



Malta Communications Authority

Annual Plan 2020

Malta Communications Authority

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1. Introduction

This document represents the Malta Communications Authority's (MCA) Annual Plan 2020. It sets out the priority work-streams and related individual tasks that the MCA will be conducting during 2020. The Annual Plan is reflective of the MCA's Strategy Update covering the period 2020 - 2022.

1.1 Mission Statement and Strategic Objectives

The mission of the MCA is:

'To promote and safeguard a communications environment that is conducive to investment, innovation, economic growth and social well-being'

For the MCA to achieve its mission over the next three years, the following are the identified strategic objectives emerging from the strategy update for the period.

1.	Promoting and safeguarding competition in the electronic communications sector.
2.	Ensuring that electronic communications undertakings provide a transparent, value for money service to users whilst adhering to incumbent social obligations.
3.	Contributing to the development and implementation of electronic communications policy.
4.	Maintaining open, safe and secure electronic communications.
5.	Facilitating digital inclusion.
6.	Maximising the potential of Radio Spectrum.
7.	Facilitating the development of eCommerce.
8.	Supervising the provision of electronic signatures and trust services.
9.	Safeguarding sustainable competition in the postal sector.
10.	Ensuring that postal undertakings provide a transparent, value for money service to users whilst adhering to incumbent social obligations.
11.	Contributing to the development and implementation of postal policy.
12.	Conducting research and facilitating innovation in the sectors under the MCA's mandate.

1.2 Legal Frameworks

The MCA's mission, mandate and functions derive from the Malta Communications Authority Act, Cap 418. The MCA is responsible for:

- the regulation of electronic communications networks and services, radiocommunications equipment and the management of the radio spectrum and numbering resource as defined in the Electronic Communications (Regulation) Act, Cap 399;
- the regulation of postal services as determined by the Postal Services Act, Cap 254;
- ensuring compliance with the Electronic Commerce Act, Cap 426;¹ and for
- improving the accessibility of the websites and mobile applications of public sector bodies, S.L. 418.03.

As reflected in the Second Schedule of the Malta Communications Authority Act, the MCA is also responsible for ensuring compliance with the following EU regulations:

- Regulation (EU) 2015/2120 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union;
- Regulation (EU) 2018/644 on cross-border parcel delivery services;
- Regulation (EU) 2018/302 on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market (referred to as the geo-blocking regulation); and
- Regulation (EU) 2017/1128 on cross-border portability of online content services in the internal market (referred to as the cross-border portability regulation).

In 2019 the MCA's functions pertaining to the promotion of the Information Society and eCommerce related activity were migrated to a newly set up Government entity, Tech.mt. The MCA's mandate now focuses on the regulatory sphere, although elements of awareness-raising and promotion remain key tools in support of its regulatory remit.

¹ The MCA is required to ensure the proper functioning of the eCommerce sector as provided for by the Electronic Commerce Act which follows the EU Directive 2000/31/EC. The same applies to eIDAS (EU Regulation 910/2014) where MCA assumes the role of a supervisory authority.

1.3 Accountability Framework

The MCA is accountable to the Minister responsible for Communications for the preparation and presentation of its financial estimates for approval, following an annual consultation by the responsible Minister with the Minister responsible for Finance. The MCA presents its Annual Report on its operations for the preceding year to the Minister responsible for the MCA and the Minister responsible for Finance. The MCA is also held to account by the sectors it regulates and by the public on whose behalf it regulates. On a yearly basis the MCA publishes its Strategy Update, Annual Plan and its Annual Report on its website.

1.4 Measuring Performance

Progress towards the attainment of the MCA's strategic objectives is measured by a series of related activities. In this respect, and on an ongoing basis, the MCA:

- carries out biannual market reviews providing an overview of the trends in the sectors under its mandate;
- conducts performance measurement and monitoring in line with the Key Performance Indicators (KPIs) identified in the MCA's strategy update and other benchmarks, such as the EU's Digital Economy and Society Index (DESI)²; and
- monitors the achievement of its objectives and work programme, identifies any shortfalls and takes the necessary steps to remedy them.

1.5 Communication and Engagement

The MCA is committed to engaging with various stakeholders, including citizens, consumers, authorised entities, government departments and other regulators, constituted bodies, the business community, the EU, and various other international bodies. A variety of communication channels, such as its website and social media, are used in order to effectively build greater awareness of the outcomes of the MCA's activities, its roles and responsibilities, its various initiatives and on general trends in the sectors it regulates. The MCA also uses these communication channels to empower consumers by providing information on their rights and in assisting them in making informed choices across all communications services. In the context of regulatory decision-making stakeholders have the opportunity to provide the MCA with feedback and express opinions on developing regulatory measures and proposed regulatory decisions through an established consultation process.

² The [Digital Economy and Society Index](#) (DESI) is a composite index that summarises relevant indicators on Europe's digital performance and tracks the evolution of EU member states in digital competitiveness.

1.6 Outlook

The new European Electronic Communications Code (EECC), formally adopted on the 11th December 2018, must be incorporated into national law by the 21st December 2020. The EECC introduces a renewed focus on increasing regulatory stability, promoting investment in new high capacity networks, mainly 5G and new fibre networks, and facilitating consumer engagement.

Beyond the MCA's contribution to the transposition exercise of the EECC, the adoption of the EECC has resulted in increased activity at BEREC³ level. This activity is expected to further increase during the coming years, as BEREC adheres to the planned publication and adoption of a number of guidelines on measures governing radio spectrum, quality of service (QoS) and broadband regulation.

Early in 2020 the MCA will finalise its review of the wholesale local access market concerning access to the fixed electronic communications infrastructure and the wholesale broadband access market concerning wholesale broadband products. The outcome of the review of these markets will shape the competition scenario of the fixed broadband market in Malta for the foreseeable future.

Work towards the clearing of radio spectrum bands to further facilitate the rollout of 5G technologies in Malta is well into the planning stage. In 2020 the MCA will commence the process to make available radio spectrum identified for 5G mobile services. The increased reliance by all sectors on high speed internet means that the element of security and resilience will inevitably increase in profile. The MCA will therefore continue to build its required network and cybersecurity capacity and monitoring of the security and integrity levels of public electronic communications networks and services.

The continuing rise of e-commerce packets and the decline of traditional letter mail volumes are calling for change in postal markets. Postal operators are adapting their operations and seeking efficiency gains in response to volume decline. At the same time they are improving service levels for e-commerce deliveries. While reform of the UPU's terminal dues system for the delivery of international letter packets has been agreed at the 2019 UPU's Extraordinary Congress, the next big challenge to this market are changes in the EU customs procedures that will become effective in 2021. In light of these challenges the MCA needs to continue to ensure the provision of the universal postal service that meets the reasonable needs of postal service users.

As anticipated, the European Commission has begun a process to evaluate the Postal Services Directive and move towards the drafting of a new Directive. The relevance of the universal postal service (and its relative size in relation to the reasonable needs of postal service users) are likely to be a central point of discussion. Aspects related to the fast changing nature of postal services, including competition between providers, should also feature prominently. The discussion at EU level will be shadowed by ERGP,⁴ and therefore it is envisaged that activity within this group will also increase as a result.

³ [The Body of European Regulators for Electronic Communications.](#)

⁴ [The European Regulators Group for Postal Services.](#)

The migration of a host of Information Society initiatives to Tech.mt in the course of 2019 has meant a re-dimensioning of the Information Society and e-Commerce functions within the MCA. The focus in these areas is now essentially on the regulatory aspects. Even so, the nature of the regulation involved inevitably means that a sizeable element of information and facilitation, both to eCommerce users as well as to information society service providers, will continue to take place.

A notable upcoming development in this policy area has to do with the new European Commission's plan to overhaul the eCommerce Directive, which dates back to 2001, and issue new proposals in 2020 within a comprehensive Digital Services Act. The MCA will inevitably be a key stakeholder in providing advice to Government during the legislative debate.

