communication services. In addition, the new Directive strengthens consumers' rights with respect to electronic communication contracts, data privacy and switching. As already mentioned, this Directive is expected to be transposed into national law during the first half of 2011.

#### ***a. Ease of Switching between providers***

The ability of consumers to switch between products and service providers is the basis of a competitive market place and a safeguard of consumer welfare. The MCA plays an important role in removing any barriers to switching that may exist in the market, in order that consumers can enjoy the full benefits of competition.

Information plays a key role in enabling consumers to make the most of competitive markets. If consumers are not fully informed about the services available to them, they may make incorrect decisions and be reluctant to switch. The MCA will continue to work to support consumers by making available information the market does not provide effectively but helps them make informed decisions and choices.

In addition to information obstacles, consumers may also face contractual barriers to switching; this is where contractual terms may affect consumers' ability to switch in the market. This may be the case where terms give rise to early termination charges. Another concern is in relation to automatically renewable contracts, i.e. contracts which are automatically renewed for a new minimum contract period after the expiry of the initial and any subsequent minimum contract periods. The MCA will continue to assess the impact of these contractual barriers on consumer behaviour and, potentially, competition in order to identify any detrimental impact.

Over the recent years the MCA has tackled various issues with current switching processes, including broadband migrations and mobile number portability. The MCA's initiatives in this area have had success. However, with an increasing move towards the sale of products in bundles, it is becoming increasingly important for the MCA to look to the future, to ensure

that processes do not inhibit consumers' ability to switch in a world of bundled product offerings as well as for single communications services.

In order to address this, the MCA will this year review current switching processes, and the extent to which they promote good consumer and competition outcomes. The aim of the review will be to develop a strategic approach to switching and to ensure that there are no undue barriers to switching.

In addition, the new electronic communication rules require porting of fixed services (whilst keeping their phone number) within 24 hours or less.<sup>11</sup> The MCA will work with the service providers to implement this facility where it is not already available.

***b. Operator Contracts***

The MCA will this year review the contractual obligations of all operators providing a connection to the public communications network and/or publicly available electronic communications services to ensure that they are providing their subscribers with clear and comprehensive contracts in line with the new regulatory rules.<sup>12</sup>

Under the new rules all undertakings providing a connection to a public communications network and, or publicly available electronic communications services are to provide their subscribers with a contract that specifies in a clear and comprehensive manner, amongst others, information on the minimum service quality levels, as well as on compensation and refunds available to consumers in cases where these levels are not met, and clear information on the qualifying criteria for promotional offers and on the termination of a service. In addition, the minimum access line speeds in case of an Internet service must not differ significantly from the marketed upper levels.

***c. Consumer Information***

During the annual plan period the MCA will continue to focus its work on making consumers better informed of the products and services available on the market. A significant challenge for consumers is to analyse and quantify the differences between seemingly similar products and pricing plans. The MCA recognises that consumers may not have the required information or knowledge to fully understand and compare the specifications and functions of electronic communications products on offer and the value for money they present. This is made all the more difficult as service providers continue to innovate and bundle products together to attract consumers. Such products, while valued by consumers, tend to complicate their decision-making.

The MCA will carry out an exercise to provide consumers with tools to ensure that they are aware of the alternative suppliers and services, so that they can easily compare information on prices, features and quality; have the ability to switch (without unreasonable barriers; constraints and disruptions) and are

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<sup>11</sup> The new EU electronic communication rules establish the right for consumers to switch between fixed or mobile operator (while keeping their old phone number) within 1 working day (In the case of mobile this has already been possible in Malta for the past three years).

<sup>12</sup> For example, under the new set of EU regulations to be transposed into Maltese Law by May 2011 the maximum initial duration of a contract signed by a consumer with an operator will be no longer than 24 months. Operators must also offer consumers the possibility of agreeing to a contract with a maximum duration of 12 months.

aware of their consumer rights, specifically with respect to electronic communications.

**d. Ongoing Consumer Related Work**

In addition the MCA will continue to work to:

- Further streamline its complaints handling and dispute resolution functions.
- Continuously update and enhance the information available to citizens and consumers via, amongst others, the MCA website, such as:
  - the choices as an electronic communications consumer with respect to products and services, prices and switching;
  - the specific rights and entitlements of consumers of electronic communications in relation to aspects such as universal service, billing, tariff transparency, contract terms as well as conditions for service termination, complaints handling, directory information services, access to emergency service and number portability; and
  - information explaining the benefits and uses of new and innovative technologies.
  - information at each stage of the purchasing process including: choosing a provider, choosing a service plan, managing use of the service plan, and deciding whether and when to switch an existing provider or plan for all communications services.
- Ensure that consumers are protected from a range of potential nuisances and that they are aware of their rights by:
  - addressing the problem of mis-selling through codes of practice;
  - protecting vulnerable consumers in relation to Premium Rate Services thus ensuring that the consumer is confident and safe in using those services.
  - disseminating information through a number of channels including, Consumer Guides, the MCA's website and marketing campaigns; and by
  - ensuring information is accessible, appropriate to need, accurate and timely.
- Inform consumers via end-user surveys and research on the consumer attitudes to and use of communications technologies.

