







MALTA COMMUNICATIONS AUTHORITY

# End-User Affairs: Half Yearly Report

## July – December 2022

MCA/R/23-4891

Publication date: March 2023

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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.

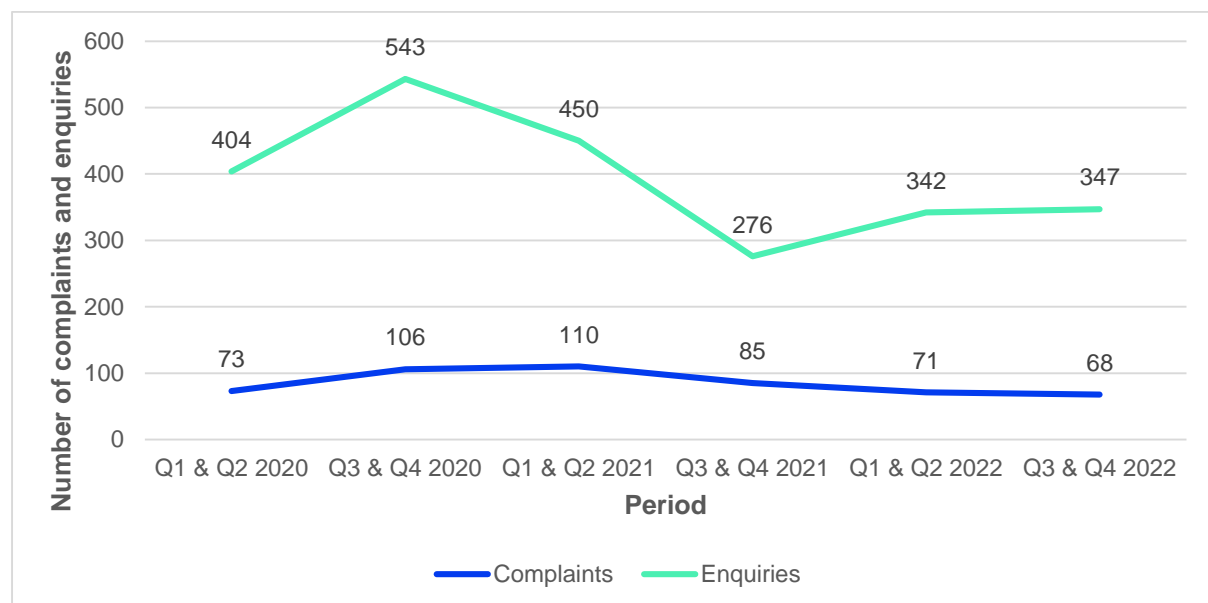
This report provides a statistical analysis of the complaints and enquiries received by the Authority during the last six months of 2022 and also provides information on enforcement actions and related monitoring activities undertaken by the MCA during this period.

## 2. Statistical Overview of Complaints and Enquiries received

Between the 1st of July and the 31st of December 2022, the MCA received sixty-eight (68) complaints, a decrease of four percent (4%) when compared to the previous period (January to June 2022). During the period under review, the MCA also received three hundred forty-seven (347) enquiries, an increase of two percent (2%) 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 Q3 and Q4 of 2022.

Figure 1

Complaints and Enquiries (Q1 & Q2 2020 – Q3 & Q4 2022)

