



MALTA COMMUNICATIONS AUTHORITY

End-User Affairs: Half Yearly Report

January – June 2022

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1. Introduction

One of the main objectives of the Malta Communications Authority (“MCA”) is to safeguard the interests of end-users in the electronic communications (“ECS”), postal and e-commerce sectors.

In order to fulfil this function, the MCA provides assistance to those end-users who encounter difficulties while using any of the services within its remit. In this respect, when an end-user is not satisfied with the redress or response provided by his/her service provider, he/she may file a complaint with the MCA. The extent of the action the MCA can take in relation to a complaint, depends on the particulars of the issues involved and on the MCA's powers at law. There are instances where although the complaints received relate to the provision of a service regulated by the MCA, the Authority is not empowered at law to intervene and would therefore have to refer end-users to other competent entities.

The Authority also receives a number of enquiries, as distinct from complaints, from end-users in relation to the services it regulates. The MCA makes every effort to provide end-users with the requested information in a timely manner. Alternatively, when such requests do not fall directly within MCA's remit, it assists end-users by directing them to the appropriate body. More information on MCA's complaint and enquiry procedure is available at <https://www.mca.org.mt/consumer/help>.

In addition to the above, the MCA monitors the sectors it regulates, and carries out various mystery shopping exercises to identify areas of concern and undertakes the necessary regulatory action to address such issues. In so doing, the Authority ensures that service providers comply with their obligations at law and that end-users are provided with up to date information on their rights and obligations when using any communications services regulated by the MCA.

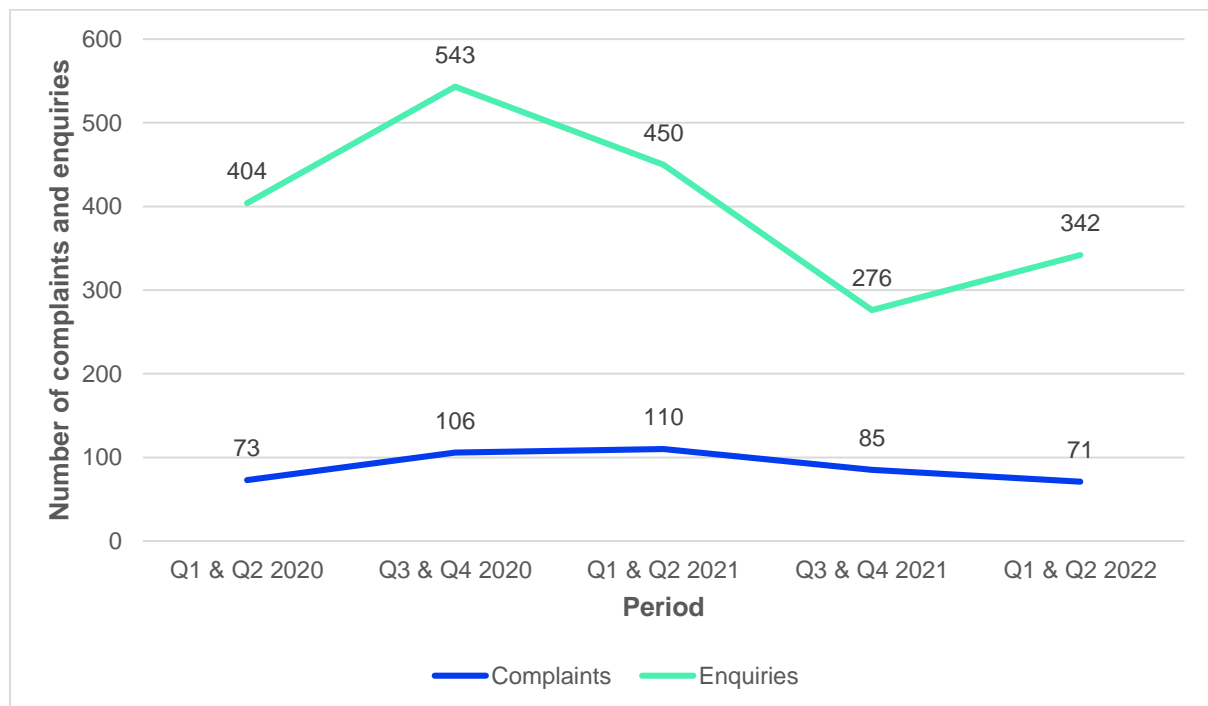
This report provides a statistical analysis of the complaints and enquiries received by the Authority during the first six months of 2022 and also provides information on enforcement actions and related monitoring activities undertaken by the MCA during this period.