**Ensuring Compliance**

The MCA will continue to deal effectively with operator non-compliance by answering consumer queries and liaising with operators to achieve a resolution to consumer complaints. In addition, the MCA will continue to monitor compliance by service providers with requirements in relation to matters having to do with consumer rights.

Regular public perception surveys will be undertaken and published in order to assess, among others, the level of satisfaction with the services provided by operators and the extent to which it is addressing customer needs. The results of these surveys will serve as an additional source of information for regulatory decisions, and to indicate how customers' needs are changing over time.

### **2.1.3 Strategic Objective T3**

Contributing to the ongoing discussion, at an international level, on the consistent implementation and ongoing development of the electronic communications regulatory framework and related issues.

#### **European / Other International fora**

The MCA's role of adviser to Government on the international dimension of the electronic communications regulatory framework is a key task that is incumbent on the MCA in achieving this objective. The MCA will continue to achieve this objective by means of the following key activities:

- The ongoing provision of advice to government on proposed EU legislative measures and other communications.
- The ongoing provision of advice to government on the interpretation and application of any new Directives, recommendations, guidelines, advice and regulatory best practice and other EU documents as well as any related issues and disputes arising.
- The active participation and contribution in EU organisations such as the Communications Committee (COCOM), the Radio Spectrum Committee (RSCOM), the Radio Spectrum Policy Group (RSPG), BEREC, the European Network and Information Security Agency (ENISA) and Galileo.
- The active participation and contribution in other international fora such as the International Telecommunication Union (ITU), European Conference of Postal and Telecommunications Administrations (CEPT), the International Regulators' Group (IRG) and related workgroups.
- The ongoing submission of accurate statistics and information to EU and other international institutions.
- The collaboration on a one-to-one basis with peer regulators on a regular or one-off basis.

#### **Pan-European Initiatives**

The MCA will continue to contribute to pan-European initiatives in relation to:

- the next review of the European Directive on the Universal Service;
- European policy development in relation to "Net Neutrality", to ensure that consumer choice is not impaired through diminishing quality of service;

- spectrum matters, such as Wireless Access Platforms for Electronic Communications Services (WAPECS) by means of the MCA's participation in the COCOM, RSPG and RSCOM;
- the implementation of the Radio Spectrum Policy Programme - a five year policy programme for planning and harmonising the use of the EU's radio spectrum has been proposed by the European Commission and is expected to be adopted in 2011;<sup>13</sup>
- the authorisation of pan-European services such as the European work on the authorisation of the two selected operators for mobile satellite services (MSS) in 2 GHz bands; and
- the common European-wide telephone services of social value via the harmonised numbering range beginning with '116'.

#### 2.1.4 Strategic Objective T4

Facilitating innovation in the provision of broadband and other services, via ongoing research and the continued development of the policy and regulatory environment.

##### 'Technology Watch' Function

The MCA will continue to monitor international technology developments and assess their implications to the Maltese context.

##### New and Innovative Technologies and Services

In order to encourage new and innovative technologies and services the MCA will, among others, promote the uptake of test and trial radio spectrum licences to encourage the development of innovative spectrum usage in a safe and technology-neutral environment. The readily availability of clean radio spectrum can be a valuable advantage for companies carrying out research and development (R&D) activities in Malta.

##### Making Spectrum Available to Enable New Services

During the business plan period the MCA intends to make available additional radio spectrum, depending on expressions of interest, to allow new and innovative mobile broadband wireless services to develop - critical in enabling the development of platforms for the next generation of converged services and in creating opportunities for innovation.

Band	Potential Uses
3400 – 3800 MHz band	Mobile Broadband technologies (WiMAX)
2.6 GHz band	Mobile Broadband technologies such as WiMAX, UMTS, HSPA(+) or LTE

<sup>13</sup> Proposal for a Decision of the European Parliament and of the Council establishing the first radio spectrum policy programme - 20<sup>th</sup> September 2010 Refer to: [http://ec.europa.eu/information\\_society/policy/ecomm/radio\\_spectrum/document\\_storage/legislation/rspp/rspp\\_proposal\\_en.pdf](http://ec.europa.eu/information_society/policy/ecomm/radio_spectrum/document_storage/legislation/rspp/rspp_proposal_en.pdf). This draft legislation is progressing through co-decision process and is likely to be a key area of focus for the MCA during 2011.