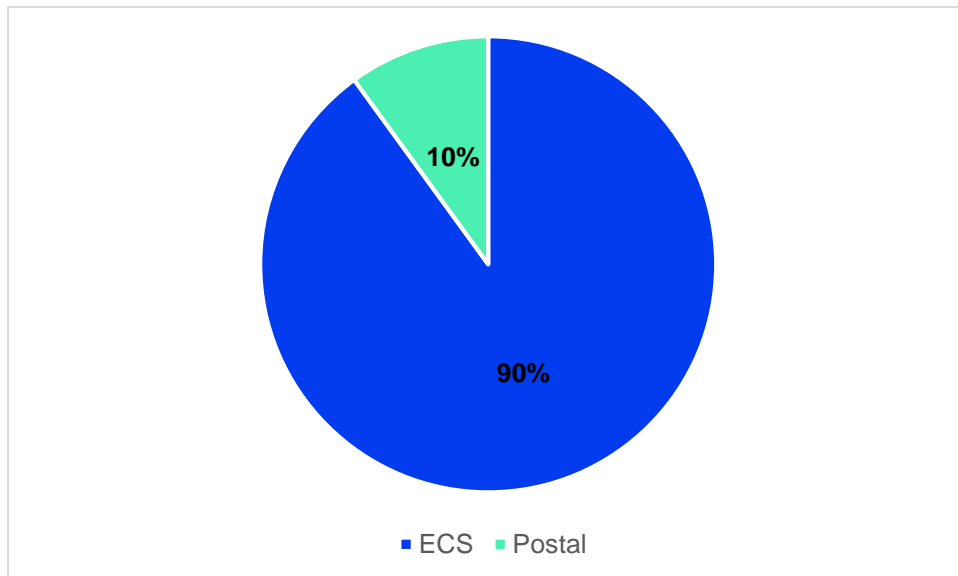


The MCA receives complaints from end-users about their landline, mobile, internet, TV and postal services. These complaints tend to be more complex in nature due to the fact that the MCA requires that end-users seek its intervention only after they have lodged a complaint with their service provider 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 last six (6) months of 2022.

Figure 2

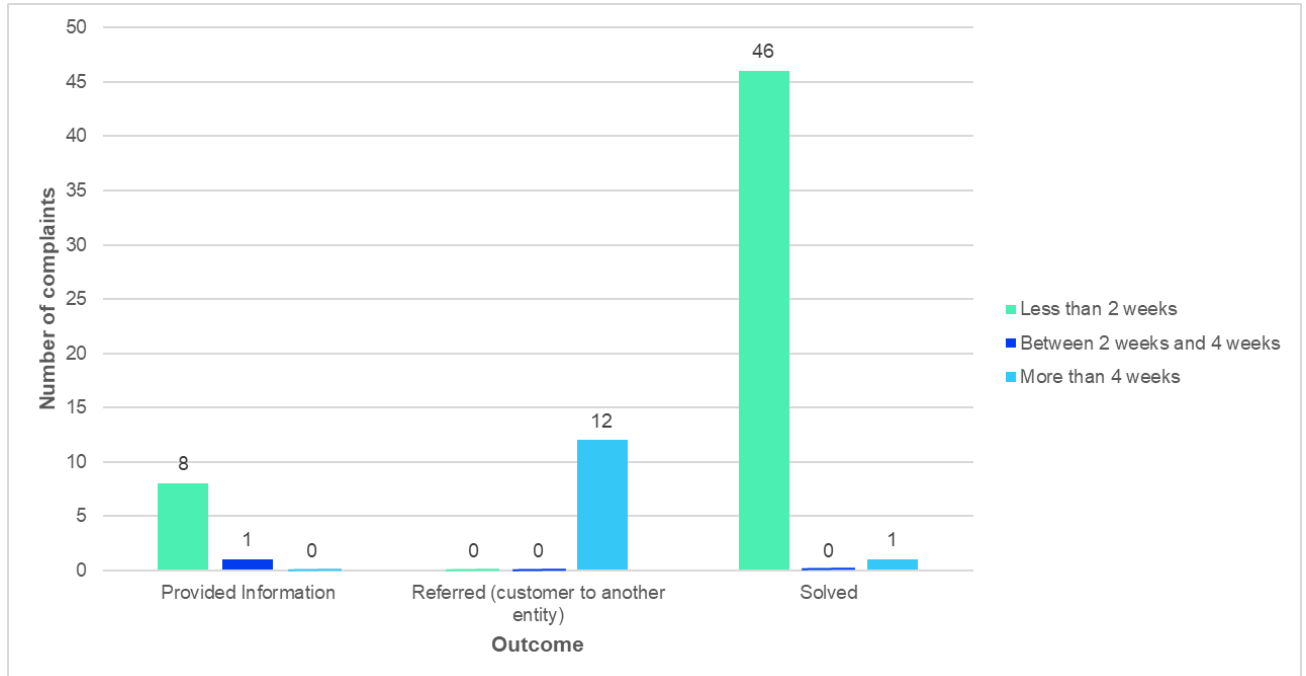
Complaints received by MCA (January – June 2022), classified by sector



