L.N. 17 of 1992

TELEMALTA CORPORATION ACT
(CAP. 250)

Telephone Service (Amendment) Regulations, 1992

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

Citation and commencement.

L.N. 47 of 1972.

1. (1) These regulations may be cited as the Telephone Service (Amendment) Regulations, 1992, and shall be read and construed as one with the Telephone Service Regulations, 1972, hereinafter referred to as "the principal regulations".

(2) These regulations shall be deemed to have come into force on the 1st of October, 1991, with the exception of the following:

(a) Item 9 of the First Schedule and item 21 of the Second Schedule contained in regulation 13 hereunder shall be deemed to have come into force on the 18th March, 1991;

(b) Item 4 of the First Schedule and item 22 of the Second Schedule contained in regulation 13 hereunder shall be deemed to have come into force on the 18th June, 1991.

Amends regulation 2 of the principal regulations.

2. Regulation 2 of the principal regulations shall be amended as follows:—

(a) immediately after the definition of "dial-up access" there shall be inserted the following new definition:

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

(b) immediately after the definition of "subscriber's premises" there shall be inserted the following new definition:

" "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;"; and

(c) the definitions of "modem" and "telefax" shall be deleted.

Amends regulation 11B of the principal regulations.

3. For regulation 11B of the principal regulations there shall be substituted the following:

"Omission of entry.

11B. A subscriber may be allowed to have his name and address omitted from the General Alphabetical List of the telephone directory and any subsequent supplements, or from the Alphabetical and Numerical List of telex subscribers and the Alphabetical List of telefax subscribers in the combined telex and telefax directory and any subsequent supplements, against the payment to Telemalta Corporation of a charge of Lm5.00,0 which is payable once only.".

Amends regulation 12 of the principal regulations.

4. In regulation 12 of the principal regulations for the words "Regulations 9(a), 10 and 11B" there shall be substituted the words "Paragraph (a) of regulation 9 and regulation 10".

Substitutes regulations 27 to 30 of the principal regulations.

5. For regulations 27 to 30 of the principal regulations there shall be substituted the following:

"Installation to be provided by the Chairman.

27. Any wiring or cabling up to the installation of the first socket shall be provided, installed and connected to the public telephone system by the Chairman, and any installation so provided shall remain the property of the Chairman:

Provided that:—

(1) the Chairman may require an applicant or a subscriber, as the case may be, to carry out such internal wiring and other work in and on the premises and such external work as may be necessary for the installation;

(2) where an applicant or a subscriber, as the case may be, requires any instrument, apparatus, system or equipment that is not normally provided or installed by the Chairman, such applicant or subscriber may provide and install same at his own care and expense, subject to the conditions laid down in regulation 28 of these regulations.

Conditions for installation of private equipment.

28.(1) Any equipment referred to in paragraph (2) of the proviso to regulation 27 of these regulations shall be installed by the subscriber subject to the following conditions:

(a) any telephone instrument, apparatus, equipment or system, hereinafter referred to as private equipment, is to be capable of working efficiently with the public telephone system, as confirmed after testing by the Chairman, and is to afford the required standard of transmission;

(b) the subscriber shall provide and maintain such connecting blocks as the Chairman may prescribe for connecting the private equipment to the public telephone system;

(c) the connection to the public telephone system shall be made by the Chairman who may at any time cause the installation to be tested;

(d) notwithstanding that the equipment is provided and installed by the subscriber, the latter shall pay such charges as the Chairman may prescribe for the use of the public telephone system;

(e) where the private equipment consists in a Private Branch Exchange system the subscriber shall allow the installation and wiring therefor to be inspected and tested by the Chairman at the charge specified in the Third Schedule to these regulations;

(f) before reporting any fault, the subscriber shall ascertain that the fault does not originate from the private equipment and if he fails to do so, the subscriber shall pay all expenses that the Chairman may incur through the subscriber's omission.

(2) In addition to the conditions under paragraph (1) of this regulation, the Chairman may make any such other condition as he may consider expedient according to the nature and the needs of each case.

(3) If the subscriber fails to abide by the conditions laid down in paragraph (1) of this regulation, the Chairman shall have the right to suspend the telephone service until the subscriber complies with the above-mentioned conditions.

Subscriber not to cause damage to installation.

29. A subscriber shall not place or use in any manner or position in relation to an installation anything that may have a harmful effect on the installation or on the use of the installation for the purpose for which it was provided or on the quality of the telephone service.