## 2.2 e-Commerce

### 2.2.1 Strategic Objective E1

Facilitating e-Commerce uptake and the use of electronic signatures, via the ongoing development of the legal, institutional and regulatory frameworks, and related public awareness raising.

#### **Public and Service Provider Awareness / Confidence**

The MCA will continue to address a number of tasks in its ongoing thrust to raise awareness and confidence in the use of e-Commerce on the part of both the public and the commercial sector, namely:

- Ensuring adequate awareness at a service provider level of obligations arising out of the e-Commerce Act.
- Ensuring that customers are aware of their rights and avenues of redress.
- Encouraging and facilitating the adoption of industry led codes of practice and/or trust mark schemes.
- Providing adequate and up-to-date information to service providers regarding requirements relative to the take up and pursuit of such services.
- Supporting the development of a voluntary accreditation scheme for Certificate Service Providers.
- Coordinating with government and other institutional bodies with a view to ensuring a seamless service to the public.

#### **Monitoring Compliance**

The MCA will continue to monitor e-Commerce service providers to ensure that they are in line with legislation. In addition the MCA will, as necessary, carry out e-signatures technical and security audits.

#### **Review of e-Commerce European Directive**

Electronic commerce constitutes an important means to promote cross-border trade, improving the accessibility of Europe's population to more varied products, to more qualitative products, and exerting greater price competition in the on-line and off-line world.

The Electronic Commerce Directive aims to remove barriers to the establishment of providers of information society services and to the cross-border provision of on-line services in the internal market, therefore giving both to businesses and citizens legal certainty. The European Commission has expressed disappointment with the Europe-wide performance of e-Commerce and has made clear the intention of a review of the relevant directive with a view ameliorating trade via e-commerce. The MCA on behalf of Government will participate and contribute in the envisaged review.

## 2.3 Postal Services

### 2.3.1 Strategic Objective P1

Attaining, within envisaged timeframes, a liberalised postal service that ensures ease of entry to new undertakings and sustainable competition.

#### Development of a Competitive Environment

The regulatory framework for the postal sector is primarily concerned with ensuring the provision of the universal service in a market without barriers to competitive entry.

The postal sector remains characterised by the omnipresence of the incumbent operator, but developments in certain areas of the postal service have provided a preliminary indication that competition may be emerging in certain areas (e.g. inbound cross-border parcel post services).

Full liberalisation of the postal sector is to take place by not later than the end of December 2012. The MCA will during the coming two years continue working on the setting up of the necessary regulatory provisions required for a fully liberalised environment.

#### Developing a Regulatory Approach Conducive to the Onset of Competition

The MCA will this year finalise its review of the current postal regulatory framework and licensing/authorisation regime in order to develop a regulatory approach that is conducive to the onset of competition. Such a framework would essentially ensure a level playing field for all undertakings competing in the relevant postal markets.

It will therefore be necessary to manage a transition from a framework that essentially centres solely around Universal Service Provider (USP) to one that deals with potentially a multi-player sector.

The MCA intends to, amongst others, propose the concept of significant market power (SMP) within the ambit of ex ante regulation. The determination of SMP<sup>14</sup>, and any related remedies, would be subject to an economic analysis of the various postal markets that would be identified as necessitating review.

#### MaltaPost's Tariff Realignment Requirements

The establishment of tariff re-alignment requirements across the USP's service portfolio is another necessary liberalisation building block that, following a preparatory phase in 2010, will constitute a sizeable chunk of the postal regulation work programme until full liberalisation by the end of 2012.

The new regulatory framework requires that tariffs must be, amongst others, cost-oriented and give incentives for an efficient universal service provision.

#### Terminal Dues

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<sup>14</sup> An operator is said to have SMP if it has a position of economic strength affording it the power to behave to an appreciable extent independently of competitors, customers and ultimately consumers.

The universal service obligation includes the requirement to provide universal cross-border services, which means that the universal service provider must arrange for postal articles to be conveyed to overseas countries and delivered by universal service providers in those countries and it must receive postal articles from universal service providers in other countries and deliver them in Malta.

In order to ensure the cross-border provision of the universal service, the respective universal service providers are encouraged to fix their agreements on terminal dues<sup>15</sup> by respecting a series of principles and namely that:

- terminal dues are fixed in relation to the costs of processing and delivering incoming cross-border mail;
- the levels of remuneration are related to the quality of service achieved; and that
- they are transparent and non-discriminatory.