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-nine percent (79%) of all complaints received were addressed within two (2) weeks. Eighty percent (80%) were closed within twenty (20) working days. The majority of complaints, which took more than twenty (20) working days to be closed, related to local free-to-air TV. These end-users were eventually referred to the Ministry which is competent to deal with such matters. More information on these FTA 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), July – December 2022

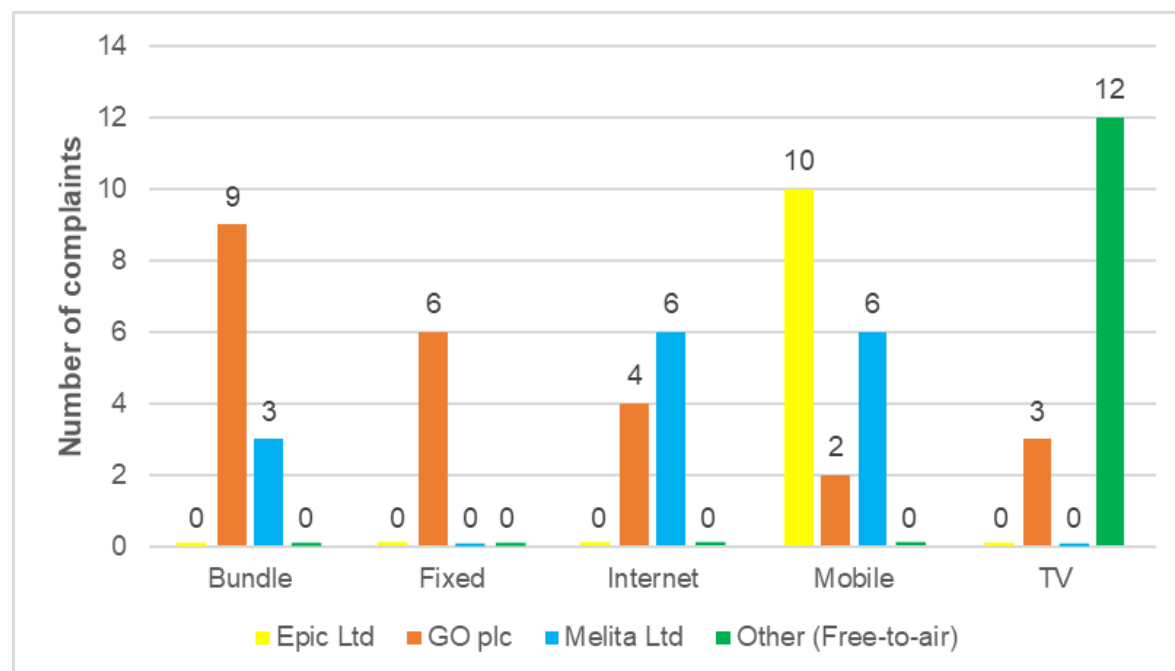


### 3. Electronic Communications

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

Figure 4

Complaints received by MCA (July – December 2022), classified by service and ECS Provider



Fifty-six percent (56%) of the ECS complaints received during the second half of 2022, related to quality of service (QoS) followed by complaints in relation to free-to-air TV service<sup>1</sup> twenty percent (20%), billing issues thirteen percent (13%), termination and switching of services ten percent (10%) and contractual complaints two percent (2%).

<sup>1</sup> 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.