Responsibility of subscriber for installation

30. The subscriber shall take good care of the installation provided and maintained by the Chairman, and the subscriber shall be responsible for the safety of all parts thereof as are in or on his premises and, if any part thereof is lost, stolen or destroyed or is otherwise missing or is damaged otherwise than through fair wear and tear, the subscriber shall pay in respect of the replacement or repair thereof such sum as the Chairman may determine but which will not exceed the actual cost of the new part at the time of the replacement or of the repair, as the case may be, and the cost of labour and material required:

Provided that where the stolen, lost, missing or damaged part is replaced by a part produced by the subscriber himself, at his own expense, he shall only be liable to refund to the Chairman the cost of labour and material required for the relative replacement.".

Substitutes regulation 37 of the principal regulations.

6. For regulation 37 of the principal regulations there shall be substituted the following:

"Rentals.

37. The subscriber shall pay rentals in respect of each installation, and of each part thereof which is provided and maintained by the Chairman, at the rate specified in the Second Schedule to these regulations:

Provided that when the installation includes any instrument, apparatus or equipment or any other part which is not normally provided by the Chairman and for which no rentals are fixed in the Second Schedule hereto, the Chairman shall have the right to fix such rentals as he will consider appropriate in each case.".

Amends regulation 43 of the principal regulations.

7. In regulation 43 of the principal regulations, the proviso to paragraph (1) thereof shall be deleted.

Amends regulation 44 of the principal regulations.

8. In paragraph (c) of regulation 44 of the principal regulations, the words "in writing" shall be deleted.

Substitutes regulation 45 of the principal regulations.

9. For regulation 45 of the principal regulations there shall be substituted the following:

"Connection and other charges.

45. There shall be paid in respect of any installation the connection and other charges specified in the First and Third Schedules hereto for each instrument, apparatus or any other item of equipment provided and installed by the Chairman:

Provided that where the installation requires any instruments, apparatus or equipment or any other part which is not normally provided by the Chairman and for which no connection charges are established in the First Schedule hereto, or where the installation requires any internal or external wiring or cabling of a more expensive type or of a greater length than used in normal installations, the Chairman shall have the right to fix such higher charges as he may consider appropriate in each case to recover any extra cost thereby incurred.".

Amends regulation 47 of the principal regulations.

10. Paragraph (3) of regulation 47 of the principal regulations shall be deleted.

Amends regulation 50 of the principal regulations.

11. In regulation 50 of the principal regulations the words "in writing" shall be substituted by the word "immediately".

12. Regulation 52 of the principal regulations shall be deleted. Deletion of regulation 52 of the principal regulations.

13. For the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth and Ninth Schedules to the principal regulations there shall be substituted the following First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Schedules:— Substitution of Schedules to the principal regulations.

"FIRST SCHEDULE

Charges for the connection of equipment apparatus

Item	Lm c m
1. For each exchange line which is charged the Business Rate rental, installed within a radial distance of 100 metres from its cable distribution point, other than an exchange line installed on a ship in harbour	40.00,0
2. For each exchange line which is charged the Residence Rate rental, other than an exchange line installed on a ship in harbour	20.00,0
3. For each exchange line described in paragraph 1 of this Schedule, installed within a radial distance greater than 100 metres from its cable distribution point, per 100 metres, or part thereof, in excess of this distance	3.00,0
4. For each exchange line described in paragraph 2 of this Schedule, installed for the purpose of providing a telecare unit	10.00,0
5. For each external extension or leased line	30.00,0
6. For each internal extension without intercommunication facilities provided and installed by Telemalta Corporation	7.00,0
7. For each Coin-Box telephone	15.00,0
8. For each Home Meter provided and installed by Telemalta Corporation	15.00,0
9. Telecommunication apparatus for disabled applicants:	
(a) For each Visual Ringing Indicator modification on basic telephone set	2.00,0
(b) For each inductive coupler and amplifier modification .	2.00,0
(c) For each extra socket	1.00,0
(d) For each extra doubler	1.00,0

SECOND SCHEDULE

Rentals

With the exception of the rate specified in paragraph 5, the rates quoted in this Schedule are rates per annum.