Towards the end of 2018 the Government tasked the MCA with the monitoring of websites and mobile applications of public sector bodies vis-à-vis accessibility. The MCA will therefore continue to have a role in addressing the digital divide, albeit from a relatively focused regulatory standpoint. Moreover the recent assumption of responsibility for the monitoring of activities relative to unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and cross-border portability of online content services reinforces the regulatory role of the MCA in this policy area. In both of the above mentioned instances the element of information and facilitation will be a necessary tool for the MCA to fulfil its regulatory mandate.

The MCA will continue working closely with all the relevant stakeholders at EU and national levels in order to ensure that any future EU policies in the above-mentioned areas benefit the Maltese communications sector, with resultant fallout on the economy at large. In addition, the MCA will continue to provide advice to Government on topics related to the sectors under its mandate.

2. Programme of Work and Priorities

What follows is an overview of the MCA's programme of work for 2020 that will contribute to the achievement of the identified strategic objectives.

2.1 Strategic Objective 1 - Promoting and safeguarding competition in the electronic communications sector

Overview

The MCA's primary objective is to ensure consumers and businesses benefit from a range of electronic communications products and services, with the market providing good outcomes in terms of choice, price, quality, investment and innovation. The MCA does this by ensuring that markets can work effectively, through regulation where appropriate, so that consumers can gain from the benefits of competition. The MCA supports both infrastructure- and service-based competition in the electronic communication sector.

Changing consumer and business needs continue to drive demand for better quality of service, improved reliability and security, and additional bandwidth on both fixed and mobile networks. The MCA will continue to focus its work on promoting and safeguarding competition, and creating a favourable climate for increased investment and innovation in high-speed electronic communications networks and very high-capacity networks.

Safeguarding a competitive environment

The Significant Market Power (SMP) Framework - The MCA's objective in promoting and safeguarding effective competition through the SMP Framework is that regulation mitigates market power and facilitates market entry and expansion, where feasible, in wholesale and retail electronic communications markets. The MCA reviews a set of electronic communications markets and assesses whether or not they are, or are likely to become effectively competitive. If not, the MCA imposes appropriate pro-competitive obligations as necessary, including those relating to access, pricing, non-discrimination and transparency. In 2020 the MCA will conclude the assessment of the following two wholesale broadband access markets:

- **Wholesale Local access provided at a fixed location (Market 3a/2014)** - The wholesale local access (WLA) market concerns access to the fixed electronic communications infrastructure. WLA is the local connection between the end-user's premises and the local exchange or access node. This connection can be copper-, cable- and/or fibre-based and is used to provide fixed-line services such as voice calls and broadband internet.
- **Wholesale Central access provided at a fixed location for mass-market products (Market 3b/2014)** - The wholesale broadband access market relates to the wholesale broadband products that communications providers provide for themselves and sell to each other. These services are one of the building blocks of the retail broadband offers that consumers buy.

The outcome of the review of the above-mentioned markets will shape the competition scenario for the provision of electronic communications services in Malta for the foreseeable future. In addition, the MCA will continue to monitor the progress in the provision of the existing regulated broadband access agreement. Reviews will take place, as necessary, in order to support ongoing viable access arrangements.

Facilitating infrastructure roll-out and sharing

In 2020 the MCA will continue to facilitate the deployment of very high capacity networks and services by providing the necessary support and guidance to sector players and other institutional players. Such support and guidance will address areas related to the sharing and re-use of existing physical infrastructure and access to in-building physical infrastructure. The MCA will also work with other competent authorities so as to further facilitate the deployment of very high capacity networks, including next generation networks such as 5G.

Managing information as the means to promote competition

The MCA will continue to collect data from electronic communications service providers and publish bi-annual market reviews, quarterly market data and monthly retail price movements. The data collected from the service providers is vital in supporting the MCA's regulatory decisions that serve to promote and safeguard competition. This activity is supplemented by public and business perception surveys. The results of these surveys serve as an additional input to the shaping of regulatory decisions and indicate how consumers' preferences, behaviours and perceptions of electronic communications services are changing over time. In 2019 the MCA published the findings of a consumer perception survey of the fixed broadband market. In 2020 the MCA will publish the findings of mobile telephony, fixed telephony, broadcasting and bundles markets. In addition the MCA will carry out a business perception survey across all the electronic communications markets.

Managing the compliance framework

Effective management of the numbering resource - The MCA will continue to manage Malta's numbering plan by allocating numbers to service providers for new (e.g. IoT technologies)⁵ and existing services, and by monitoring their utilisation to ensure efficient use of numbers. The MCA will also continue to ensure that all end-users who so request can retain their number(s) independently of the undertaking providing the service.

Active switching by consumers - Effective competition also depends on factors such as the ability and willingness of customers to switch suppliers in response to a better deal in the market place. In the context of promoting and safeguarding competition in the electronic communications sector the MCA will continue to ensure that there are low barriers to consumers exercising their choice.

⁵ In 2019 the MCA established a national framework for numbering resources allocated for IoT services.

The MCA's objective to protect and inform consumers and specific programmes of work are discussed under [Strategic Objective 2](#).

Priority Programme of Works 2020 - Strategic Objective 1

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of [Strategic Objective 1](#).

Priority Programme of Works 2020 - Strategic Objective 1	
Project / Activity	Planned Output
Wholesale local access provided at a fixed location (Market 3a) - Market review and analysis Wholesale central access provided at a fixed - location for the mass market (Market 3b) - Market review and analysis	<ul style="list-style-type: none"> - Public consultation - Notification of draft Decision to the European Commission - Report on Consultation / Decision
Monitoring GO's VULA Reference Offer (RO)	<ul style="list-style-type: none"> - Monitoring VULA Reference Offer - Review of revisions to wholesale charges - Monitoring VULA service level agreements
Facilitating sharing of physical infrastructure	<ul style="list-style-type: none"> - Guidance on access to physical infrastructure and access to in-building physical infrastructure to operators - Mediation services to facilitate agreement on issues related to physical infrastructure access
Consumer Perception Surveys	<ul style="list-style-type: none"> - Publication of consumer perception survey findings (Mobile Telephony, Fixed Telephony, Broadcasting and Bundles)
Business Perception Survey	<ul style="list-style-type: none"> - Business perception survey field work (Mobile Telephony, Fixed Telephony, Business connectivity, Broadband) - Analysis of survey findings and publication
Informing stakeholders on key data and trends in the electronic communications sector	<ul style="list-style-type: none"> - Publication of bi-annual market review report June - December 2019 / January - June 2020 - Publication of quarterly data report sheets

2.2 Strategic Objective 2 - Ensuring that electronic communications undertakings provide a transparent, value-for-money service to users whilst adhering to incumbent social obligations

Overview

While competition helps to deliver widespread, affordable and good quality electronic communications services for consumers, competition cannot deliver this alone. The MCA will therefore continue to focus its work on empowering consumers by providing clear information on their rights and in assisting them in making informed choices in their use of electronic communications services. The MCA will also continue to ensure that public electronic communications providers adhere to their incumbent social obligations.

Reviewing the Universal Service Obligation (USO) framework in the context of current and envisaged user needs

In 2020 the MCA will finalise a review of the USO framework in light of changing social requirements and the provisions emerging from the EECC. The provision of an affordable and adequate broadband internet access service will also form part of this review. Broadband as a universal service will present new opportunities in the making of a truly digital society.

The MCA will continue to monitor the performance of GO's current USO. GO is required to, among others, provide a publicly available telephone network at a fixed location, capable of supporting voice and data communications in areas where no other undertakings offer such a service at an affordable price.⁶ GO also publishes information concerning its performance in the provision of the universal service, based on quality of service (QoS) parameters and measurement methods established at law. In 2020 the MCA will finalise an assessment of GO's claim for funding the net-cost incurred in the provision of the USO for the year 2016 and commence an assessment of the net-cost incurred for the year 2017.

Reviewing operators' QoS delivery especially in data services

In 2020 the MCA will broaden the obligation to measure and publish relevant QoS information across all providers of public publicly available electronic communications networks and services. The MCA will take into consideration BEREC guidelines⁷ when specifying QoS parameters to be measured and the content, form and manner of the information to be published. The publication of such information is intended to provide greater transparency and therefore lead to overall improving service provision to the public. The MCA will continue to ensure that providers of fixed broadband services monitor their broadband QoS and that the results are made available to the MCA. In addition, in 2020 the MCA will

⁶ GO is also required to provide an electronic telephone directory (including a directory app), public payphones, directory enquiry services and specific measures for users with disabilities.

