

L.N. 157 of 1997

**TELEMALTA CORPORATION ACT
(CAP. 250)**

Telephone Service (Amendment) Regulations, 1997

IN exercise of the powers conferred by section 37 of the Telemalta Corporation Act, the Board, with the approval of the Prime Minister and with the concurrence of the Minister of Finance and Commerce, has made the following regulations:—

1. (1) These regulations may be cited as the Telephone Service (Amendment) Regulations, 1997, and shall be read and construed as one with the Telephone Service Regulations, 1972, hereinafter referred to as “the principal regulations”.

Citation and
commencement.

L.N. 47 of 1972.

(2) These regulations shall be deemed to have come into force on the 2nd April, 1997.

2. For the purpose of the Value Added Tax Act, 1994, the charges specified in these regulations shall not be deemed to be inclusive of value added tax payable under the said Act. Value added tax shall be billed over and above the said charges, as applicable.

Value Added Tax.

Act XII of 1994.

3. For regulation 2 of the principal regulations there shall be substituted the following:—

Substitutes
regulation 2 of the
principal
regulations.

“Interpretation.

2. In these regulations, unless the context otherwise requires:—

“Abridged Dialling facility” means the facility to store telephone numbers against any abbreviated code as made available;

“access equipment” means the apparatus and access line/s installed at the subscriber’s premises to provide intercommunication between the subscriber’s data terminal equipment (DTE) and the Digital Data Network;

“access line” means a physical pair of lines (working or spare) connecting the apparatus at the subscriber’s premises to a Telemalta Corporation site for providing one or more point-to-point digital data circuits;

“additional services”, with reference to the Packet Switching Service, means optional user facilities which may be offered from time to time by the Chairman, Telemalta Corporation, either on a contractual basis or on a per call basis;

“agreement” means an agreement made by the Chairman, Telemalta Corporation with any person for the provision of telephone service under these regulations;

“Alarm Call” means the facility whereby an exchange line is called automatically at a time specified by the user of such exchange line;

“Automatic Call Transfer facility” means the facility enabling incoming calls on an exchange line or a mobile number;

“bit/s” or “bits per second” means the rate of transfer of all information, once it has been converted into binary code;

“call forwarding” means call transfer from one phone to another;

“call office” means a telephone service made available by the Chairman, Telemalta Corporation to the public for the purpose of sending and receiving telephonic messages and includes any building or part of a building housing such service;

“Call Transfer On Busy” means the facility enabling incoming calls on a busy exchange line to be transferred to another exchange line;

“Call Transfer On No Reply” means to facility whereby incoming calls on an exchange line receiving no reply after a determined number of seconds are transferred to another exchange line;

“Call Waiting” means the facility whereby the user of an exchange line is alerted of a new incoming call during telephonic conversation by means of a signal;

“cellular mobile system” means the cellular mobile telecommunications system operated by Telecell Limited in Malta;

“Chairman, Telemalta Corporation” includes any officer of the Telemalta Corporation authorised by the Chairman, Telemalta Corporation to act on his behalf;

“Code Controlled Barring” means the facility whereby an exchange line may, by means of a personal subscriber code, be barred from the possibility of effecting calls via the use of a particular access facility or combination of such facilities pre-selected by subscriber upon his application for the Code Controlled Barring facility;

“coin-box” or “coin-box telephone” means a telephone fitted with coin-box equipment which requires users to place a sum of money in an appropriate coin collecting box in payment of each call;

“Conference Call” means the facility enabling the establishment of a call between three separate telephone services, permitting simultaneous conversation between users of the three telephone services or private conversation between any two of them at subscriber’s option;

“cordless telephone” means a telephone terminal connected to an exchange line or an extension line and integrated with or accompanied by a normal telephone set; it consists of two parts which are connected by a radio link: a fixed part and a portable part, permitting the same basic functions as a normal telephone set within a limited area around the fixed part;

“credit card-fax/phone” means telephonic equipment installed on an exchange line or extension which requires users of such equipment to insert in the appropriate slot a recognised credit card for charging purposes;

“Data Terminal Equipment (DTE)”, with reference to the Digital Data Network, means the subscriber’s equipment or apparatus connected to a point-to-point digital data circuit;

“dedicated access”, with reference to the Packet Switching Service, means access to the Packet Switching Network by means of a direct link;

“dial-up access”, with reference to the Packet Switching Service, means using a telephone and Public Switched Telephone Network to gain access to the Packet Switching Network;

“Digital Data Network” means the transmission equipment provided by Telemalta Corporation, both at the subscriber’s premises and at its own sites, used to provide point-to-point digital data circuits;

“Digital Data Network (or DDN) Half Circuit for Frame Relay” means a point-to-point digital data circuit connecting a subscriber’s premises to the Telemalta Corporation Frame Relay Node;

“Direct Dialling Inwards” or “DDI” means the facility whereby PABX extensions can be called directly by a caller on a public exchange, without telephone operator intervention, and includes services connected therewith;

“disabled applicant” means a person suffering from hearing, sight, voice or dexterity impairment;

“Do Not Disturb” means the facility whereby incoming calls to an exchange line are restricted to an exchange recorded message;

“exchange line” means a circuit provided as part of an installation for the purpose of keeping that installation in connection with a telephone exchange;

“external extension” means an extension other than an internal extension;

“Frame Relay Node” means the switching equipment by which Telemalta Corporation provides the Frame Relay Service;

“Frame Relay Service” means a managed, end-to-end data interconnection service;

“full digital data circuit” means a point-to-point digital data circuit operating at the same speed from one end point to the other and connecting premises, being subscriber’s premises;