### 3.1 Quality of Service and Service Provision

Complaints received which are classified in this category include complaints regarding customer care fifteen (15), faults twelve (12), internet speed two (2), non-access to service/s three (3), use of mobile whilst roaming one (1) and mobile reception one (1).

The MCA received fifteen (15) 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 complaints related to the same provider (i.e. GO plc). The issues being experienced by this provider are further evidenced in the monitoring activities<sup>2</sup> 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 eleven (11) fault reports from the different end-users, in relation to fixed telephony, fixed internet or TV services. In ten (10) of these cases the faults were repaired by the respective providers and 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. In one of the cases, the MCA guided the end-user to check his/her devices and equipment as it resulted that the fault was not originating from the service provider's end. The MCA also received one (1) mobile service fault complaint. In this case, the end-user was also advised to check the settings of his/her device since it resulted that the fault was not originating from the service provider's end.

During the period under review, the MCA received three (3) complaints regarding non-access to service which all varied from one another and which are being summarised hereunder:

**Case 1:** As part of a promotion, an end-user subscribing to a mobile service was given free access to the 'Sports TV add-on' on his already existing TV service subscription, however this add-on was not activated by the provider. This matter was rectified by the provider following MCA's intervention.

**Case 2:** An end-user was unable to receive calls on his/her fixed telephony service. This matter was rectified by the provider following MCA's intervention.

**Case 3:** An end-user was unable to receive incoming calls or send SMSs on his/her mobile service. After referring the matter to the service provider the SIM Card was replaced and the full service was successfully restored.

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<sup>2</sup> 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



The Authority received two (2) complaints regarding poor internet performance. In these cases, end-users were invited to provide screenshots of speed tests carried out through a wired connection. 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 and the necessary actions were taken to address these issues.

### 3.2 Free-to-Air TV

In July 2022, the MCA received twelve (12) complaints from end-users, who were no longer able to receive broadcasting services meeting general interest objectives (i.e. local free-to-air TV stations). It is worth noting that this type of service is not regulated under rules enforced by the MCA. Notwithstanding, the MCA continued to provide support to end-users experiencing this issue. In some cases, re-directing the television aerial to a more suitable location was an effective solution to address the problem. In those instances where problems persisted, the MCA advised end-users to seek redress from the PBS or the Ministry responsible for broadcasting.

The MCA was constantly keeping the respective competent bodies informed of the complaints being received. In view of its technical expertise, the MCA continued to provide advice to these bodies in finding a reliable solution.

### 3.3 Billing, Charges and Tariffs

This category of complaints includes claims received regarding incorrect billing or overcharging six (6), refund one (1) and itemised billing one (1).

Out of the six (6) overcharging complaints received, MCA's investigations concluded that in three (3) cases the charges disputed by the subscribers were charged by the providers incorrectly. These three (3) cases are being summarised hereunder:

**Case 1:** An end-user incurred a cost of €357.51 for mobile data services whilst roaming in a non-EU/EEA country. The end-user contested this charge on the basis that the provider did not notify and cease his data roaming service as established in the EU Roaming Regulation. This Regulation requires that when an end-user is using data services whilst roaming in any foreign country, the service provider is required to notify the end-user when his/her consumption of the data roaming service reaches the financial limit which is set at €50 excluding VAT. The provider shall also cease the end-user's data roaming service once this financial limit is reached, unless the end-user informs the provider of his/her choice to continue using data roaming services. In this particular case, the service provider failed to notify and cease the data roaming service and the end-user was refunded the data usage cost amounting to €307,51 which was equivalent to the charges for data usage made whilst roaming in a non-EU/EEA country above the financial limit.

**Case 2:** An end-user subscribed to a mobile service, received a notification from his/her provider informing him/her of some contractual changes which the provider intended to implement to the mobile service to which this end-user was subscribed to. The end-user decided to exercise his/her right at law to rescind the contract within the thirty (30) day notification without incurring any penalties. Nevertheless, when doing so, the end-user incurred an 'early termination fee' equivalent to €180. In this circumstance, the MCA determined that this charge had to be waived and that the end-user had the right to terminate his/her contract without penalties.