2. Statistical Overview of Complaints and Enquiries received

Between the 1st of January and the 30th of June 2022, the MCA received seventy-one (71) complaints, a decrease of sixteen percent (16%) when compared to the previous period (July to December 2021). During the period under review, the MCA also received three hundred forty-two (342) enquiries, an increase of twenty-four percent (24%) when compared to the previous period. Figure 1 below provides further details on the trends of complaints and enquiries received from Q1 and Q2 of 2020 till Q1 and Q2 of 2022.

Figure 1

Complaints and Enquiries (Q1 & Q2 2020 – Q1 & Q2 2022)

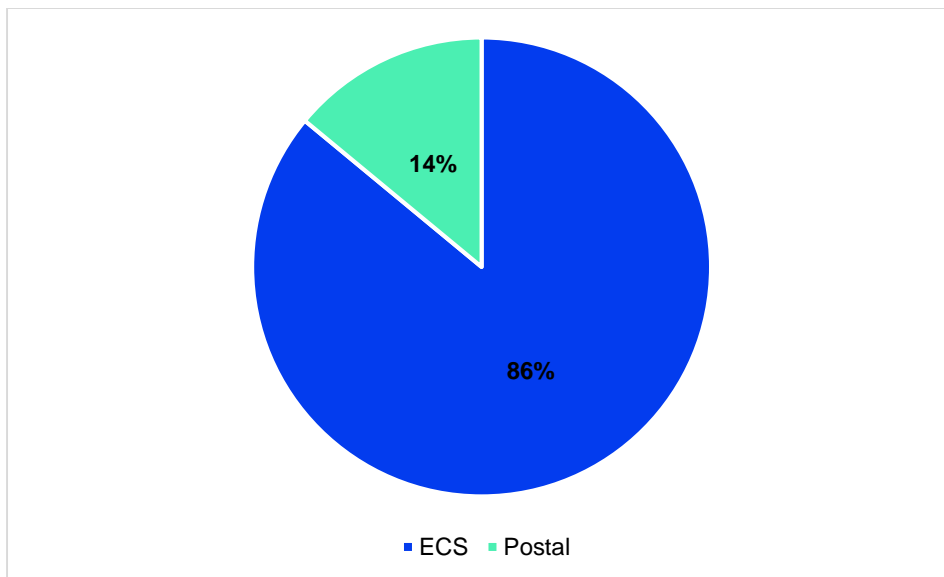


The MCA receives complaints from end-users about their landline, mobile, internet, TV and postal services. These complaints tend to be more complex in nature due to the fact that the MCA requires that end-users seek its intervention only after they have lodged a complaint with their service provider and should they still not be satisfied with the outcome of their claim.

Figure 2 shows the proportion of the electronic communications services (ECS) to postal services complaints received by the MCA during the first six (6) months of 2022.