“half digital data circuit” means a point-to-point digital data circuit operating at a speed of 64 Kbit/s connecting a subscriber’s premises to Digital Data Network equipment at a Telemalta Corporation site for the purpose of multiplexing data signals onto another point-to-point digital data circuit operating at a speed of 2 Mbit/s connecting a Telemalta Corporation site to a subscriber’s premises;

“Hot Line” means the facility enabling the automatic establishment of a connection with a pre-determined stored telephone number if no digits are dialled/pressed within a few seconds following lifting of the handset;

“house exchange system” means an installation comprising a number of stations each capable of being telephonically connected with the others or with an exchange line by the operation of press buttons and includes any special extension provided as part thereof;

“installation” means equipment or apparatus provided by the Chairman, Telemalta Corporation to a subscriber as a means of telecommunication wholly or in part through the medium of the public telephone system or any other telecommunications network operated by Telemalta Corporation, and includes any subsidiary or relative equipment or apparatus;

“internal extension” means an extension connecting points in a self contained premises within the same building or within two or more separate buildings connected together by means of a tunnel or other covered means of access;

“leased line” means a telecommunications facility providing for transparent transmission capacity between network termination points, which facility does not include switching functions which the user can control (on-demand switching) as part of the leased line provision;

“mobile number” means a number dedicated to a person subscribed to the cellular mobile system;

“modem” means a device required to convert the signals from a terminal into a form which may be transmitted or received across a speech quality line;

“National Freephone Service” means the service which enables a subscriber thereto be charged for calls received on a special telephone number via the local Public Switched Telephone Network in lieu of the person making the calls;

“octet” means 8 consecutive bits of user data, such as character;

“packet” means a group of binary digits, including data and call control signals, which is switched as a composite whole, the data, call control signals and possibly error control information being arranged in a specified format;

“PAD” or ‘Packet Assembly/Disassembly’ means an apparatus whose function is to permit non-packet mode terminals to exchange data in the packet mode;

“Permanent Virtual Circuit” or “PVC” means a facility whereby a connection is established by Telemalta Corporation between two subscribers’ premises which are not necessarily physically interconnected. Such a connection is established on a subscription basis, and not per call;

“person” includes any body corporate and any body of persons whether having a legal personality distinct from that of its members or not;

“point-to-point digital data circuit” means a fixed point-to-point connection for the purpose of transmitting data signals over the Digital Data Network;

“private branch exchange” means switching apparatus designed to provide intercommunication between extensions connected with that apparatus and between these extensions and exchange lines, but does not include a house exchange system;

“private manual branch exchange” means a private branch exchange the whole of which is manually operated;

“public switched telephone network” or “public telephone system” means the public telecommunications system operated by Telemalta Corporation in Malta;

“rentals” means any charge in respect of any installation or leased line, which is fixed by or under these regulations or by agreement, as the case may be, and which is payable periodically;

“segment” means the unit used for charging for the volume of information transmitted in a packet-switched service, one segment being 0-64 octets of data;

“Star service” means any extra facility which may be provided on an exchange line from among the following: Abridged Dialling, Alarm Call, Automatic Call Transfer, Call Transfer On Busy, Call Transfer On No Reply, Call Waiting, Code Controlled Barring, Conference Call, Do Not Disturb and Hot Line;

“station”, in relation to a house exchange system, means a telephone capable of being connected with any of the other telephones comprised in the system or with an exchange line by the operation of press buttons;

“subscriber” means a person on whose application the Chairman, Telemalta Corporation provides telephone service by means of an installation under these regulations or under an agreement;

“subscriber’s premises” means any premises in or on which an installation or a part of an installation is situated, being either premises in the possession, occupation or direct control of the person who is the subscriber in respect of the installation or of a person for whose use the installation or part thereof is provided on the application of the subscriber, or premises connected telephonically with such premises as aforesaid by reason of an extension;

“telecare unit” means a telephone alarm system consisting of a special telephone set with a sensitive microphone and loudspeaker, and a remote control (pendant) with or without an active cord, enabling direct access to a specialised control centre;

“telefax” means a system of telephony whereby facsimile pages of documents may be transmitted directly between the sender and the recipient;

“telephone exchange” means switching equipment or apparatus which forms part of the public telephone system and includes the building or vehicle housing such equipment or apparatus;

“telephone service” means the enjoyment of means of telephonic communication;

“terminal”, with reference to the Packet Switching Service, means a remote data input/output device that can be connected to the Packet Switching Network;

“X.25”, with reference to the Packet Switching Service, refers to a type of access capacity enabling subscriber terminal equipment which is capable of forming its own packets to interact directly with the Packet Switching Network;

“X.25”, with reference to the Packet Switching Service, refers to a type of access capacity where subscriber terminal equipment is only capable of sending and receiving characters and therefore requires assistance from a PAD in order to assemble and disassemble data packets.”.

Adds Thirteenth Schedule to the principal regulations.

4. Immediately after the Twelfth Schedule to the principal regulations, there shall be added the following new schedule:

“THIRTEENTH SCHEDULE

Charges for Frame Relay Services

1. Installation charges	Lm
There shall be no installation charge	—
2. Annual rental charges	
(a) for the provision of a Permanent Virtual Circuit (PVC)	350
(b) for the provision of a Digital Data Network Half Circuit for Frame Relay (DDN half circuit), including relative access equipment:	

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64Kbit/s digital half circuit provision	500
256Kbit/s digital half circuit provision	900
2Mbit/s digital half circuit provision	1050.

3. Temporary service rental charges

For the provision of a temporary service for the duration of less than one calendar month there shall be paid a fixed rental charge equivalent to one month's rental charge per Digital Data Half Circuit for Frame Relay and PVC, provided. For the temporary service of the duration of one calendar month and one day or more, the stipulated annual rental charges shall be applicable *pro rata* for the relative period of service.”.