The implementation of the Universal Postal Union's (UPU) target based system in 2012, reflecting the above-mentioned principles, could result in the need to review the present outgoing cross-border tariff structure for some countries.

This exercise has a linkage to the tariff re-alignment exercise referred to under the previous work-stream.

#### **Express and Courier Services**

The MCA will continue to retain light touch regulation in the wider competitive area. Express and courier services will in the main only be required to provide assurance as to their adherence to the essential requirements relating to mail integrity and to respect the area that is reserved for MaltaPost.

#### **2.3.2 Strategic Objective P2**

Ensuring that postal undertakings provide a transparent, value-for-money service to users whilst adhering to incumbent social obligations.

#### **Continued Availability of the Universal Service**

The MCA's activity with regard to the postal universal service obligations will be mainly concerned with monitoring and review exercises in order to ensure that the USP continues to meet its legal obligations.

As mentioned above, the MCA will finalise a framework within which the USP's tariffs would be reviewed in a wholesale manner in line with cost-orientation principles set-out in the new EU Postal Directive, rather than on the basis of individual tariff change requests.

In addition the MCA will continue to monitor tariff controls, the integrity and security of mail, postal service schemes, access to universal postal services,

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<sup>15</sup> The remuneration of universal service providers for the distribution of incoming cross-border mail comprising postal items from another Member State or from a third country.

complaints handling and compensation schemes, as well as on the set quality of service targets.

### **Empowering Consumers**

As in the case of the electronic communications sector, the MCA will also continue to update its complaints handling mechanisms in order to meet public requirements and expectations. The MCA will ensure that the public is kept informed of regulatory and market developments that are taking place within the postal sector.

### **Ensuring Compliance**

The MCA will continue to monitor compliance by the universal service provider and other service providers with requirements in relation to: protecting the integrity and security of mail, access to universal postal services, inter-operator issues, complaints handling and compensation schemes, as well as quality of service.

Regular public perception surveys will be undertaken and published in order to assess, among others the level of public satisfaction with the services provided by MaltaPost as the USP and the extent to which it is addressing customer needs. The results of these surveys will serve as an additional source of information for regulatory decisions, and to indicate how customers' needs are changing over time.

### **2.3.3 Strategic Objective P3**

Contributing to the ongoing discussion, at an international level, on the consistent implementation and ongoing development of the Postal regulatory framework and related issues.

### **European/International Dimension**

The MCA will, during the business plan period, continue to achieve this objective by means of the following key activities:

- Ongoing provision of advice to the Government on the interpretation and application of any new Directives, recommendations and other EU documents as well as any related issues and disputes arising.
- Active participation in the recently established European Regulators Group for Postal Services (ERGP).
- Participation as necessary in the European Committee for Postal Regulation (CERP) as well as in other international organisations.
- Ongoing submission of accurate statistics and information to the EU and other international organisations. Collaboration on a one-to-one basis with peer regulators on a regular or one-off basis.
- Ongoing monitoring of the development of competition in those Member States that have fully liberalised their postal market.

## **2.4 Information Society**

### **2.4.1 Strategic Objective IS1**

Achieving widespread e-literacy, digital inclusion and the use of ICTs as a tool to improve quality of life for all citizens, in particular, disadvantaged groups.

#### **Public Awareness and Assistance**

The MCA will continue with the implementation of a number of initiatives aimed at reaching disadvantaged sections of the population, in order to ensure adequate access to and usage of, various ICT applications.

In fulfilment of this objective the MCA will carry out the following initiatives:

- Lead an international EU funded project with the intent of promoting the safe use of the Internet. This will include:
  - the carrying out of campaigns targeting children, youths, parents, educators and the general public with the aim of informing them of the dangers Internet illegal and harmful content; and
  - the establishment of a hotline to fight illegal content and a helpline to answer online questions and telephone calls from children and parents related to problems encountered during their use of online technologies.
- The provision of ICT awareness and training to the elderly in public and private care residences through a special mobile Computer Training Learning Centre (CTLC) with assistive technologies that will be funded through a public-private model.
- The development of incentives to facilitate the purchase of assistive technologies by persons with disabilities, and their parents.
- The proliferation of free Wi-Fi access in all public libraries and public spaces together with the local wireless broadband players
- The delivery of focused and customized ICT awareness and education programmes and employability skills in underprivileged locations, communities or groups with particular disadvantages.
- The launching of a mobile broadband scheme to stimulate mobile data take-up by targeting early adopters with a view to sustain an early critical mass.