Item	Lm c m
1. For each exchange line:	
(a) Business Rate	48.00,0
(b) Residence Rate	20.00,0
2. For each Coin-Box installed on an exchange line or extension	12.00,0
3. For each Private Manual Branch Exchange provided and maintained by Telemalta Corporation, in addition to the charges specified in paragraphs 1, 6 and 7 of this Schedule where applicable:—	
(a) Indicator Signalling type:	
Size	
Up to 4 indicators	16.00,0
Over 4 up to 6 indicators	20.00,0
Over 6 up to 12 indicators	36.00,0
Over 12 up to 25 indicators	56.00,0
Over 25 up to 40 indicators	84.00,0
Over 40 up to 60 indicators	100.00,0
For each additional 10 indicators	16.00,0
(b) Cordless type:	
Size	
Up to 6 extensions	24.00,0
Over 6 up to 12 extensions	40.00,0
Over 12 up to 18 extensions	72.00,0
Over 18 up to 25 extensions	80.00,0
For each additional extension	2.00,0
(c) Double-Cord type other than a multiple switchboard:	
Size	
Up to 50 extensions	120.00,0
For each extension over 50 extensions	2.00,0
(d) For each multiple type switchboard position	250.00,0
4. For each Private Automatic Branch Exchange provided and maintained by Telemalta Corporation in addition to the charges specified in paragraphs 1, 3, 6 and 7 of this Schedule where applicable:—	

Size	Lm c m
Up to 15 extension calling equipment	150.00,0
Over 15 up to 25 extension calling equipment	160.00,0
Over 25 up to 35 extension calling equipment	180.00,0
Over 35 up to 50 extension calling equipment	200.00,0
Over 50 for each added 10 extension calling equipment or part thereof	20.00,0

5. For each exchange line installed on ships in harbour:

(a) for the first 24 hours or part thereof	20.00,0
(b) for every succeeding 24 hours or part thereof	5.00,0

6. For each internal extension provided and maintained by Telemalta Corporation 4.00,0

7. For each external extension or each leased line:

(a) for each 200 metres or part thereof not exceeding 800 metres	4.00,0
(b) For each additional 200 metres or part thereof in excess of 800 metres	2.00,0

Provided that in the case of external extension the above fees shall be in addition to the charges specified in paragraph 6 of this Schedule where applicable.

8. For each Press Button Intercommunication System provided and maintained by Telemalta Corporation, in addition to the charges specified in paragraphs 1 and 6 of this Schedule where applicable:

(a) with a maximum provision of 6 stations	15.00,0
(b) with a maximum provision of 11 stations	20.00,0
(c) with a maximum provision of over 11 stations, for each additional station	2.00,0

9. For each Home Meter provided and maintained by Telemalta Corporation 10.00,0

10. For each Key and Lamp Unit provided and maintained by Telemalta Corporation in addition to the charges specified in paragraphs 1, 6 and 7, where applicable —

Size	
Up to 5 exchange and/or extension lines	10.00,0
Over 5 up to 10 exchange and/or extension lines	15.00,0
Over 10 up to 15 exchange and/or extension lines	20.00,0
Over 15 up to 20 exchange and/or extension lines	25.00,0
For each additional line over 20 lines	1.00,0

11. Abridged dialling facility up to five/ten telephone numbers where practicable 4.00,0

12. Automatic call transfer facility where practicable 4.00,0

	Lm c m
13. Automatic repeat call facility where practicable	4.00,0
14. For each exchange line, other than that fitted with a coin-box telephone, made available by the subscriber for other persons' use against payment in excess of the normal rates, in accordance with the licence issued by Telemalta Corporation	5.00,0
15. For each cordless telephone provided and maintained by Telemalta Corporation	4.00,0
16. Call Waiting where practicable	4.00,0
17. Conference Call where practicable	4.00,0
18. Do Not Disturb where practicable	4.00,0
19. Hot Line where practicable	4.00,0
20. Items 11, 12, 16, 17, 18 and 19 provided for simultaneously where practicable	20.00,0
21. Telecommunication apparatus for disabled applicants:	
(a) For each Extension Tone Ringer	2.00,0
(b) For each Silent Call Indicator	2.00,0
(c) For each Loud Ringing Tone Caller	2.00,0
(d) For each Portable Telephone Amplifier	2.00,0
(e) For each telephone set with inductive coupler, visual ringing indicator and volume control of incoming speech	2.00,0
(f) For each telephone set with inductive coupler, visual ringing indicator, volume control of incoming speech, and extra earpiece with inductive coupler	2.00,0
(g) For each telephone set with inductive coupler, visual ringing indicator and volume control of outgoing speech	2.00,0
(h) For each telephone set with large buttons	2.00,0
22. For each telecare unit:	
(a) with one Remote Control	12.00,0
(b) with one Remote Control having an Active Cord	13.00,0
(c) with two Remote Controls	14.00,0
(d) with two Remote Controls having Active Cords	16.00,0