**Case 3:** An end-user subscribed to a mobile service, had his service automatically extended following the lapse of his contractual duration period. Following this contract extension, the end-user noticed an increase in the access fees of his/her subsequent bills. In total, over a period of two (2) months, the end-user incurred an additional cost of €26.55. From MCA's investigations, it resulted that the end-user was not notified in writing before the contract was automatically extended. In view of this, the provider agreed to refund the disputed additional cost incurred by the end-user amounting to €26.55.

In the remaining other three (3) 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 number portability and two (2) on termination of service/s.

In total the MCA received four (4) 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.

During this period the MCA received two (2) complaints regarding termination of service. In the cases referred to the MCA, the Authority provided guidance to subscribers on the procedure they needed to follow to terminate the service/s.

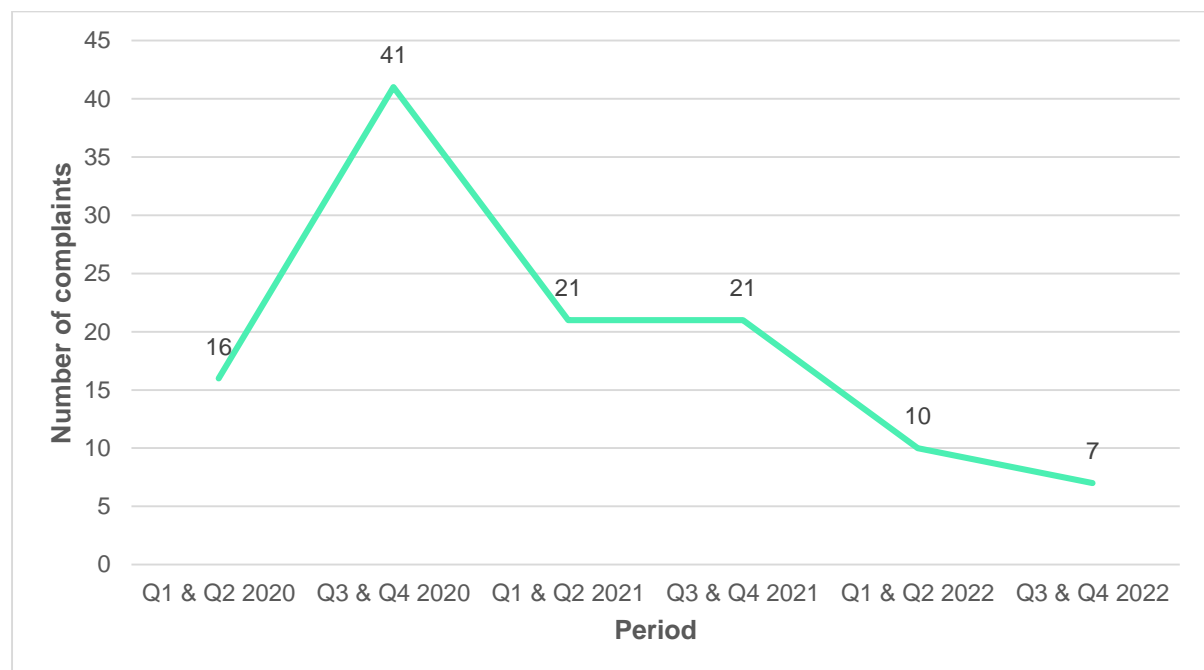
## 4. Postal Services and E-Commerce

The MCA registered seven (7) postal complaints during the last six months of 2022.

Figure 5 shows the trends in postal complaints received by the MCA between Q1 & Q2 of 2020 and Q3 & Q4 of 2022. A substantial decrease in complaints received was noticed when compared to the number of postal complaints received in the past three years.

Figure 5

Postal Complaints (Q1 & Q2 2020 – Q3 & Q4 2022)



The complaints received by the Authority related to undelivered mail five (5), mis-delivered mail one (1), and delayed delivery one (1).