⁷ By June 2020 BEREC will adopt guidelines detailing the relevant QoS parameters, including parameters relevant to end-users with disabilities, the applicable measurement methods, the content and format of publication of information, and quality certification mechanisms.

implement a framework on the broadband QoS measurements and reporting requirements applicable to operators providing mobile broadband services.

Improving the MCA's capabilities vis-à-vis consumer protection

Beyond being aware of the service that consumers are actually receiving, end-users of electronic communications services have a right to protection with respect to subscriber contracts. Contracts are an important tool for end-users of electronic communications services to ensure transparency of information and legal certainty. In 2020 the MCA will review existing decisions relating to consumer contracts and, where permissible, provide further protection to consumers in line with the principles and obligations set out in the EECC. The MCA will also review existing decisions regarding end-user rights (such as switching and contract duration and termination) considering that changes may be required in order to implement the EECC.

Improving consumer awareness

Consumer awareness on fixed and mobile products and services - In 2020 the MCA will implement changes to its price and service comparison tool. The necessary improvements to the price and service comparison tool will further assist consumers to compare and evaluate different phone, broadband and pay-tv services, both on price and quality of service. In addition, the MCA will also continue to report on trends in the pricing of fixed, mobile and pay-tv services available on the market.

Operator contracts - The MCA will continue to monitor the contractual obligations of all electronic communications operators to ensure that they are in line with applicable legislation. The MCA will ensure that such contracts provide clear and relevant information helping users to take informed and correct decisions when acquiring electronic communications services.

Termination of contracts and switching providers - The MCA will continue to monitor inter-operator porting and switching processes, and the extent to which they promote good consumer and competition outcomes. In addition, the MCA will continue to monitor and assess the cancellation and termination arrangements of electronic communications service providers (after or during the initial commitment period), and the impact these have on consumers' ability to exit their service contract quickly, conveniently and without error.

Mobile roaming rules - The MCA will continue to monitor compliance with the roaming rules,⁸ including through consumer complaints, and engage with stakeholders if compliance concerns arise and where appropriate take enforcement action.

Ensuring consumer rights and customer service - The MCA will continue to ensure that electronic communications service providers uphold the rights of their customers and deliver acceptable levels of

⁸ Since 15th June 2017 consumers who have roaming services have been able to use their phone abroad within the EU for no extra charge, subject to certain safeguards.

customer service. In addition the MCA will continue to handle and resolve complaints it receives from customers of service providers.

Mapping broadband services as an information tool which clearly visualises the broadband capabilities in the various geographical areas across Malta and Gozo

In 2020 the MCA will commence an exercise leading to the mapping of information on the available fixed and mobile electronic communications services across Malta and Gozo. Such a platform is intended to enable consumers to be in a position to check coverage and availability of fixed and wireless broadband infrastructures, information on the operators, service and technology availability, available bandwidths and quality of public electronic communications networks and services. This initiative is also intended to implement the obligations emerging from the EECC on the mapping of the reach of electronic communications networks capable of delivering broadband services. Such a mapping platform needs to be in place by not later than the end of 2023. In implementing a mapping solution the MCA will also take into consideration BEREC guidelines on geographic surveys of broadband networks which are planned to be in place by June 2020.

Priority Programme of Works 2020 - Strategic Objective 2

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of [Strategic Objective 2](#).

Priority Programme of Works 2020 - Strategic Objective 2	
Project / Activity	Planned Output
QoS framework across all providers of publicly available electronic communications services	<ul style="list-style-type: none"> - Public consultation - Report on consultation / Decision
Mobile broadband QoS framework	<ul style="list-style-type: none"> - Report on consultation / Decision - Implementation of mobile broadband QoS framework
Fixed broadband QoS framework - compliance monitoring	<ul style="list-style-type: none"> - Ongoing compliance monitoring and reporting
Mobile broadband QoS framework - compliance monitoring	<ul style="list-style-type: none"> - Ongoing compliance monitoring and reporting
Review of subscribers' contract related decisions	<ul style="list-style-type: none"> - Public consultation - Report on consultation / Decision
Broadband as a universal service - Review of functional internet access	<ul style="list-style-type: none"> - Public consultation - Report on consultation / Decision

Priority Programme of Works 2020 - Strategic Objective 2

Project / Activity	Planned Output
Review of the universal service obligation / designation	<ul style="list-style-type: none"> - Public consultation - Report on consultation / Decision on USO - Assessment of Expression of Interest received, if applicable and if required - Designation of universal service provider/s
Review of GO's claim for funding the net cost incurred to provide the USO	<ul style="list-style-type: none"> - Decision on GO's funding claim and source of funding for the year 2016 - Assessment of GO's funding claim for the year 2017 - Decision on GO's funding claim and source of funding for the year 2017
Enhancements to the MCA's service and price comparison portal	<ul style="list-style-type: none"> - Enhancements to the service and price comparison portal - Updating details of electronic communications services / packages (including prices and quality of service) - Launch of revamped service and price comparison portal
Mapping broadband services	<ul style="list-style-type: none"> - Commence an exercise to map broadband infrastructures and services

2.3 Strategic Objective 3 - Contributing to the development and implementation of electronic communications policy

Overview

The MCA's strategic and business objectives are influenced by decisions made at national, European and international level. At a national level the MCA works with stakeholders so that it can be more effective in pursuing its objectives. Beyond the national level the MCA contributes and participates in various EU and other international fora to ensure that any future policies benefit the Maltese electronic communications sector. The MCA also advises Government on electronic communications policy and regulation.

Transposing the EECC into Maltese law

The new EECC was formally adopted by the European Parliament and Council on the 11th December 2018. The transposition of the EECC into national law is in progress and is planned to take place by the end of December 2020. The EECC aims to:

- **Enhance the deployment of 5G networks** by ensuring the availability of 5G radio spectrum by the end of 2020 and providing operators with predictability for a least 20 years in terms of spectrum licensing.
- **Facilitate the roll-out of new very high capacity fixed networks** by making rules for co-investment more predictable and promoting risk sharing in the deployment of very high capacity networks; promoting sustainable competition for the benefit of consumers, with a regulatory emphasis on bottlenecks, such as wiring, ducts and cables inside building; and a specific regulatory regime for wholesale only operators.
- **Benefit and protect consumers** irrespective of whether end-users communicate through traditional (calls, sms) or web-based services (skype, WhatsApp, etc.) by:
 - ensuring that all citizens have access to affordable communications services,⁹ including universally available internet access, for services such as eGovernment, online banking and video calls;
 - giving equivalent access to communications for end-users with disabilities;
 - better protecting consumers subscribing to bundled services packages;
 - making it easier to change service provider and keep the same phone number, including rules for compensation if the process goes wrong or takes too long; and by
 - increasing the protection of citizens in emergency situations, including retrieving more accurate caller location in emergency situations, broadening emergency communications to

⁹ In line with the EECC international intra-EU calls and SMS price caps came into force in the first half of 2019.

text messaging and video calls, and establishing a system to transmit public warnings on mobile phones.

In its role as adviser to Government on electronic communications policy and regulation the MCA is tasked with providing advice to Government on the transposition of the EECC into Maltese Law. A proposed draft Bill amending various laws together with new subsidiary legislation for public consultation is planned for early 2020. The transposition of the EECC will enter a decisive phase in implementation with the parliamentary process taking centre stage following the public consultation phase.

Participating in the development of BEREC Guidelines and opinions on various aspects emanating from the new EECC

The EECC carries a number of new requirements incumbent on both Government and the MCA, with the MCA being involved both individually and in the context of BEREC. Several of these requirements take the form of implementing legislation or BEREC guidance. They cover a range of topics, including among others, the placing of additional safeguards on the MCA's independence and accountability, the inclusion of broadband as a universal service, review of relative access rights and obligations, quality of service and end-user matters. The relevant groundwork to review existing regulatory operations commenced in 2019, in tandem with the transposition process of the EECC into Maltese Law, and regulatory adjustments are planned to take place over the coming two years.