#### **2.4.2 Strategic Objective IS2**

Encouraging the use of e-Business models by local enterprises as a means to improve competitiveness.

#### **Business and Consumer Take-Up of e-Commerce**

The MCA will seek to provide business with the necessary tools and infrastructure to enable the take up of ICT e-Commerce solutions which will enhance the competitiveness of the Maltese industry.

The MCA will participate in two projects funded by the EU. One relates to the identification of the ICT and entrepreneurial training needs for the Maltese

labour force and the development of a training curriculum to address the skill gaps identified. The other project involves a best practice exercise in the use of e-commerce.

## **2.5 Working Effectively**

As mentioned in the Strategic Plan Update, the MCA is committed to being innovative, efficient and effective.

The MCA is committed to maintaining an efficient and effective strategic and business planning function together with the monitoring of actual performance against set targets. The MCA is also committed to ensuring that its knowledge-workers deliver public value and the achievement of its objectives. The MCA will ensure that their knowledge remains up-to-date through ongoing investment in training and continuous learning.

The MCA will during the annual plan period focus on a number of initiatives related to the utilisation of web-based solutions to simplify interaction with MCA and offer improved services to stakeholders.

The MCA will this year revamp its website to provide simplified access to information and advice. One of the main objectives is to make the website simpler for users to locate and access relevant information. The new website will also allow online solutions. These would include such services as online notifications of electronic communications and postal service providers and licensing / authorisation e-payments services.

### 3. Work Programme and Priorities

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The priority projects and activities that will contribute to the achievement of the identified strategic objectives during 2011 are shown in **Appendix 1**.

The MCA will work to ensure that these priority work-streams are adequately resourced to ensure delivery of its planned objectives. Where additional resource requirements arise in the course of the year due to unexpected developments, these priority areas will take precedence over other areas of activity.

In line with the MCA Strategic Plan Update, in those instances where it is feasible to do so, the MCA outsources requirements for services when this involves the need for specific expertise that is not available within the MCA or where it needs such services in the short-term. At the same time the MCA is committed to effectively managing contractors with a view to achieving the best possible results.

In 2011 the MCA will carry-out a number of new priority initiatives which emerge from the respective European regulatory frameworks for the regulation of electronic communications<sup>16</sup> and postal sectors<sup>17</sup>. Certain areas of work will need the assistance of specific expertise that is not available within the MCA.

The activities and outputs listed in **Appendix 1** represent the MCA's current best view of the work that the MCA will be undertaking during 2011. These are presented to provide as much clarity as possible. However, there are a number of factors that may impinge on the work programme and namely:

- external dependencies that may affect our timing;
- interdependencies between streams of work, that may entail knock-on effects in the event of delays; and
- external events that are difficult to predict and which we are required to respond to.

There will always be new developments and issues within the communications sector and 'ad hoc' assignments by the MITC that the MCA will need to respond to, but cannot always plan for in detail. The MCA expects that 2011 will be no different.

The MCA intends to retain flexibility within the 2011 work programme, in order to allow it to respond to changes and new issues arising as necessary. The MCA will update its plans and make adjustments to its 2011 work programme, as necessary, to make sure it keeps pace with the rate of market change and any critical issues affecting citizens and consumers.

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<sup>16</sup> The new set of EU electronic communications regulations is expected to be transposed into Maltese Law by the end of the first half of 2011 and will amend the electronic communications regulatory framework underpinning the MCA.

<sup>17</sup> A new regulatory framework which, amongst others, transposes the third European Postal Directive, taking into consideration that full market opening of the postal sector to competition in Malta will take place by not later than 31<sup>st</sup> December 2012, came into effect in October 2010.

## **4. Finance and Effectiveness**

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This section provides an overview of the MCA's projected expenditure for the annual plan period and how the MCA intends to evaluate its performance.

### **4.1 Finance**

The MCA is committed to providing value for money services to its stakeholders. The MCA reviews its processes and systems on an ongoing basis in order to ensure that it continues to deliver on its objectives and provide an effective service. The MCA continuously strives to streamline its administration and optimise the cost of regulation whilst maintaining the highest possible standards of efficiency and effectiveness.

The EU directives are very clear on principles of independence and self sustainability of NRAs. These should be endowed with all necessary resources, in terms of staffing, expertise and financial means, for the performance of their tasks.

The MCA will ensure that it has adequate finances to meet its regulatory mandate and will make sure that it delivers the best possible service to its stakeholders. In so doing this the MCA will also ensure that it provides a full accounting of its activities as required by law.

