L.N. 365 of 2002

## TELECOMMUNCIATIONS (REGULATION) ACT (CAP. 399)

### Publication of a Directive by the Malta Communications Authority

THE Malta Communications Authority (hereinafter referred to as "the Authority") is hereby publishing the following Directive for the purposes of the Telecommunications (Regulation) Act and of the Telecommunications Services (General) Regulations, 2000.

### "Directive by the Malta Communications Authority

Sub-regulation (6) of regulation 33 of the Telecommunications Services (General) Regulations, 2000 requires an operator to make available a basic level of itemised billing at no extra charge for the subscriber. Such basic level of itemised billing must show a sufficient level of detail to allow verification of the charges incurred by the subscriber.

The Authority, in its letter dated 10th March 2002 communicated to Maltacom plc, gave its final decision as to the basic level of itemised billing required so that a subscriber can verify the charges incurred. In this decision the Authority established that the basic level of detail required on call charges that has to be provided for this purpose is the:

- Destination telephone number,
- Date of call (in DD/MM/YY or DD/MM format),
- Time of call (in HH:MM:SS format),
- Duration of call (in HH:MM:SS format), and
- Charge (in Lm 00.00 format)

for each individual call made, for those calls on which a charge is levied during the relevant billing period. The Authority determined that billing information below this level does not effectively enable subscribers to verify the charges incurred.

The Authority held that such level of detail is to be provided on an opt-in basis at no extra charge to subscribers and that subscribers are to be made aware of their right to receive itemised bills with the level of detail as established in the decision of the Authority.

Subsequent to the Authority's final decision, Maltacom plc initiated proceedings contesting this decision.

Sub-article (6) of article 35 of the Telecommunications (Regulation) Act states that a decision of the Authority which has been appealed shall not, except where the Telecommunications Appeals Board or the Court of Appeal, as the case may be, so orders, be suspended in consequence of the bringing of an appeal.

Therefore, pursuant to the Telecommunications (Regulation) Act and the Telecommunications Services (General) Regulations, the Authority is making the following Directive:

1. that Maltacom plc shall forthwith comply with the final decision of the Authority as communicated to Maltacom plc;

2. without prejudice to paragraph 1, that Maltacom plc shall where the subscriber decides to opt-in for the level of detail as determined in the final decision of the Authority, furnish at no extra charge to that subscriber, itemised bills having such level of detail, commencing with the bill issued subsequent to the request of the subscriber until such date as the subscriber otherwise requires;

3. This Directive shall come into force on the date of its publication in the Gazette.

Joseph V. Tabone
Chairman
Malta Communications Authority"

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