Establishing a Malta position for fixed and mobile termination rates

In line with the EECC by 31st December 2020 the European Commission will, taking utmost account of the opinion of BEREC, adopt a delegated act setting a single EU-wide maximum fixed/mobile termination rates, which are imposed on any provider of mobile voice termination or fixed voice termination services, respectively, in any Member State. The MCA is contributing to the development of an opinion by BEREC. The BEREC opinion will, among others, assess potential effects on operators of setting single maximum EU-wide wholesale termination rates for both fixed and mobile voice services.

Interacting at various EU, BEREC and International fora, highlighting the national perspective where necessary

The MCA's international obligations entail active participation in the following EU organisations:

- BEREC which sets out common positions and statements of best practice to foster regulatory consistency and excellence across the EU. During 2020 the MCA will continue to contribute to the development of BEREC guidelines and opinions on various aspects emanating from the EECC.
- The Radio Spectrum Policy Group (RSPG) which provides high-level strategic advice on spectrum policies to the European Commission.

- The Communications Committee (COCOM), which assists the European Commission in carrying out its executive powers under the regulatory framework for electronic communications.
- The Radio Spectrum Committee (RSCOM), responsible for the development of implementing decisions with respect to technical measures that ensure harmonised conditions across Europe for the availability and efficient use of radio spectrum.
- The European Union Agency for Cybersecurity (ENISA) in relation to cybersecurity and network security regulation. ENISA actively contributes to European cybersecurity policy, supporting Member States and European Union stakeholders to support a response to large-scale cyber incidents that take place across borders in cases where two or more EU Member States have been affected.

The MCA will also continue to represent Malta in other international fora:

- The International Telecommunication Union (ITU) with regard to preparation for participation in the ITU World Radiocommunication Conferences.¹⁰
- The European Conference of Postal and Telecommunications Administrations (CEPT), the International Regulators' Group (IRG) and other related workgroups. The MCA will in 2020 organise and host the CEPT Frequency Management Working Group (WGFM).

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

- the harmonisation of additional spectrum for wireless broadband services and the coordination of timing of assignments;
- the European Commission's vision and policy actions to turn Europe into a Gigabit Society by 2025;¹¹
- the European Commission's 5G Action plan in relation to the development and introduction of 5G wireless technologies in the EU; and
- the ongoing submission of accurate statistics and information to the EU organisations.

Priority Programme of Works 2020 - Strategic Objective 3

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of [Strategic Objective 3](#).

¹⁰ The last WRC was held in the last quarter of 2019. The WRC-19 considered a range of important spectrum related issues including spectrum for mobile broadband (5G), satellite use and RLANs (Wi-Fi). The next WRC will be held in 2023.

¹¹ The new EECC will help Europe meet its target of providing 1-Gbps broadband to schools, hospitals and large businesses, and a minimum of 100-Mbps for all households - which need to be upgradeable to 1Gbps - by 2025.

Priority Programme of Works 2020 - Strategic Objective 3

Project / Activity	Planned Output
Transposition of new EECC into national law	<ul style="list-style-type: none"> - Public consultation on the implementation of the EECC (Government) - Response to consultation - Parliamentary process implementing the EECC
Monitoring fixed and mobile interconnection rates	<ul style="list-style-type: none"> - Contributing to the European Commission's discussions on fixed and mobile interconnection rates - Consultation with operators - Implementation of fixed and mobile interconnection rates
Outcome of WRC-19	<ul style="list-style-type: none"> - Report on the outcome of WRC-19 - Identification of actions needed to be undertaken by Malta in order to fulfil its international obligations - Contribute to discussions at a European level (EU and CEPT) in preparation for WRC-23
Hosting the CEPT Frequency Management Working Group (WGFM)	<ul style="list-style-type: none"> - Hold WGFM working group meeting (between 10th and 14th February 2020)
EU and International policy and regulatory initiatives	<ul style="list-style-type: none"> - Ongoing participation and contribution in the following fora and related working groups: <i>BEREC, RSPG, RSCOM, COCOM, IRG, ENISA, CEPT and ITU,</i>

2.4 Strategic Objective 4 - Maintaining open, safe and secure electronic communications

Overview

Society is becoming increasingly dependent on access to open, safe, reliable and secure electronic communications systems. A growing number of basic functions in all sectors of society such as digital services, electricity supply, water, health care, transport, finance, etc. require that electronic communications networks, services and equipment work everywhere - and at all times. The dependence of all sectors of society on electronic communications is expected to continue increasingly unabatedly over the coming years.

Building the necessary network and cyber-security domain

During 2020 the MCA will continue building the necessary network and cyber-security capacity. The MCA will ensure that providers of public electronic communications networks and publicly available electronic communications services manage security risks posed to the security of networks and services and appropriate levels of resilience. Early in 2020 the MCA plans to finalise its review of the minimum security and integrity requirements and reporting obligations of public electronic communications network and service providers. The review will provide further clarity on what is expected of the service providers. Moreover, the establishment of the minimum security and reporting measures will facilitate future actions that the MCA may need to take in case of operators who are not compliant with the legal requirements.

Monitoring security and integrity of public fixed and mobile networks

In 2020 the MCA will closely monitor the security and integrity of public fixed and mobile electronic communications networks. The MCA will ensure that, as a minimum, the relevant aspects of the following elements are in place by the operators:

- **Security of networks and facilities:** physical and environmental security, security of supply, access control to networks and integrity of networks; as regards handling of security incidents: handling procedures, security incident detection capability, security incident reporting and communication.
- **Business continuity management:** service continuity strategy and contingency plans, disaster recovery capabilities; as regards monitoring, auditing and testing: monitoring and logging policies, exercise contingency plans, network and service testing, security assessments and compliance monitoring; and compliance with international standards.

In addition, the MCA will continue to work closely with the Ministry for Home Affairs, Law Enforcement and National Security, the Critical Information Infrastructure Protection (CIIP) Unit within the Critical Infrastructure Protection Directorate (CIPD), the Office of the Information and Data Protection Commission (IDPC), Malta Security Services (MSS) and the police on matters related to cyber-security.

Addressing ENISA security incidents reporting requirements

The MCA ensures that operators take appropriate measures to ensure the integrity of their networks and services in line with the technical guidelines issued by ENISA. The MCA also ensures that incidents on network failures above a certain threshold are reported to the MCA. The MCA will continue to follow up any incidents of concern in order to understand their cause, the appropriateness of the operator's response, and the steps that have been taken to minimise the risk of recurrence. On an annual basis the MCA reports severe incidents to ENISA together with the action taken.

Implementing EU 5G cybersecurity measures

In 2020 the MCA will work with the European Commission and ENISA to implement mitigating measures to address 5G cybersecurity risks. In addition, in line with the EU Cybersecurity Act,¹² the MCA will cooperate with the European Commission, ENISA and local competent authorities to implement a certification scheme covering 5G networks and equipment.

Analysing net neutrality practices

The MCA will continue to monitor compliance by the operators with net neutrality principles, taking utmost account of BEREC guidelines, in order to safeguard equal and non-discriminatory treatment of traffic in the provision of internet access services and related end-user rights. The MCA will continue to publish its annual report regarding its monitoring and findings. In 2020 the MCA will contribute to the work being carried out by BEREC on the updating of the 2016 guidelines on net neutrality in view of the changes in markets and new technologies. The updated BEREC guidelines on the implementation of the Open Internet Regulation are planned to be adopted in June 2020.

Participating in the EU Internet Governance Forum

The MCA will continue to contribute to the EU Internet Governance Forum dealing with matters relating to internet governance (such as, artificial intelligence, IoT and cyber-security).

Priority Programme of Works 2020 - Strategic Objective 4

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of [Strategic Objective 4](#).