Complaints regarding undelivered, mis-delivered 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, mis-delivered 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.

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 last 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')

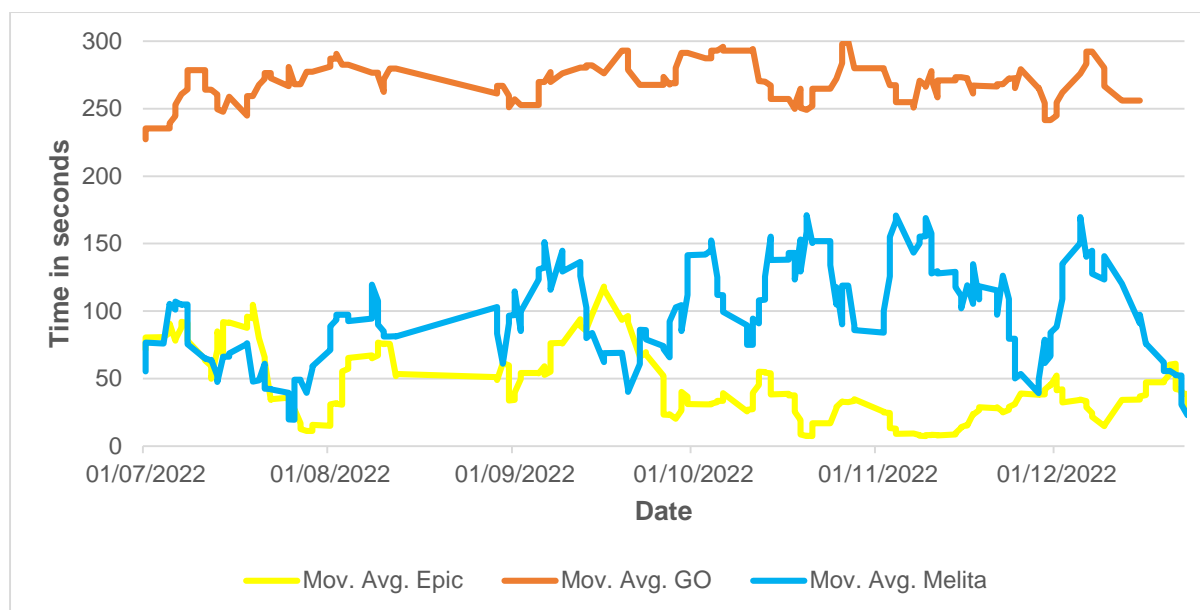
During the period under review the MCA carried out eight hundred and seventeen (817) calls to the customer care telephony support lines of the three main service providers. From this mystery shopping exercise fifty-nine percent (59%) of the calls made were answered within 5 minutes. Furthermore, forty-four percent (44%) of the calls made during the last 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.

	<b>GO</b>	<b>Epic</b>	<b>Melita</b>
Calls answered within 5 minutes	22%	99%	87%
Calls answered within 2 minutes	9%	90%	65%

Figure 6

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



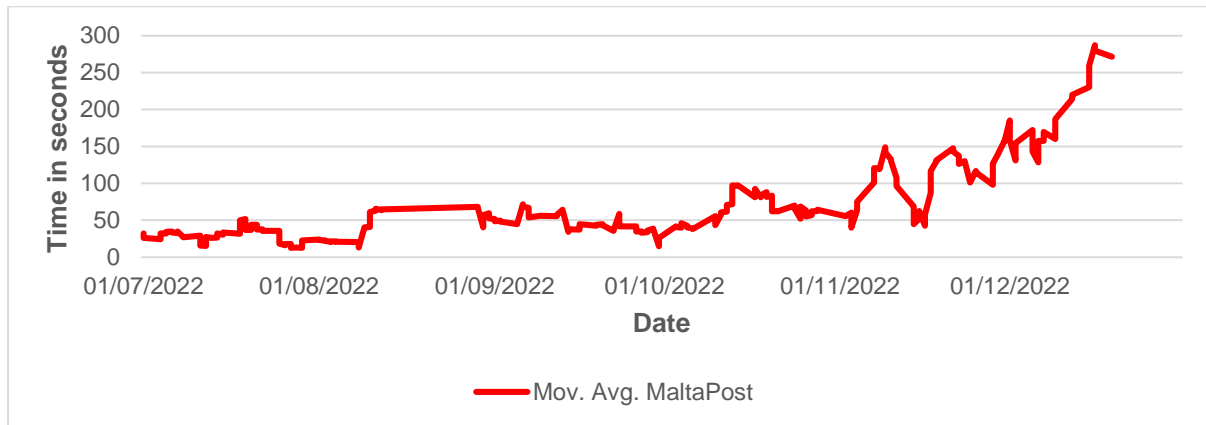
#### Postal Universal Service Provider ('MaltaPost')

