

Memorandum Of Understanding
Between
The Malta Communications
Authority
and
The Malta Competition and
Consumer Affairs Authority

Contents

1. Scope
2. Aim
3. General Overview

Scope

➤ *Scope of Presentation*

- The scope of this presentation is to give a general brief to all the members of the Electronic Communications Forum with regard to the Memorandum of Understanding ('MoU') that is currently being negotiated between the Malta Communications Authority ('MCA') and the Malta Competition and Consumer Affairs Authority ('MCCAA')

Scope

➤ *Scope of MoU*

- MCA currently has in place a MoU with the Office of Fair Competition ('OFC'). This MoU was entered into on the 20th of May 2005 and deals solely with competition related matters.
- The recent inception of the MCCAA has brought together the Office for Competition; the Office for Consumer Affairs; the Technical Regulations Division; and the Standards and Metrology Division.

Scope

➤ *Scope of MoU*

- Create new MoU between the MCA and MCCAA that will tackle the following areas:
 - Competition
 - Consumer Affairs
 - Standards

Aim

- Fostering a coherent and mutually respectful working relationship
- Applying uniform interpretations, terms and terminology in consumer law, competition law, electronics communications law and postal services law related matters;
- Prevent forum shopping

Aim

- Consult, inform and discuss with one another on various matters such as: consumer related issues, the degree of effective competition, definition of markets in electronic communications.
- Establish consistent and coherent policy rules especially in cases of concurrent jurisdiction or where an overlapping of competences exist
- Keep each other abreast of ongoing related matters
- Provide and exchange information and generally support each other

General Overview

- The work that has been carried out in order to achieve the above is:
 - Drafting of an MOU having the following structure:
 - Amalgamation of all provisions common to the three key areas in a generic section (definitions, exchange of information, timeframes, etc...)
 - A sub-section specifically on Competition (Determination of SMP or dominant position, Revision of the existing MOU on Competition)
 - A sub-section specifically on Consumer Affairs
 - A sub-section specifically on Standards



www.mca.org.mt