Figure 2

Complaints received by MCA (January – June 2022), classified by sector

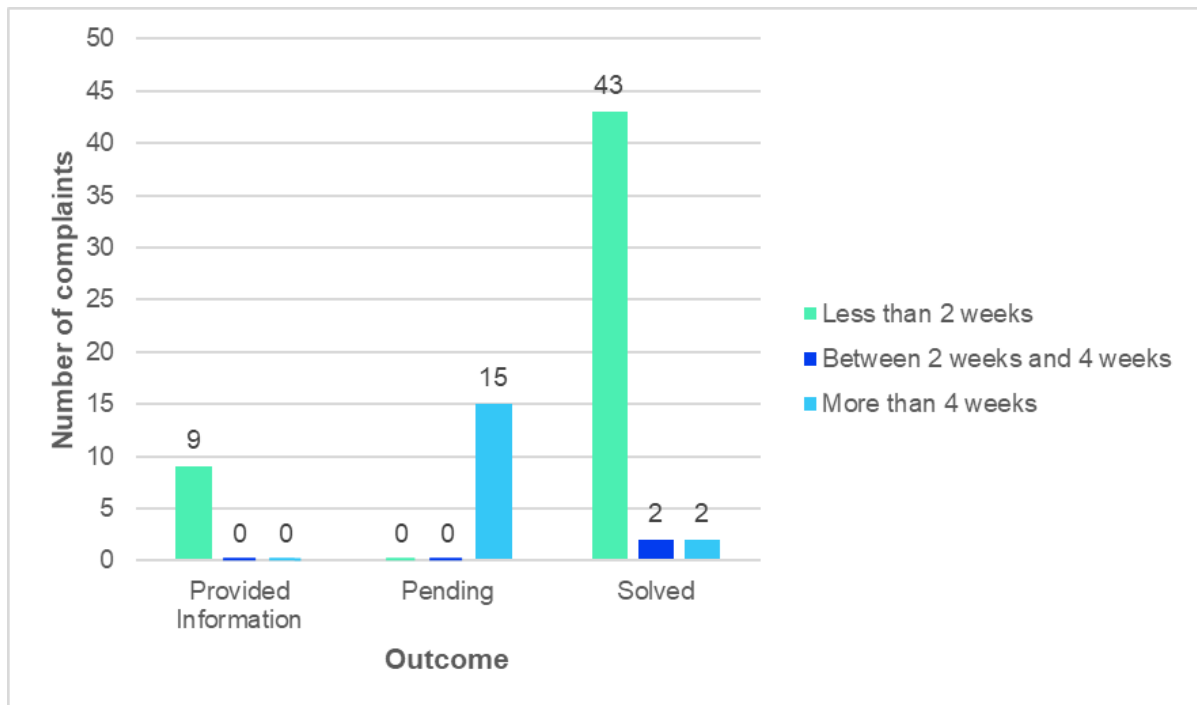


The time required to address a complaint may vary from one instance to another depending on the nature of the particular case. The MCA commits to close complaints within the shortest timeframe possible. During the period under review seventy-three percent (73%) of all complaints received were addressed within two (2) weeks. Seventy-six (76%) were closed within twenty (20) working days.

The MCA currently have fifteen (15) pending cases related to the transmission of local free-to-air TV. More information on these cases will be discussed in the following Section (3. Electronic Communications Services) of the report.

Figure 3

Time taken by MCA to Handle Complaints (from receipt to closure), January – June 2022



3. Electronic Communications

Figure 4 provides statistical information about the total number of electronic communication services complaints received by MCA during the first six (6) months of 2022, classified in accordance with the complainant’s ECS provider.

Figure 4

Complaints received by MCA (January – June 2022), classified by service and ECS Provider



Forty-four percent (44%) of the ECS complaints received during the first half of 2022, related to quality of service (QoS) followed by complaints in relation to free-to-air TV service¹ twenty-five percent (25%), billing issues twenty-one percent (21%), and termination and switching of services ten percent (10%).

3.1 Quality of Service and Service Provision

Complaints received which are classified in this category include complaints regarding Customer care twelve (12), faults eight (8), internet speed four (4) installation one (1), mobile reception one (1) and mobile data one (1).

¹ Free-to-air TV service, as opposed to pay-TV service, is not strictly regulated under electronic communications services rules that are enforced by the MCA. Responsibility for the regulation and provision of the service lies under distinct public bodies. More details in relation to this matter is provided under section 3.2.

The MCA received twelve (12) complaints from end-users who were unable to reach their service provider's customer support through telephone. In these cases, the end-users' details were forwarded to the respective service provider in order for these to be contacted and assisted accordingly. Similar to previous reporting periods, the majority of these complaints related to the same provider. The issues being experienced by this provider are further evidenced in the monitoring activities² carried out by MCA as outlined in Section 5 of this report. The MCA has repeatedly escalated this matter to the attention of this provider and has urged it to take remedial action to improve this service. The MCA remains committed to continue engaging in discussions with this relevant provider until it is satisfied that matters have been rectified. In the meantime, the MCA will continue publishing data of findings it gathers by means of the mystery shopping activity it carries out on a daily basis as reported in Section 5 of this report.

The MCA received a total of eight (8) fault reports from the different end-users, in relation to fixed telephony, fixed internet or TV services. In the cases reported to the Authority, the MCA monitored the actions undertaken by the service providers to ensure that faults were repaired within the shortest time possible. In seven (7) of these cases, impacted end-users were provided compensation in line with their service provider's compensation scheme. In cases where the faults could not be repaired within a short timeframe, end-users were also provided with a temporary solution until the services were fully restored.