THIRD SCHEDULE

Miscellaneous

Services	*Additional Charges*
	Lm c m
1. Inspection/testing of a Private Automatic Branch Exchange System provided and installed by subscriber	25.00,0
2. Change of telephone number at subscriber's request	5.00,0
3. (a) Barring of each exchange line from:	
(i) automatic overseas calls and/or operator assisted overseas dialling facility	10.00,0
(ii) access to cellular mobile system	10.00,0
(iii) automatic overseas calls and/or operator assisted overseas dialling facility and access to cellular mobile system simultaneously, or any combination thereof	10.00,0
(b) De-barring of each exchange line, when effected from Exchange, within a period of two years from the date such line was barred, in respect of:	
(i) automatic overseas calls and/or operator assisted overseas dialling facility	10.00,0
(ii) access to cellular mobile system	10.00,0
(iii) automatic overseas calls and/or operator assisted overseas dialling facility and access to cellular mobile system simultaneously, or any combination thereof	10.00,0
(c) Outgoing barring and de-barring facility activated by special code by subscriber, where practicable	10.00,0
4. Provision and installation of instrument cord in excess of 140cm, per metre or part thereof not exceeding 5 metres	1.00,0
5. Connection of any minor item of equipment on an existing installation unless otherwise specified in the First Schedule	2.00,0
6. Deposit by subscriber in order to submit a a contestation on the telephone bill, for each contested telephone bill —	
(a) Residential	2.00,0
(b) Commercial	25.00,0 :

	Lm c m
Provided that if the Chairman determines the contestation to be justified, he shall order that an amount shall be paid back to the contesting subscriber corresponding to the rebate of whole or part of the contested bill and to a refund, to be determined solely at the discretion of the Chairman, of whole or part of the deposit effected.	
7. Fee chargeable to issue an itemised bill	1.00,0
8. Malicious call tracing up to one month where practicable	1.00,0

FOURTH SCHEDULE

Charges for Calls

Calls	*Charges*
1. From a call office or public telephone fitted with a coin-box .	5c per call
2. From a subscriber's telephone fitted with a coin-box (with a rebate of 5m per call allowed to subscriber)	5c per call
3. From a telephone line provided with a calls meter but not provided with a coin-box:	
(a) for the first 100 calls per quarter	No charge per call
(b) for the subsequent 100 calls, after the first 100 calls, per quarter	3c per call
(c) in excess of 200 calls per quarter	5c per call
4. Calls for ships in harbour with no access to the overseas automatic telephone service	Nil
5. Calls originating from the local telephone network towards the cellular mobile system	20c per minute

FIFTH SCHEDULE

Shifting

Item	Shifting in same room, hall, landing or other similar part of premises	Shifting in another room, hall, landing or other similar part of premises
	Lm c m	Lm c m
1. Telephone instrument other than a main telephone instrument to which an extension or extensions are connected and other than coin box telephone instrument, or any other instrument mentioned in this Schedule	3.00,0	4.00,0
2. Main telephone instrument to which an extension or extensions are connected and coin box telephone instrument	3.50,0	5.00,0
3. Extension bell	1.50,0	2.00,0
4. Reversal of position of main and extension telephone	3.50,0	5.00,0
5. Socket	3.00,0	4.00,0
6. Each other minor item of equipment or apparatus	2.00,0	2.00,0
7. Private manual branch exchange where the number of extensions directly connected to the switchboard is:		
(a) four or less	4.00,0	12.00,0
(b) over four, per extension including the first four	1.00,0	3.00,0
8. Loudspeaking Telephone Set	3.50,0	5.00,0
9. Telephone Answering Set	4.00,0	6.00,0
10. Private automatic branch exchange where the number of extensions directly connected to the equipment is—		
(a) fifteen or less	15.00,0	30.00,0
(b) over fifteen up to fifty, per extension including the first fifteen	1.00,0	2.00,0

	Lm c m	Lm c m
(c) console In the case of automatic branch exchanges having a capacity in excess of 50 extension calling equipment, work will be charged on a labour and material cost basis.		
11. Press Button Intercommunication System, where the number of stations is:—		
(a) less than six, per station	4.00,0	10.00,0
(b) over six, per station, including the first six	5.00,0	12.00,0

SIXTH SCHEDULE

PART I

Temporary Transfer of Calls

	Lm c m
1. Each separate period up to 7 days	2.00,0
2. Each separate period over 7 days:	
(a) first 7 days	2.00,0
(b) each additional 24 hours or part thereof in excess of 7 days	0.20,0