The regulation of the electronic communications sector is funded on a self financing basis via the levying of administrative fees collected from the sector players. These administrative fees are used solely for regulating the electronic communications sector and cannot be used to finance other activities of the MCA.

The MCA's financial requirements with respect to regulating the postal and e-commerce sector, management of radiocommunications equipment licences, management and monitoring of the radio spectrum, market surveillance of radio communications equipment and the implementation of national projects<sup>18</sup> are financed via the deduction of the necessary amounts from postal licence and authorisation fees, radiocommunications equipment licence fees and from fees for scarce resources (i.e. for the efficient use of radio spectrum and numbering) that are payable to Government.

Activities envisaged to be carried out by the MCA in 2011 which require direct financing via a Government subvention relate to the implementation of the IS initiatives in line with the National ICT Strategy.

For 2011, the MCA's expenditure (by activity) is expected to be as shown in Table 1 overleaf:

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<sup>18</sup> The two national projects to be implemented this year include the transition to free-to-air digital television and the study on the deployment of a fibre infrastructure to all urban areas in Malta and Gozo.

**Table 1: Projected 2011 Expenditure by Activity**

FORECAST BY ACTIVITY	GENERAL AUTH.	FUNDING THROUGH RIGHTS OF USE (NUMBERS & SPECTRUM) - DEDUCTIONS					GOV'T SUBV.	Total
	ECS / ECN	Postal	E-Comm	Spectrum Mgt	Spectrum Monitoring Equipment	Radio Comm Lic	ISS	
Expenditure (Forecast):	€	€	€	€	€	€	€	€
Staff Costs	1,842,530	84,540	19,666	86,993	-	27,194	199,329	<b>2,260,252</b>
Administrative Expenditure	262,292	61,151	11,901	20,453	-	5,639	101,630	<b>463,067</b>
Operational Expenditure	532,017	9,311	32,009	55,093	-	11,900	13,417	<b>653,746</b>
Projects Related Expenditure	1,189,588	137,136	78,300	67,703	-	8,921	61,966	<b>1,543,614</b>
Capital Expenditure	111,989	-	-	97,297	137,000	-	23,659	<b>369,945</b>
<b>Total Expenditure (Forecast)</b>	<b>3,938,417</b>	<b>292,138</b>	<b>141,876</b>	<b>327,539</b>	<b>137,000</b>	<b>53,654</b>	<b>400,000</b>	<b>5,290,624</b>

## **4.2 Evaluating our Effectiveness**

To exercise the MCA's accountability and reporting requirements to the respective stakeholders, the MCA will continue to carefully evaluate its effectiveness and progress towards the achievement of its strategic objectives through:

- performance measurement and monitoring in line with established key performance indicators identified in the MCA's Strategic Plan Update;
- the publication of an Annual Report on its operations and performance for the preceding year; and
- through feedback which it seeks from stakeholders.

## **Appendix 1 – Priority Programme of Works 2011**

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Table 1 Priority Programme of Works 2011 (Electronic Communications)	
Project / Activity	Output
Electronic Communications – Strategic Objective T1	
<b>Regulation to Support Effective Competition – Market Analysis</b>	
Review of wholesale network infrastructure access (including unbundled access) market (Market 4) - Identification and Analysis of Markets, Determination of Market Power and Setting of Remedies	Consultation Notification to the European Commission Report on Consultation / Decision
Review of wholesale broadband access market (Market 5) - Identification and Analysis of Markets, Determination of Market Power and Setting of Remedies	Consultation Notification to the European Commission Report on Consultation / Decision
Review of wholesale leased lines market (Market 6) -Identification and Analysis of Markets, Determination of Market Power and Setting of Remedies	Consultation Notification to the European Commission Report on Consultation / Decision
Review of the mobile access and call origination (ex. Market 15) - Identification and Analysis of Markets, Determination of Market Power and Setting of Remedies	Consultation Notification to the European Commission Report on Consultation / Decision
<b>Low Barriers to Entry – Application of Remedies</b>	
Review of Sub-Loop Unbundling (SLU)	Consultation Report on Consultation / Decision
Development of subscriber ordering process to facilitate Local Loop Unbundling (LLU) access	Consultation Report on Consultation / Decision
Development of a 'pure LRIC' Fixed Network Bottom Up Cost Model (BUCM)	Consultation Report on Consultation / Decision Implementation of fixed BUCM
Development of a framework to test and regulate the pricing of bundles comprised of a mixture of regulated and unregulated services - Margin Squeeze Assessment	Consultation Report on Consultation / Decision Implementation of Framework
<b>Numbering</b>	
Review of numbering charging structure and methodology	Consultation