Priority Programme of Works 2020 - Strategic Objective 4	
Project / Activity	Planned Output
Implementation of security and integrity guidelines	– Public consultation

¹² The EU Cybersecurity Act revamps and strengthens the EU Agency for cyber-security (ENISA) and establishes an EU-wide cybersecurity certification framework for digital products, services and processes.

Priority Programme of Works 2020 - Strategic Objective 4

Project / Activity	Planned Output
	<ul style="list-style-type: none"> - Response to consultation / Decision - Commence preparatory work on commissioning of security audits - Audit the public electronic communications networks and service providers in order to assess the measures being taken to comply with obligations (planned for 2021)
Updating minimum incident reporting mechanisms	<ul style="list-style-type: none"> - Public consultation - Response to consultation - Procurement of hardware and software solutions for incident reporting - Launch incident reporting solution (planned for 2021)
Notification requirements related to security and integrity of networks	<ul style="list-style-type: none"> - Monitor operator reports on integrity and security incidents - Report on severe incidents to ENISA and the action taken
Cybersecurity of 5G Networks – EU Toolbox of risk mitigating measures	<ul style="list-style-type: none"> - Work with the European Commission and ENISA to implement mitigating measures to address 5G cyber-security risks - Analyse and study the Cyber Security Toolbox (outcome of the European Commission’s 5G Cyber Security Recommendation) - Implement or update the respective security instruments accordingly
Net Neutrality - Compliance and Reporting	<ul style="list-style-type: none"> - Monitoring of the product offers by internet access service providers - Annual report on the MCA’s activities
EU Internet Governance Forum	<ul style="list-style-type: none"> - Participation and contribution to the EU Internet Governance Forum

2.5 Strategic Objective 5 - Facilitating digital inclusion

Overview

At the end of 2018 the MCA was tasked by Government in administering Directive (EU) 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies. The transposition of the Directive into Maltese law was carried out in early 2019 and is reflected under the Accessibility of the Websites and Mobile Applications of Public Sector Bodies Regulations, SL 418.03. Public service digital platforms are required to be perceivable, operable, and usable by persons with disabilities, and they must be robust enough to work on different browsers and different assistive technologies. All public sector websites created after September 2018 have to be accessible by September 2019. Existing websites will have to comply by September 2020. In addition all mobile applications will have to be accessible by June 2021.

Monitoring accessibility of websites and mobile applications of public sector bodies

In 2019 the MCA created the necessary implementation framework to address the lack or absence of online accessibility that contributes to the exclusion or partial exclusion of disadvantaged segments of society. The MCA will work with the Commission for the Rights of Persons with Disability (CRPD) and the Foundation for Information Technology Accessibility (FITA) in order to ensure compliance with the provision of the regulation. Plans are in place to audit all public sector websites and mobile applications over a period of three years.

Information and training programmes to relevant stakeholders and staff of public sector bodies

The MCA has embarked on information and training programmes relating to the accessibility of websites and mobile applications in order to ensure user uptake and therefore maximise the outcome of the regulatory initiative. The MCA will also continue to raise awareness on the accessibility requirements, their benefits to users and to owners of websites and mobile applications, and give feedback in the case of any failure by public sector bodies to comply with the requirements at law.

Priority Programme of Works 2020 - Strategic Objective 5

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of Strategic Objective 5.

Priority Programme of Works 2020 - Strategic Objective 5	
Project / Activity	Planned Output
Web Accessibility Directive - Implementation of Regulation	<ul style="list-style-type: none"> Monitoring of public sector websites and apps with the support of CRPD and FITA Information and training programmes

2.6 Strategic Objective 6 - Maximising the potential of Radio Spectrum

Overview

The MCA is responsible for ensuring the efficient use of the radio spectrum identified in the national radio frequency plan.¹³ This includes planning for future spectrum requirements, such as for mobile data and fixed wireless backhaul. Efficient use of the radio spectrum resource is a key factor in terms of delivery of services, competition, choice and widespread availability. The MCA will continue to ensure that sufficient radio spectrum is made available for new wireless technologies, including 5G, to facilitate the deployment of new and innovative services.

Establishing the respective assignment frameworks and licence conditions for the pioneer bands identified for 5G

In 2020 the MCA will finalise the radio spectrum assignment framework and licence conditions for the pioneer bands identified for 5G networks and services - 700 MHz, 3.4 - 3.8 GHz and the 24.25 - 27.5 GHz radio spectrum bands. The licence conditions will, among others, include measures related to quality of service and security of 5G networks. In addition, the MCA will work with the European Commission to make the 900 MHz, 1800 MHz and the 2.1 GHz radio spectrum bands available for the deployment of 5G technologies.

Exploring solutions to potential infrastructural issues posed by 5G deployment

In 2020 the MCA will continue to explore solutions to potential infrastructure issues posed by the deployment of 5G networks. The MCA will assess whether an appropriate access and infrastructure sharing framework is required in order to facilitate access to base stations and small-area wireless access points (also referred to as small cells) for both existing and new operators. The MCA will also continue to work with the respective entities and agencies responsible, among others, for the building and upkeep of the countries roads, ancillary road infrastructure, as well as the relevant street furniture in order to facilitate the rollout of 5G networks.

Reassignment frameworks for radio spectrum licences

In addition to the assignment framework for the 5G radio spectrum pioneer bands, in 2020 the MCA will lay down the reassignment frameworks for radio spectrum licences which will expire over the coming years. Spectrum in 2.1 GHz band currently assigned to GO and Vodafone will expire in 2021 and in 2022 in the case of Melita. Spectrum used for Digital Audio Broadcasting (DAB) services currently assigned to Digi B Network will expire in 2022.

¹³ The MCA regularly reviews the National Frequency Plan (NFP) to reflect changes to the allocation of spectrum taking into account European and International regulations.

Implementing the TV transmission strategy for commercial transmissions and contributing to the way forward on General Interest (GI) transmissions, with emphasis on the future of DTT

In the first half of 2020 the MCA will establish the assignment framework for the right to use of the sub-700 MHz band for DTT services. This will serve to provide direction to the market in respect of spectrum availability following the expiry of GO's radio spectrum licence for commercial DTT services in May 2021. The MCA will also publish an expression for interest for the rights of use of the sub-700 MHz band in order to ensure continuity of commercial DTT in Malta until 2030 (subject to market demand).

Transmissions meeting General Interest Objectives (GIOs) are not affected by the 700 MHz migration towards mobile data usage. The DTTV General Interest multiplex utilizes a frequency that is below the 700MHz band. Even so, there may be a knock-on effect in the event of a switch-off of the commercial DTTV network given that the GIO operator (PBS) sub-contracts the commercial DTTV operator (GO) for the multiplexing and transmission operations. Whilst this is a purely commercial decision taken by PBS under the regulatory oversight of the Broadcasting Authority (BA), issues may arise in the event that an alternative terrestrial transmission solution is not available. During 2020 the MCA will continue to contribute to the committee led by the BA and tasked with updating Government's policy for digital broadcasting. The MCA can assist the BA as necessary in outlining alternative technology arrangements that, together with GI broadcasters who are directly involved, the latter Authority can then explore to the necessary level of detail.

Ensuring continued respect of EMF thresholds

The MCA will continue its routine monitoring of electronic magnetic field (EMF) emissions with a view to ensuring that levels of electromagnetic radiation do not exceed the levels established by the International Commission of non-Ionising Radiation Protection (ICNIRP), which are also endorsed by the World Health Organisation (WHO). In addition the MCA will maintain ongoing liaison with the department responsible for environmental health on EMF related issues and will continue with its EMF auditing programme. In 2020 the MCA will commence with the implementation of a project to facilitate the monitoring of EMF emissions by carrying out such monitoring remotely.

Ensuring efficient and effective use of spectrum and associated radiocommunications equipment

In 2020 the MCA will finalise a review of the licensing regime with respect to the Private Mobile Radio (PMR) service in order to ensure the efficient use of spectrum. The MCA will also finalise a review of the current licensing regime for fixed links (specifically in the case of fixed links using spectrum above 40 GHz) capable of providing base-station backhauling for the deployment of 5G networks.