The Authority received four (4) complaints regarding internet performance. In these cases, end-users were invited to provide screenshots of speed tests carried out through a wired connection. In two (2) of the cases received, after the end-users provided the MCA with screenshots of speed tests showing lower speeds than those listed in their contract, the MCA contacted the respective service provider in order to ensure that the necessary actions are taken to address these issues. In the remaining two (2) cases, the information provided by the subscribers indicated that the issues experienced were being caused by external factors beyond the service providers' control. In these instances, the MCA provided tips and other information which could help to improve the internet coverage range over Wi-Fi connections.

3.2 Free-to-Air TV

In June 2022, the MCA received fifteen (15) complaints from end-users, who were not able to receive local free-to-air TV transmissions. It is worth noting that this type of service is not regulated under rules enforced by the MCA but falls within the responsibility of other public bodies. These complaints were brought to the attention of the respective competent bodies that are seeking a reliable solution. Due to its technical expertise, the MCA is supporting these public bodies in these discussions. In the meantime, the MCA also continued to provide

² Section 5 of this report, provides more detailed information about monitoring activities conducted by the MCA to gather information about the time taken for a telephone call to be answered by a customer care agent of the main communications service providers

support to end-users in trying to dealing with this issue including on how best to re-tune their aerial which in some cases was an effective solution to address their problem.

3.3 Billing, Charges and Tariffs

This category of complaints includes claims received regarding incorrect billing or overcharging eleven (11), top-up related one (1) and itemised billing one (1).

Out of the eleven (11) overcharging complaints received five (5) were related to roaming charges whilst travelling in non-EU/EEA countries. When an end-user is using data services whilst roaming in any foreign country, the service provider is required to notify and cease the end-user's data roaming service when the consumption of a service reaches the financial limit which is set at €50 excluding VAT, as established in the EU Roaming Regulation. In these particular cases, the service provider failed to notify and cease the data roaming service and the end-users were respectively refunded €1,102, €1,084, €602, €3,952 and €4,304³. These refunds were equivalent to the charges for data usage made whilst roaming in a non-EU/EEA country above the financial limit. More information about end-user rights' when using mobile communications services whilst roaming are available in the [FAQs](#) found on MCA's website.

In another four (4) overcharging complaints received, MCA's investigations concluded that the charges disputed by the subscribers were charged by the providers incorrectly. These amounted respectively to €36, €345, €10 and €15⁴. The MCA monitored the actions undertaken by the service providers to ensure that any incorrect charges are waived from the end-user's bill or refunded to the end-user.

In the remaining two (2) overcharging complaints the MCA provided the end-users with the necessary information and clarifications regarding the disputed charges and no further action was required from the MCA.

3.4 Termination and Switching

This category of complaints includes four (4) claims received regarding termination of service/s and two (2) on number portability.

During this period the MCA received four (4) complaints regarding termination of service. In the cases referred to the MCA, the Authority was required to intervene to ensure that the services were effectively terminated without undue delay in line with the end-user's request. All cases were satisfactorily addressed.

In total the MCA received two (2) number portability complaints during the period under review. The MCA followed these complaints with the respective service providers to ensure that cases were addressed in the shortest timeframe possible.

