

**TELECOMMUNICATIONS (REGULATION) ACT
(CAP 399)**

Interconnection (Obligations and Rates) Regulations, 2000

IN EXERCISE of the powers conferred upon him by article 38 of the Telecommunications (Regulation) Act the Minister for Transport and Communications, after consultation with the Competent Authority to regulate Telecommunications, and in exercise of the powers conferred upon it by articles 4 and 25 of the Telecommunications (Regulation) Act the Competent Authority to regulate Telecommunications, have made the following regulations:—

Citation,

1. These regulations shall be cited as the Interconnection (Obligations and Rates) Regulations, 2000.

Definitions.

2. In these regulations unless the context otherwise requires:

“telecommunications operators” means the companies Maltacom p.l.c., Vodafone Malta Limited and Mobisle Communications Limited and includes any person licensed to operate fixed telecommunications systems or mobile telecommunications systems for the purpose of providing voice telephony services.

Duty to
interconnect.

3. (1) Telecommunications operators shall ensure the physical interconnection of the telecommunications systems operated by them to the telecommunications systems of other telecommunications operators so as to ensure that users of any one of the said telecommunications systems are able to communicate with users of all the other systems.

(2) The interconnection stipulated under paragraph (1) of this regulation shall have effect immediately and each telecommunications operator shall immediately and properly implement the same interconnection and allow the full, immediate and proper implementation thereof and shall refrain from causing or continuing to cause any impediment or hindrance to the said interconnection.

(3) The implementation of the interconnection referred to in paragraph (1) of this regulation shall not be impeded, restricted or delayed by reason of any claim for charges or in respect of any other matters, other than the physical impossibility to interconnect, by any telecommunications operator.

4. (1) Without prejudice to the right of telecommunications operators to agree on different rates at any time after the issuing of these regulations, the rates applicable to an operator in respect of the following elements of interconnection shall, notwithstanding the provisions of any agreement or other instrument concluded prior to the issuing of these regulations, be the following:

- (i) For the termination of a telephone call originating in Malta on a mobile telecommunications system in Malta 8.5cents per minute.
- (ii) For the termination of a telephone call originating on a mobile telecommunications system in Malta and terminating on a fixed telecommunications system in Malta 2.25cents per minute.
- (iii) Discount receivable by operators of mobile telecommunications systems from the operators of fixed telecommunications systems in respect of international calls originating on their mobile telecommunications systems in Malta..... 25%.

(2) Any rates in respect of interconnection not specified in paragraph (1) of this regulation shall remain as in force prior to the issue of these regulations subject to any subsequent agreement which may be reached between telecommunications operators and/or review by the Competent Authority to regulate telecommunications following the issue of these regulations.

(3) The international rates to the consumer for international telephone calls offered by operators of mobile telecommunications systems shall not be less than the international rates to the consumer for such calls offered by operators of fixed telecommunications systems.

(4) Any rates per minute stipulated in these regulations shall be charged on a per second basis.

5. These regulations shall also constitute a Directive issued by the Competent Authority to regulate telecommunications for the purposes of article 4 of the Telecommunications (Regulation) Act.