On the basis of two hundred and eleven (211) measurements taken at various times of the day between July and December 2022, ninety-one percent (91%) of the calls made to MaltaPost's customer care telephony service were answered within five (5) minutes, compared to ninety-six percent (96%) from calls made in the first six (6) months of 2022. Furthermore, seventy-six percent (76%) of the calls made were answered within two (2) minutes, when compared to eighty-five percent (85%) from calls made during the first six (6) months of 2022.

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 (July – December 2022)



## 6. MCA Initiatives

Throughout the period under review the MCA embarked on a number of consumer protection initiatives which are being summarised hereunder.

### TELECOSTS ([www.telecosts.com](http://www.telecosts.com))

Telecosts is a price comparison tool which assists consumers to select the most suitable service plan/s for their electronic communications needs by comparing the prices of various services offered by all the different local service providers. Throughout the period under review the MCA maintained the portal updated with the latest service plans offered by different providers.

When visiting the portal, consumers need to first choose the service (fixed telephony, mobile telephony, internet and bundles) they wish to compare and then complete a short series of questions, allowing them to filter the choices given based on their preferences. Consumers are then provided with a list of service plans which fit their indicated preferences, sorted in accordance of the calculated monthly cost starting from the cheapest service plan available. The portal can be accessed through the following link: <https://www.telecosts.com/>.

### Awareness Raising Initiatives

During the second half of 2022, the MCA embarked on several initiatives to raise awareness amongst consumers on different topics ranging from amongst others:

- the rights emanating from the 'Roaming Regulations' which are intended to safeguard end-users' interests when using their mobile services whilst roaming ([link](#) to MCA's roaming FAQs);
- the importance of being vigilant of any scams when making use of electronic communications services and on how to avoid becoming a victim ([link](#) to an MCA's article on this subject matter);
- The use of MCA's price comparison portal [www.Telecosts.com](http://www.Telecosts.com);

The MCA used variety of media channels to disseminate information about consumer rights including [MCA's Facebook page](#) and [MCA's website](#).

### QoE Study

A research was carried out in July 2022 with a total of 500 respondents on the quality of experience in the telecoms sector. The survey covered various aspects of the consumers' journey starting from when consumers subscribe to a service/s until they terminate the service/s. The different quality aspects assessed within the survey included amongst others, the level of satisfaction of the service provided to consumers during the process of subscribing to the service/s and when lodging a complaint, the clarity of the information included in contracts, the frequency of service faults experienced by respondents, the respondents' satisfaction with their internet speeds and mobile reception, billing and the effectiveness of the process when terminating a service/s. More information can be found in this link:

<https://www.mca.org.mt/articles/report-quality-experience-electronic-communications-services>.

### **The Digital Juncture – conference**

In November 2022, the MCA held a conference themed ‘The Digital Juncture’, which explored the regulation of electronic communications services and discussed emerging digital challenges. During the conference the results of a survey on the ‘Quality of Experience of Electronic Communications Services’ commissioned by the MCA were presented to participants. More information about the conference can be obtained from this [link](#).