Managing effectively the spectrum compliance framework

The increasing demand for radio spectrum leads to a corresponding increase in the risk of interference. The MCA will continue to monitor the radio spectrum and take all necessary action to prevent harmful interference and to mitigate it when it occurs. In 2020 the MCA will upgrade its radio spectrum

monitoring facilities to be in a better position to plan for future assignment of radio spectrum as well as for monitoring all kinds of emissions.

Priority Programme of Works 2020 - Strategic Objective 6

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of Strategic Objective 6.

Priority Programme of Works 2020 - Strategic Objective 6	
Project / Activity	Planned Output
Review of the National Frequency Plan	<ul style="list-style-type: none"> - Review of the national frequency plan to implement EU decisions on the harmonisation of the radio spectrum and other developments
Assignment framework for the rights of use of 5G spectrum - 700 MHz band	<ul style="list-style-type: none"> - Public consultation on the proposed radio spectrum assignment framework - Invite expressions of interest for the rights of use - Assignment of the rights of use depending on market interest
Assignment framework for the rights of use of 5G spectrum - 3.4 - 3.8 GHz and 26 GHz band	<ul style="list-style-type: none"> - Public consultation on the proposed radio spectrum assignment framework - Invite expressions of interest for the rights of use - Assignment of the rights of use depending on market interest
Review of 900 MHz, 1800 MHz radio spectrum bands to enable 5G technologies	<ul style="list-style-type: none"> - Consult on the proposed revisions to the various national instruments concerning the harmonised 900 MHz, 1800 MHz bands
Reassignment of the rights of use of spectrum - 2.1 GHz band	<ul style="list-style-type: none"> - Public consultation on the assignment framework for the 2.1 GHz band - Decision on the spectrum reassignment framework - Invite expressions of interest for the rights of use of the 2.1 GHz band - Award of the rights of use of the 2.1 GHz band (dependent on market interest)

Priority Programme of Works 2020 - Strategic Objective 6

Project / Activity	Planned Output
Reassignment of rights of use of spectrum used for T-DAB	<ul style="list-style-type: none"> - Establish framework to make available T-DAB radio spectrum following expiry of current licence - Public consultation on assignment framework - Response to consultation - Invite expressions of interest for the rights of use of radio spectrum for T-DAB services (planned Q1/2021)
Review of licensing framework for fixed links operating above 40 GHz	<ul style="list-style-type: none"> - Review licensing framework for fixed links above 40 GHz for backhaul connectivity - Public consultation - Response to Consultation / Decision on licensing framework
Assignment of rights of use of spectrum for commercial DTT services - sub-700 MHz band	<ul style="list-style-type: none"> - Establish the assignment framework for the rights of use of the DTT spectrum in the sub-700 MHz band - Public consultation on the proposed assignment framework for the rights of use - Response to Consultation / Decision on the assignment framework for the rights of use - Invite expressions of interest for the rights of use of DTT spectrum - Award of the rights of use of DTT spectrum until 2030 (depending on market interest)
Upgrading radiocommunications facilities	<ul style="list-style-type: none"> - Delivery, installation and commissioning of procured system
Remote EMF monitoring network	<ul style="list-style-type: none"> - Procurement of the necessary EMF remote monitoring hardware - Commission the test sites and commence gathering of the respective information - Scoping exercise on whether to rollout remote EMF monitoring nationwide
EMF emissions - monitoring compliance	<ul style="list-style-type: none"> - Audit of EMF measurements - Publication of results

2.7 Strategic Objective 7 - Facilitating the development of eCommerce

Overview

eCommerce transaction figures for both goods and services continue to grow rapidly, underscoring the need for more vigilance on quality and reliability of service delivery by Malta-located Information Society Service Providers (ISSPs), albeit on a light-touch basis. The nature of the eCommerce regulatory framework - one that caters for a large number of unregistered ISSPs - is such that an effective approach to fulfilling the regulatory requirements necessitates a mix of regulatory oversight and consumer information.

Maintaining regulatory oversight on the activities of ISSPs

During 2020 the MCA will continue to ensure that Malta-located ISSPs are aware of their obligations arising out of the Electronic Commerce Act and that consumers are aware of their rights and avenues of redress. The MCA will continue to:

- provide information to service providers regarding requirements relative to the take-up and pursuit of such services;
- provide information to users of such services of their rights and the pitfalls in online ordering that they should be looking out for;
- assess the adoption of eCommerce by local businesses and consumers via the findings of eCommerce business and consumer surveys;
- hold the eCommerce forum to keep interested parties informed of regulatory and technical developments; and
- participate and contribute to fora targeting the uptake of eCommerce amongst SMEs.

Monitoring Regulation (EU) 2018/302 on addressing unjustified online sales discrimination based on customers' nationality, place of residence or place of establishment within the internal market (Geo-Blocking Regulation).

In 2020 the MCA will continue to monitor the Geo-blocking Regulation in line with the monitoring and enforcement structures established in 2019 in order to ensure that consumers enjoy the service levels that the regulation sets out to achieve.

Monitoring Regulation (EU) 2017/1128 on cross-border portability of online content services in the internal market (Cross-border Portability Regulation).

In 2020 the MCA will continue to monitor adherence to the Regulation on cross-border portability of online content services, thanks to the monitoring and enforcement structures put in place in 2019 to ensure that the objectives that regulation sets out to achieve are fully met.

Providing advice to Government on the new legislative proposal (Digital Services Act), intended to overhaul the eCommerce Directive

In 2020 the European Commission plans to propose a Digital Services Act. The envisaged Act is expected to, amongst others, replace the European Union's twenty year old eCommerce Directive which has dictated how services are treated in the EU's single market. The MCA will be a key stakeholder in providing advice to Government on the new legislative proposal.

Priority Programme of Works 2020 - Strategic Objective 7

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of Strategic Objective 7.

Priority Programme of Works 2020 - Strategic Objective 7	
Project / Activity	Planned Output
eCommerce use by consumers - perception surveys	<ul style="list-style-type: none"> - Commission consumer perception survey - Assess the results of the survey - Publish and disseminate results
eCommerce use by businesses – perception survey	<ul style="list-style-type: none"> - Commission business perception survey - Assess the results of the survey - Publish and disseminate results
Implementation of Cross-Border Portability Regulation	<ul style="list-style-type: none"> - Monitoring and enforcement
Implementation of Geo-blocking Regulation	<ul style="list-style-type: none"> - Monitoring and enforcement

2.8 Strategic Objective 8 - Supervising the provision of electronic signatures and trust services

Overview

The MCA is tasked with the with the supervision of qualified trust service providers in line with the EU Regulation 910/2014 on electronic identification and trust services for electronic transactions in the internal market (referred to as the 'eIDAS Regulation').¹⁴ The MCA, as required, grants qualified status to trust service providers and the services they provide.

Encouraging the deployment and use of innovative trust services in Malta

In 2020 the MCA will continue to supervise qualified trust service providers to ensure that the qualified trust services they provide meet the requirements of the eIDAS Regulation. In addition, the MCA will continue to develop the eIDAS Regulatory regime in order to facilitate any type of electronic transactions between citizens, companies and government. The MCA will also encourage the deployment and use of innovative trust services in Malta.

Exploring new authentication features

In 2020 the MCA will continue to explore new authentication solutions that would further enhance the potential of the licensing framework to attract both Maltese and overseas registrations. The MCA will also continue to participate in the Forum of European Supervisory Authorities for Electronic Signatures (FESA) which comprises of regulatory bodies from all EU countries. The FESA discusses, amongst others, best practices for trusted list management and conformity assessment methods.

Priority Programme of Works 2020 - Strategic Objective 8

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of [Strategic Objective 8](#).

Priority Programme of Works 2020 - Strategic Objective 8	
Project / Activity	Planned Output
eIDAS Regulation - Promotion and Monitoring	<ul style="list-style-type: none"> - Monitoring and supervision of qualified trust service providers in line with the eIDAS Regulation - Contribute and participate in FESA meetings

¹⁴ The 'eIDAS Regulation' creates an European internal market for electronic trust services (eTS) - namely electronic signatures, electronic seals, time stamping, electronic delivery service and website authentication - by ensuring that they will work across borders and have the same legal status as traditional paper based processes.