Table 1 Priority Programme of Works 2011 (Electronic Communications)	
Project / Activity	Output
	Report on Consultation / Recommendation to Government
<b>Developing the Radio Spectrum Potential</b>	
Re-assignment of the rights of use of the 900 MHz and 1800 MHz spectrum bands	Assignment process Assignment of licences
Assignment of the rights of use of the 3400 – 3800 MHz spectrum band subject to expression of interest	Policy Decision on the assignment process Call for Applications (based on a request from the market)
Introduction of secondary spectrum trading mechanisms	Report on Consultation / Recommendation to Government on trading regulations
<b>A Regulatory Environment for Next Generation Access Networks</b>	
Implementation of Technical and Economic Analysis - FTTH Infrastructure in Malta	Implementation of technical and economic analysis
Duct Access / Overhead Wiring Regulatory Framework	Policy paper Consultation Report on Consultation / Recommendations to Government
Review of the use of the public rights of way – ducts / overhead wiring / in-building wiring	Policy paper Consultation Report on Consultation / Decision
Electronic Communications – Strategic Objective T2	
<b>Digital TV Switchover (DSO)</b>	
Programme Management - Switchover to free-to-air digital terrestrial TV	Digital switch-on (1 <sup>st</sup> February 2011) Selection of GIO broadcasters (Broadcasting Authority) Simulcast period Analogue switch-off (end June 2011)
Digital terrestrial free-to-air TV switchover communications campaign	Public information campaign between Jan 2011 – June 2011 100% converted to digital TV by analogue switch-off in June 2011
Review of TV must carry obligations	Consultation Report on Consultation / Decision

Table 1 Priority Programme of Works 2011 (Electronic Communications)	
Project / Activity	Output
<b>Continued Availability of the Universal Service</b>	
Review of definition of functional Internet access within the context of the Universal Service requirement	Report on Consultation / Decision Notice
Designation of an operator for the provision of a comprehensive printed and electronic directory which would include all subscribers of publicly available telephone service providers	Designation of operator responsible for providing the printed directory
Management and monitoring of USP's obligations	Ongoing monitoring
Management and monitoring of USP's QoS obligations	Ongoing monitoring
<b>Monitoring of Service Quality</b>	
Monitoring Broadband Quality of Service	Consultation Report on Consultation / Decision Notice Measurement / Publication of Broadband QoS report
Review of Security and Network Integrity	Development of Network Integrity Guidelines
<b>Keeping the Radio Spectrum Free of Interference</b>	
Establishment of a national plan for telecommunications infrastructures (towers)	Recommendations to Government
<b>Informing, Empowering and Protecting Consumers / Ensuring Compliance</b>	
Review of end-user rights	Consultation Report on Consultation / Decision
Ensuring ease of switching between providers	Consultation Report on Consultation / Decision
Development of a Price Comparison Website (Cost Observatory)	Development of Price Comparison Website
Biannual market review reports	June – December 2010 Market Review Report January – June 2011 Market Review Report
Consumer perception surveys – Fixed, Mobile, Broadcasting, Broadband	Commissioning of survey and publication of results
Consumer perception survey – To understand better the experiences of business users of electronic communication services	Commissioning of survey and publication of results

Table 1 Priority Programme of Works 2011 (Electronic Communications)	
Project / Activity	Output
Monitoring number portability management and operator specifications	Ongoing monitoring
Monitoring and development of guidelines on good consumer practices	Ongoing monitoring
Monitoring Premium Rate Services	Ongoing monitoring
Compliance, Enforcement and Investigations	Ongoing monitoring
<b>Electronic Communications – Strategic Objective T3</b>	
<b>European / International Dimension / Pan-European Initiatives</b>	
Monitoring EU mobile roaming regulations	Ongoing monitoring
Pan-European assignment of Mobile Satellite Service (MSS) providers	MSS assignments for rights of use
Participation and Contribution to EU / International Working Groups	Ongoing participation and contribution
Preparation for the World Radio Conference in 2012 to protect Malta's interests	Ongoing preparation
<b>Electronic Communications – Strategic Objective T4</b>	
<b>Technology Watch Function</b>	
Forward looking technology research	Ongoing research
<b>New and Innovative Technologies and Services</b>	
Promotion of test and trial spectrum licences	Ongoing promotion of test and trial licenses
Authorisation framework of the use of mobiles on vessels (MCVs)	Authorisation framework