PART II

Charges for temporary disconnection of telephone lines

	Lm c m
Each separate continuous period of disconnection	3.00,0

PART III

	Lm c m
Reconnection charge after disconnection of service for non-payment .	10.00,0

SEVENTH SCHEDULE

Charges for Bureaufax Service

	Lm c m
1. Charges for 1SO A4 size page or part thereof for transmission of outgoing calls —	
(a) locally, in Malta and Gozo	0.25,0
(b) to European countries:	
first page	2.50,0
second and subsequent pages	1.50,0
(c) to extra-European countries:	
first page	6.40,0
second and subsequent pages	5.40,0
2. Additional handling charges applicable for incoming calls, both local and overseas, irrespective of the number of pages, for every transaction	0.50,0

EIGHTH SCHEDULE

Charges for Packet Switching Operations

	Lm c m
1. Access Monthly Rentals	
(a) (i) *Dial-up Access Mode (X 28 Terminal Subscribers)*	
BIT/s	
300	3.20,0
1,200	4.50,0
(ii) Network User Identification (NUI) each	1.90,0
(b) *Dedicated Line Access Mode (X 28 and X 25 Terminal Subscribers)*	
BIT/s	
300	28.40,0
1,200	36.70,0

	Lm c m
2,400	54.95,0
4,800	72.45,0

2. Usage Charges — Local

(a) *Dial-up Access Mode (X 28 Terminal Subscribers)*

(i) Usage charge per Port (PAD) per minute

BIT/s	
300	0.00,4
1,200	0.00,5

(ii) Volume charge per segment	0.00,1
(iii) Duration charge per minute	0.00,2
(iv) Surcharge per call	0.00,8

(b) *Dedicated Line Access Mode (X 28 and X 25 Terminal Subscribers)*

(i) Duration charge per minute ..... (virtual circuit users only)	0.00,2
(ii) Permanent virtual circuit monthly rental (in lieu of duration charges)	14.20,0
(iii) Volume charge per segment	0.00,1
(iv) Surcharge per call (virtual circuit users only)	0.00,8

3. Usage Charges — International

In addition to charges leviable by virtue of other provisions of these regulations, the following charges in respect of Packet Switching Operations on the international network shall be applied:

(a) *Europe*

(i) Duration charge per minute	0.02,0
(ii) Volume charge per 10 segments	0.02,0

(b) *Outside Europe*

(i) Duration charge per minute	0.08,0
(ii) Volume charge per 10 segments	0.05,0

4. Optional Facilities Lm c m

(a) *Dial-up Access Mode (X 28 Terminal Subscribers)*

(i) Modification in speed class

(300/1,200; 1,200/300 BIT/s per modification) ... 24.00,0

(ii) Itemised call statement

Charge per call 0.00,8

(b) *Dedicated Line Access Mode*

(i) *X 25 Terminal Subscribers*

(1) Additional Logical Channels, per channel per month 0.60,0

(2) Maximum Line Throughput, calculated on basis of formula: Lm2.35 x K in accordance with the following table:

Subscriber Class	*Maximum Line Throughput*	*K*
BIT/s		
(a) 2,400	2,400	0
	3,000	1
	3,600	2
	4,200	3
(b) 4,800	4,800	0
	6,000	1
	7,200	2
	8,400	3

Note: Maximum Line Throughput is the maximum value that can be obtained from the sum total of the speeds of the single logical channels working simultaneously, on a single physical line.

(ii) *X 25 and X 28 Terminal Subscribers*

(1) National CUG facility rental per month (to which is to be added 25c0 per month per terminal operated) 15.00,0

(2) Transfer charge facility per month 4.00,0

(The rental is paid by the calling party while the traffic charges, being for the duration and volume, are paid by the called party).

	Lm c m
(3) Modifications in network parameters per modification	12.00,0
(Such modifications include the following — CUG membership, increase/decrease in the number of logical channels and deletion/changes in the CUG membership)	
(4) Modification in speed class per modification	24.00,0
(5) Itemised call statement, charge per call	0.00,8

5. Usage Charges —

International Subscribers shall qualify to a volume discount on the total monthly usage bill, as shown hereunder:

Volume Usage Ranges	Percentage Monthly Discount
Segments	%
0— 5,000	NIL
5,001 —10,000	10
10,001 — 15,000	15
15,001 — 20,000	20
Over 20,000	25.".

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