³ Amounts are rounded to the nearest Euro

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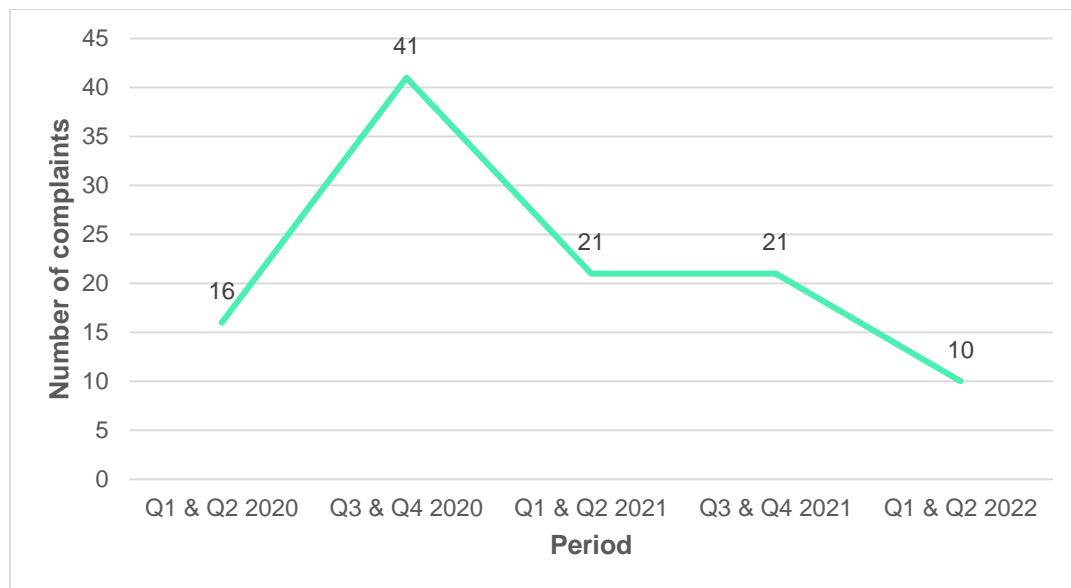
4. Postal Services and E-Commerce

The MCA registered ten (10) postal complaints during the first six months of 2022.

Figure 5 shows the trends in postal complaints received by the MCA between Q1 & Q2 of 2020 and Q1 & Q2 of 2022. A substantial decrease in complaints received was noticed when compared to the number of postal complaints received in the past two years.

Figure 5

Postal Complaints (Q1 & Q2 2020 – Q1 & Q2 2022)



The complaints received by the Authority related to undelivered mail five (5), customer care four (4), and delayed delivery one (1).

Complaints regarding undelivered and delayed mail vary from one another and may therefore require different redress depending on the particular circumstances of the case. In general, when investigating complaints which relate to undelivered mail or delayed delivery, the Authority refers the details of the cases to respective postal operator for it to monitor more closely the provision of the services provided in the affected areas being reported to ensure that any identified issues are addressed.

Customer care related complaints continued to decrease with just four (4) complaints received when compared to sixteen (16) complaints received during the previous period. These four (4) complaints related to difficulties experienced by end-users when trying to get in touch with a customer care agent of the postal operator. In these cases, the MCA referred the matter to the respective postal operator and ensured that a customer care agent provided the necessary assistance to its customers.

More information on postal services and the type of redress applicable in cases of lost or undelivered mail is available in the end-users' section on [MCA's website](#).

During the first six months of 2022, the MCA did not receive any complaints regarding e-Commerce services.

5. Customer Care Telephone Response Time

The MCA conducts an ongoing mystery shopping exercise aimed at measuring the time taken for a telephone call to be answered by a customer care agent of the main communications service providers.

Figure 6 (Electronic Communication Services Providers) and Figure 7 (MaltaPost) present a moving average trend line based on measurements recorded for each operator. Ongoing analysis of such metrics and relative trends, helps the MCA in carrying out its compliance monitoring function, especially when sudden shift in trends are recorded. The test calls made by MCA are terminated after a lapse of five (5) minutes if no customer care agent attends to the call.

Electronic Communications Service Providers ('GO plc', 'Melita Ltd', 'Epic')