Table 2 – Priority Programme of Works 2011 (Postal)	
Project / Activity	Output
Postal – Strategic Objective P1	
<b>Development of a Competitive Environment</b>	
Developing a revised regulatory regime in view of full liberalisation in 2013	Publication of Explanatory Memorandum
Licensing and general authorisations	Ongoing management, monitoring and enforcement
<b>MaltaPost's Tariff Realignment Requirements</b>	
Postal tariff realignment framework to ensure cost orientation of universal services	Consultation Report on Consultation / Decision
MaltaPost Plc's tariff review requests (ordinary mail, registered mail and parcel post)	Consultation Report on Consultation / Decision
Postal – Strategic Objective P2	
<b>Continued availability of the Universal Postal Service</b>	
Monitoring Postal Service Schemes	Ongoing monitoring of postal service schemes
Monitoring Universal Service Obligations	Ongoing monitoring of universal service obligations
Monitoring Integrity of Mail	Ongoing monitoring of the integrity of mail
Monitoring Quality of Service	Ongoing QoS monitoring
Monitoring Regulatory Accounts Compliance	Ongoing monitoring of compliance
<b>Empowering Consumers / Ensuring Compliance</b>	
Postal Consumer Perception Survey	Surveys for Households, Small Businesses, Bulk Mailers Publish Results / Comparison with survey carried out 2 years ago
Market Review and Development Reports – Bi-Annual	June – December 2010 market review report January - June 2011 market review report
Guidelines on Good Consumer Practices	Ongoing updating of guidelines
Compliance, Enforcement and Investigations	Ongoing monitoring and enforcement
Postal – Strategic Objective P3	

Table 2 – Priority Programme of Works 2011 (Postal)	
Project / Activity	Output
<b>European / International Dimension</b>	
Participation and contribution to EU / International Working Groups	Ongoing participation and contribution

Table 3 – Priority Programme of Works 2011 (e-Commerce)	
Project / Activity	Output
e-Commerce - Strategic Objective E1	
<b>Public and Service Provider Awareness / Confidence</b>	
e-Commerce - Awareness / Educational Campaign	Implement communication initiatives Analyse results Implement strategy
e-Commerce - Household Survey	Analysis results Revisit Communications Plan and amend initiatives Implement communication initiatives
<b>Monitoring Compliance</b>	
e-Commerce – Trustmark Management	Ongoing management of e-Commerce Trust Mark
e-Commerce – Establishment of a supervisory regime for certification service providers	Implementation of supervisory regime
e-Commerce – Monitoring and Enforcement	Ongoing monitoring and enforcement

Table 4 – Priority Programme of Works 2011 (Information Society)	
Project / Activity	Output
Information Society – IS1	
<b>Achieving wide-spread e-literacy</b>	
ICT for All	ICT training for adults
Increase inclusion of aging citizens and people with disability in society	Project Plan

Table 4 – Priority Programme of Works 2011 (Information Society)	
Project / Activity	Output
through the application of ICTs	Expression of Interest / Request for Proposals Launch 'Ageing Well' Package
Online Shopping Information Sessions	Scope initiative Administer initiative
<b>Connectivity</b>	
Proliferation of free Wi-Fi in Public Places	Provision of free Internet Wi-Fi Points (120 points in total by the end of the first half of 2011)
Mobile Internet Scheme for students to proliferate usage of mobile broadband	Launch Mobile Internet Scheme
<b>Building Confidence</b>	
Expanding the e-Trust Mark	Launch Code of Conduct / Award Campaign
<b>Awareness</b>	
Broadcasting of ICT awareness programmes aimed to raise awareness on ICT technologies and encourage people to make use of technology	Broadcast second series Dissemination of DVDs
<b>Micro Enterprise</b>	
ICT and Entrepreneurship Training	Micro entrepreneurs receiving training
<b>Internet Safety</b>	
Be Smart Online – Making responsible choices online by advising on relevant precautions to take	Public awareness (young people, parents and teachers)
Information Society – IS2	
<b>Innovation</b>	
ICT – VN – Create value for SMEs through value networks using ICT	Workshops Publication of news letters Exchange of good practice
EPITOME – Increase entrepreneurship of the indigenous micro enterprise through the use and integration of ICTs in business.	Development of curriculum Training

Table 5 - Programme of Works 2011 (Internal / Corporate)	
Project / Activity	Output
Corporate Initiatives	
Review of the design and information architecture of MCA's website, making them easier to use and information easier to find	Review of MCA's Website design and architecture Development of new Website Launch of new Website
Radiocommunications Equipment Online Payment Portal	Implementation of Online Payment Portal
Strategy and Business Planning	Strategic and Business Plan 2012 - 2014
Annual Report / Performance Review	Annual Report 2010