2.9 Strategic Objective 9 - Safeguarding sustainable competition in the postal sector.

Overview

The MCA has an objective to promote the development of the postal sector and to safeguard sustainable competition and innovation in postal service provision. To develop a competitive and sustainable postal services sector in Malta, it is important that postal service providers can compete on a fair basis so that users of postal services derive maximum benefits in terms of choice, price and quality.

Analysing competition dynamics in specific postal markets

MaltaPost is currently classified as having SMP in all the markets falling within the scope of the universal postal service. These ex-ante remedies imposed on MaltaPost aim to prevent anti-competitive practices and to safeguard the interests of users and operators alike. In 2019 the MCA carried out a review of the postal services markets in Malta. The review assessed whether MaltaPost continues to enjoy SMP in any of the postal services markets. The MCA is of the opinion that MaltaPost no longer holds SMP in the market for domestic parcel mail, given the strong indirect competitive constraints posed by courier-based postal operators on the pricing behaviour of MaltaPost in a deregulated environment. The MCA therefore considers it reasonable and appropriate to withdraw all ex-ante regulatory obligations currently in force on MaltaPost in the domestic parcel market. The relevant existing obligations on the domestic parcel market will be removed at the end of February 2020. The MCA will continue to monitor the application of the ex-ante remedies imposed on MaltaPost as well as the relevant postal service markets, the aim being to ensure that market review decisions remain relevant and that remedies reflect any changes in the markets.

Continuing enhancements to the MaltaPost economic control model

MaltaPost's audited regulatory (separated) accounts are critical information for the MCA to be in a position to assess how the universal postal service is performing financially, for assessing universal postal services' prices for compliance with tariff requirements of the Postal Services Act, and other regulatory requirements. MaltaPost's regulatory accounts also contribute to the MCA's cost modelling work of MaltaPost's delivery network. In 2020 the MCA will continue to enhance its economic control model used to monitor tariffs and price change requests raised by MaltaPost. The MCA will also review MaltaPost's cost allocation methods and, if necessary, update its rules to ensure they remain fit for purpose. In assessing any claims for changes in tariffs the MCA considers whether the universal postal service is provided at prices which relate to cost and give incentives for efficient universal service provision.

Managing the postal compliance framework

The MCA will continue to ensure compliance of both licensed operators providing services within the scope of the universal postal service and operators subject to a general authorisation providing only

services that fall outside the scope of the universal postal service. The MCA will ensure that operators that offer services that fall within the scope of the universal postal service are appropriately licensed to carry out such activities. This is particularly important for safeguarding the provision of the universal postal service.

Maximising efficiencies in collection and analysis of data

The MCA will continue to collect relevant, accurate and timely information on the postal market in an efficient and effective manner and include this in published biannual market reviews. This activity is supplemented by periodic public and business perception surveys. The results of these surveys serve as an additional source of information in support of regulatory decisions, as well as an indication of the extent to which the postal sector is meeting the reasonable needs of users in light of changes in the market, in particular the growth in online shopping and continued decline in the traditional letters markets. In 2019 the MCA published the findings of three postal perception surveys carried out amongst households and businesses. In the last quarter of 2020 the MCA will commence a new round of household and business perception surveys of the postal sector. Field work and dissemination of survey findings is planned to take place in 2021.

Priority Programme of Works 2020 - Strategic Objective 9

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of [Strategic Objective 9](#).

Priority Programme of Works 2020 - Strategic Objective 9	
Project / Activity	Planned Output
Price control model to ensure sustainability of the USO provision	<ul style="list-style-type: none"> - Simulate MaltaPost’s separated accounts on MCA’s price control model - Generate hypothetical future-looking scenarios - Improvements as necessary to price control model - Monitor any price changes requests proposed by MaltaPost
Regulatory financial reporting by MaltaPost	<ul style="list-style-type: none"> - Ensure MaltaPost’s compliance with the regulatory financial reporting requirements - Review MaltaPost’s regulatory accounts and update MCA’s control model - Communicate and follow-up points of the annual review with MaltaPost as required

Priority Programme of Works 2020 - Strategic Objective 9

Project / Activity	Planned Output
	<ul style="list-style-type: none"> - Monitoring of MaltaPost's financial performance with regard to the universal postal service
Compliance, enforcement and investigations	<ul style="list-style-type: none"> - Monitoring and enforcement of operators licensed to provide services within and outside the scope of the universal postal service - Monitoring and enforcement of operators subject to a general authorisation providing only services outside the scope of the universal postal service
Informing stakeholders on key data and trends in the postal sector	<ul style="list-style-type: none"> - Publication of bi-annual market review report (June - December 2019 / January - June 2020) - Publication of quarterly data report sheets

2.10 Strategic Objective 10 - Ensuring that postal undertakings provide a transparent, value-for-money service to users whilst adhering to incumbent social obligations

Overview

The MCA seeks to ensure that there is a universal postal service that meets the reasonable needs of postal service users and the postal service users, both senders and receivers, derive maximum benefit in terms of choice, price and quality.

Determining the feasibility of existing universal postal service obligations

With the ongoing decline in traditional letter mail volumes coupled with the significant growth in incoming cross-border packets and parcels, the sustainability of the USO has become increasingly dependent on incoming cross-border mail. MaltaPost's audited regulatory accounts show that the growth in revenue in domestic and outgoing cross-border mail flows is slowing down due to the ongoing decline in traditional letter mail volumes. In addition, the move towards cost-orientation as basis for settlement of postal terminal dues for the delivery of cross-border mail could increase the costs of delivery to some overseas destinations. In 2020 the MCA will commence a review of MaltaPost's efficiency in the provision of the USO. The work will provide the MCA with additional insights into the likely future sustainability of the universal postal service and any changes to the USO that may be required.

Monitoring developments relative to the EU regulation on cross-border parcel delivery

The MCA will continue to gather information from parcel (including small packets) delivery service providers about their services and the public list of tariffs applicable for single-piece postal items. Information on the services and public tariffs of all EU Member States are published by the European Commission on a dedicated website. As a result citizens are able to compare parcel delivery costs more easily and benefit from more affordable prices for cross-border parcel delivery. In 2020 the MCA will also carry out a second assessment of cross-border single-piece parcel tariffs within the scope of the USO. The assessment, which will be carried out in line with the European Commission's guidelines, will identify those tariffs deemed to be unreasonably high.

Managing the compliance framework with a focus on QoS provision

The MCA will continue to keep the public informed of postal market developments and postal trends that are taking place within the postal sector. The MCA will continue to empower postal service users by providing information regarding the provision of postal services in Malta. The MCA will also continue to monitor compliance by the USP and other service providers in relation to protecting the integrity and security of mail, access to universal postal services, complaints handling procedures and compensation schemes, as well as quality of service. Due to a number of changes in the postal market, resulting from the significant growth in packets and parcels the MCA will in 2020 assess whether the current QoS targets relating to the provision of the universal postal service remain justified or changes are required to the performance targets.

Priority Programme of Works 2020 - Strategic Objective 10

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of Strategic Objective 10.

Priority Programme of Works 2020 - Strategic Objective 10	
Project / Activity	Planned Output
Ensuring the sustainability of the universal postal service / USO	<ul style="list-style-type: none"> - Initiate efficiency review of MaltaPost's USO - Establishing a way forward on the review of MaltaPost's USO
Implementing the EU Cross-border parcel Regulation	<ul style="list-style-type: none"> - Cross-border prices forwarded to the European Commission for publication - Assessment of tariffs considered to be unreasonably high - Report to the European Commission - Review reports of other EU Member States
Review of QoS standards of the postal USO	<ul style="list-style-type: none"> - Public consultation - Review of responses / Decision
Monitoring QoS performance of the USO	<ul style="list-style-type: none"> - Monitoring of QoS performance results - Audit of QoS measurements
Monitoring of the USP's activities and other service providers	<ul style="list-style-type: none"> - Monitoring of mail integrity, postal service schemes, QoS and complaints handling

2.11 Strategic Objective 11 - Contributing to the development and implementation of postal policy

Overview

The MCA contributes to the development and implementation of postal policy by providing input to Government on EU and international proposals, as well on national matters. The MCA also participates and contributes to the establishment of positions within the ERGP and other international fora.