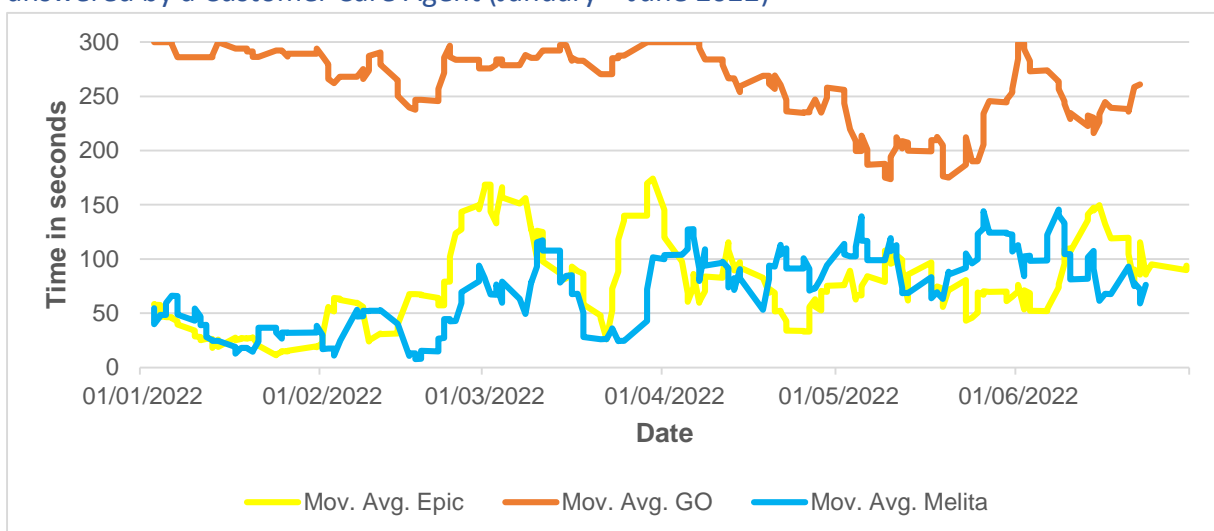
During the period under review the MCA carried out nine hundred and nine (909) calls to the customer care telephony support lines of the three main service providers. From this mystery shopping exercise fifty-eight percent (58%) of the calls made were answered within 5 minutes. Furthermore, forty-four percent (44%) of the calls made during the first six months of 2022 were answered within two (2) minutes.

The following table shows the percentage of the calls answered within five (5) minutes and within two (2) minutes by the respective service provider.

	GO	Epic	Melita
Calls answered within 5 minutes	23%	92%	95%
Calls answered within 2 minutes	11%	78%	76%

Figure 6

Electronic Communications Services Providers - Average Call Waiting Time (in seconds) to be answered by a Customer Care Agent (January – June 2022)



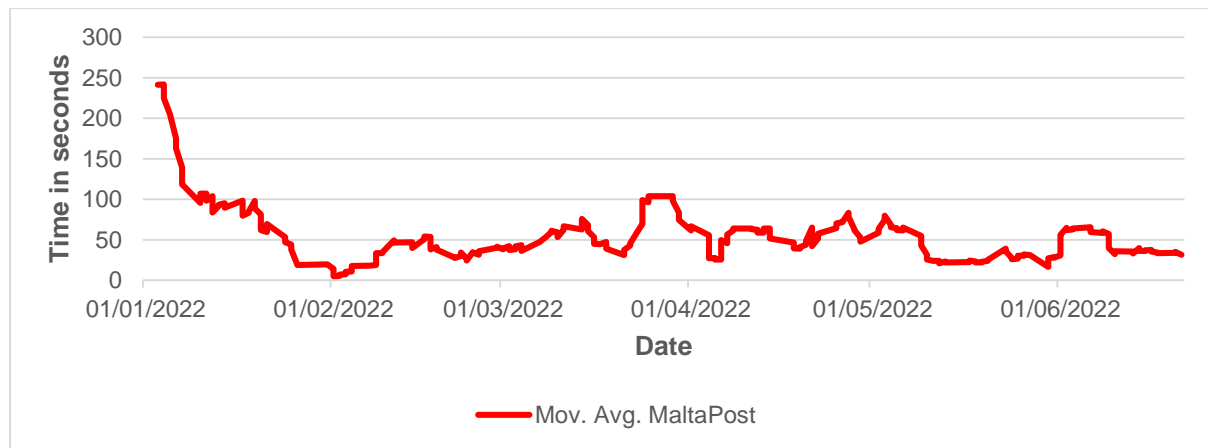
Postal Universal Service Provider ('MaltaPost')

On the basis of two hundred thirty-one (231) measurements taken at various times of the day between January and June 2022, ninety-six percent (96%) of the calls made to MaltaPost's customer care telephony service were answered within five (5) minutes, which is equivalent to the calls made during the last six months of 2021. Furthermore, eighty-five percent (85%) of the calls made were answered within two (2) minutes, when compared to seventy-six percent (=76%) from calls made in the last six (6) months of 2021.

Figure 7 provides details of these measurements. As previously stated, maximum call waiting time for the purpose of this exercise is capped at 300 seconds.

Figure 7

MaltaPost – Average Call Waiting Time (in seconds) to be answered by a Customer Care Agent (January – June 2022)





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