Providing policy advice to Government on EU and other international matters as well as on aspects that are national in scope

During 2020 the MCA will continue to actively participate and contribute to the ERGP responsible for advising and assisting the European Commission in consolidating the internal market for postal services and ensuring the consistent application of the European postal regulatory framework for postal services. The MCA will continue to participate in the European Commission's Postal Directive Committee and the European Committee for Postal Regulation (CERP).¹⁵

The MCA will follow-up on the outcome of the 2019 UPU Extraordinary congress which revised the remuneration of the delivery of inbound international bulky letters and small packets (referred to as terminal dues). This development points increasingly towards cost-orientation as the basis for settlement of postal terminal dues. The MCA also plans to participate in the upcoming 27th UPU Congress which will be held in 2020.¹⁶ In addition, the MCA will continue to provide accurate statistics and information to the EU and other international organisations regarding the postal services market.

Participating in the ERGP and European Commission discussion on the new EU Postal Services Directive.

In 2019 the ERGP provided the European Commission with an opinion on reforming the Postal Services Directive. The ERGP's opinion on reforming the EU Postal Services Directive will contribute to the European Commission's report in 2020 on the application of the EU Postal Services Directive which is expected to be accompanied by a legislative proposal. In 2020 the European Commission will also report on the on the application and implementation of the EU regulation on cross-border parcel delivery accompanied, where necessary, by a legislative proposal. During 2020 the MCA will contribute and participate in the ERGP and European Commission discussion on a new EU Postal Services Directive.

¹⁵ The MCA's work in CERP will focus on the preparation for the UPU Congress.

¹⁶ Held every four years, this is the highest-level event of the UPU where the strategic futures of the postal sector and the UPU for the following four years are negotiated. The next congress is scheduled to take place in 2020.

Priority Programme of Works 2020 - Strategic Objective 11

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of [Strategic Objective 11](#).

Priority Programme of Works 2020 - Strategic Objective 11	
Project / Activity	Planned Output
EU / International policy and regulatory initiatives	<ul style="list-style-type: none"> - Participation and contribution in the following fora and related working groups: <i>ERGP, the Postal Directive Committee, CERP and the UPU</i> - Provision of statistical and other relevant information to EU and international fora
Review of the EU Postal Service Directive	<ul style="list-style-type: none"> - Participating in the ERGP and European Commission discussion on a new EU Postal Services Directive
Participation in UPU congress	<ul style="list-style-type: none"> - Participation and contribution to the 27th UPU Congress

2.12 Strategic Objective 12 - Conducting research and facilitating innovation in the sectors under the MCA's mandate

Overview

The MCA remains committed to promoting and supporting innovation and research at the level of sectors within its mandate. The MCA will focus primarily in the following areas: the use of spectrum for innovation; the exploitation of new technologies; and exploring the needs and the opportunities for the space communications industry in Malta.

Supporting wireless research and development

The MCA will continue to make spectrum available to enable new and innovative technologies and services. In addition, having regard to future trends, including the increased demands for advanced mobile services, potential impacts of IoT and 5G, and new wireless opportunities associated with space communications, the MCA will continue to promote the use of spectrum for innovation, mainly via the uptake of test and trial licences.

The MCA is also participating in an EU sponsored initiative under the heading of 5GZorro, which stands for Zero-touch security and trust for ubiquitous computing and connectivity in 5G networks. The project envisions a real-time spectrum market, supported by a Distributed Ledger Technology (DLT) infrastructure, whereby diverse business agents, including mobile network operators, venue owners, or private users, could trade in real-time spectrum rights bound to a given geographical area and time period.

Stepping up Space Communications Initiatives

In 2020 the MCA will step up its space communications initiatives and continue exploring the needs and the opportunities for the space communications industry in Malta.

Satellite filings with the ITU through Malta - The MCA will continue to encourage satellite operators to register space resources with the ITU through Malta in line with the satellite filing framework. In 2020 the MCA will conduct a review of the satellite filing framework.

Galileo Global Navigation Satellite System (GNSS) - The MCA will continue to support local industry and academia participating in the Galileo projects. The MCA will also continue to support Government by participating in programme committee, evolution and supervisory authority meetings. The MCA will contribute and participate in the European Commission's expert group on governmental satellite communications (GovSatCom) concerning the feasibility for setting up a European satellite communications network to address governmental communication needs.

Liaison with other Entities - The MCA will continue working with the Malta Council for Science and Technology (MCST) and other players responsible in facilitating investment in space-related activities in Malta. The MCA will also contribute to the taskforce responsible for formulating a space strategy for Malta.

Priority Programme of Works 2020 - Strategic Objective 12

The table below contains a listing of the priority work streams for 2020 that will contribute to the achievement of Strategic Objective 12.

Priority Programme of Works 2020 - Strategic Objective 12	
Project / Activity	Planned Output
Facilitating 5G trials in Malta	<ul style="list-style-type: none">- Identification of possible 5G use cases- Facilitate the deployment of 5G use cases in Malta

2.13 Ensuring Quality and Continuity in Delivery

The MCA strives to be an active and dynamic organisation that is capable of responding to the rapidly changing environment and is positioned, in terms of expertise, robust analytics and up-to-date information, as well as resources, to address issues that affect our ability to fulfil our mission.

The MCA is committed to maintaining an efficient and effective strategic and business planning function, supported by the monitoring of actual performance against set targets. In order to optimise its performance, the MCA is also committed to ensuring that its employees possess the necessary expertise to contribute fully towards the achievement of its objectives.

The MCA will ensure that their knowledge remains up-to-date through ongoing investment in training and continuous learning. As new functions are assumed the MCA will dovetail these with its business in as seamless a manner as possible.

Priority Programme of Works 2020 - Organisational

The table below contains a listing of the priority work streams for 2020 that will contribute to working effectively.

Priority Programme of Works 2020 – Organisational	
Project / Activity	Planned Output
Strategy Update and Business plan	<ul style="list-style-type: none"> - Publication of Strategic Update 2020 - 2022 - Publication of Annual Plan 2020 - Strategy Update 2021 - 2023 - Business and Financial Plan 2021 - 2023
Annual report and financial statements	<ul style="list-style-type: none"> - Publication of MCA's Annual Report 2019
Performance management and monitoring	<ul style="list-style-type: none"> - Quarterly performance management reviews
Processes and procedures	<ul style="list-style-type: none"> - Ongoing review of the MCA's business processes and procedures
Staff training	<ul style="list-style-type: none"> - Ongoing staff training in both soft and hard skills

2.14 Delivery of the Work Programme

The major outputs listed under each strategic objective represent the MCA's current best view of the priority work streams that will be undertaken during 2020. The MCA may have to adjust its plans due to unforeseen external developments (for example in light of ongoing market, legislative and regulatory developments, appeals to the MCA's decisions, and disputes between operators). The MCA therefore intends to retain flexibility within the 2020 work programme, in order to respond to changes and new issues arising during the course of the year. The MCA will update its plans every quarter and make adjustments to its work programme when necessary to make sure it keeps pace with the rate of market change and any critical issues affecting citizens and consumers at any one time.

3. Financial Projections

The MCA's projected expenditure for 2020 is expected to be as shown in **Table 1** below:

Table 1: MCA's Expenditure Analysis 2020					
	Staff Costs (€)	Administrative Expenditure (€)	Operational Expenditure (€)	Projects Expenditure (€)	Total Expenditure (€)
Electronic Communications	2,194,958	462,352	528,429	340,957	3,526,696
Postal Services	221,985	28,958	35,465	67,789	354,197
Radio Spectrum Management / Monitoring	131,090	38,347	178,921	170,360	518,718
Radiocommunications Equipment	119,872	20,693	1,377	4,260	146,202
eCommerce and eTrust Services	187,999	23,698	26,269	67,325	305,291
Total Expenditure (€)	2,855,904	574,048	770,461	650,691	4,851,104