



Malta-EU Steering & Action Committee

Transport, Telecommunications and Energy



15.05.09

Commission acts on Termination rates to boost competition



On Thursday 7th May, the European Commission set out clear guidance for EU telecoms regulators on the cost-based method to be used when calculating termination rates. Termination rates are the wholesale fees that mobile network operators charge to connect calls made from other fixed or mobile networks.

The guidelines come in the form of a “Recommendation” that national regulators are obliged to take “the utmost account” of. The Recommendation states specifically that termination rates at national level should be based only on the real costs that an efficient operator incurs to establish the connection. This elimination of price distortions between phone operators across the EU will lower consumer prices for voice calls within and between Member States.

Higher mobile termination rates make it harder for fixed and small mobile operators to compete with large mobile operators, thus undermining the Single Market and Europe’s competitiveness due to divergences and differing regulatory approaches.

Energy and Transport: EU and partner countries commit to move forward

On 8th May, The European Commission and the Czech Presidency of the EU hosted a Summit in Prague with partner third countries on the development of the Southern Corridor for energy and transport. The President of the European Commission, José Manuel Barroso, and the Prime Minister of the Czech Republic, Mirek Topolánek met with the leaders of partner countries from Central Asia, Southern Caucasus, Mashreq and Middle East. The Summit participants discussed



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concrete ways for progressing on the development of the Southern Corridor for energy and transport, in particular the supplies of natural gas to the EU along the Corridor route.

The Summit is a joint event between the Czech Presidency and the European Commission. The participating partner countries are Azerbaijan, Egypt, Georgia, Iraq, Kazakhstan, Turkey, Turkmenistan and Uzbekistan. The summit was also attended by the representatives of the Russian Federation, United States and Ukraine as observers. The representatives of the international financial institutions (EIB, EBRD and World Bank) were also present.

The objective of the summit is to provide strong political support and concrete commitments for the development of the Southern Corridor, including the Trans-Caspian interconnection. This includes commitments by energy producer, transit and consumer countries along the Corridor and would facilitate the supplies of energy resources from the Caspian region and Middle East to the EU. The Summit is equally addressing the transport-related aspects of the Southern Corridor route.

The full text of the Prague Summit Declaration can be found here:

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/misc/107598.pdf

For more information on EU's external energy policy:

http://ec.europa.eu/external_relations/energy/index_en.htm

For more information on the 2nd strategic energy review:

http://ec.europa.eu/energy/strategies/2008/2008_11_ser2_en.htm

Read the remarks made by Javier Solana, the EU high representative for the Common Foreign and Security Policy at the Prague Summit ("The Southern Corridor – New Silk Road Summit"):

http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/discours/107599.pdf



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COM (2009) 212 - Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – The re-use of public sector information – Review of Directive 2003/98/EC

Public Sector Information (PSI) is the single largest source of information in Europe. Examples include maps and satellite images, legislation and case-law, statistics and company, population and patent registers. PSI is used as raw material for a variety of products and services offered to Europe's citizens every day, such as car navigation systems, weather forecasts, financial and insurance services. The PSI Directive removes major barriers in the internal market to re-use, such as discriminatory practices, monopoly markets and a lack of transparency. Progress has been made since its adoption, but Member States (MS) need to take further steps to unlock the full potential of PSI for the EU economy. The aim of this Communication is to review the application of the Public Sector Information (PSI) Directive, and to highlight the potential for re-use of PSI in the digital age.

Although the The PSI Directive was implemented by many Member States, this was only done with considerable delay. Therefore, the Directive in its present form has not yet had its full impact. For this reason, the communication states, it does not intend to propose amendments to the Directive at this point. However, the following key points for action are mentioned:

From Member States:

- Ensure full and correct implementation and application of the Directive
- Terminate exclusive arrangements as prescribed by the Directive
- Apply licensing and charging models that facilitate the re-use of PSI
- Ensure fair competition between public sector bodies and re-users

In addition, Member States are encouraged to promote the identification and ready availability of information resources and to set up quick and inexpensive conflict resolution mechanisms.

From the Commission:

- Closely monitor implementation and application of the Directive
- Scrutinise exclusive arrangements (2009-10) in particular
- Analyse the economic case for marginal costs
- Encourage exchange of good practices (proactive re-use policies, public tasks, conflict resolution)
- Further review by 2012, accompanied where appropriate by a proposal for amendments to the Directive

The full communication document can be found here:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0212:FIN:EN:PDF>



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Aviation security charges

COM(2009) 217 - Proposal for a Directive of the European Parliament and of the Council on aviation security charges

At present, systems for the recovery of aviation security costs are regulated at national level and are not always transparent to the users. Furthermore, users are not systematically consulted at all EU airports before charges are determined or before a charging system is modified. Hence the Commission is proposing this Directive on the basis of the fact that the application throughout the EU of a common set of basic rules with regard to security charges will ensure fair play between the aviation partners when defining the parameters for allocating the cost of airport security.

The proposed Directive does not impose a particular charging system. The definition of such a system is left to the Member States. The proposal is limited to the definition of a minimum set of rules to be observed when Member States and/or airport operators determine the levels of security charges. The principles to be respected by airport operators when they determine their security charges are:

- *Non-discrimination* - aviation security charging systems should not discriminate between carriers or passengers;
- *Consultation and remedy* - the airport managing body and the air carriers serving the airport must engage in a dialogue on the security charging system applicable at an airport when such system is modified or when the levels of the security charges are being established;
- *Transparency* - a reasonable amount of information must be provided by the operator to the air carriers so as to make the consultation process between airports and air carriers meaningful. To this end, the Directive establishes which information should be provided on a regular basis by the airport managing body;
- *Cost-relatedness*: Security charges shall be used exclusively to meet security costs, and should take into account the grants and subsidies allocated by the authorities for security purposes, the cost of financing facilities and the costs of installations and security operations;
- *Independent supervisory authority and resolution of disagreements*: Independent authorities should be established in each Member State to ensure the correct application of the measures, together with a procedure for resolving disagreements between airports and users.



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CONSULTATION NOTE

Consultations with regards to the various eco-design measures that are coming into force

Various Eco design requirements are going to enter into force:

1. Standby and off mode electric power consumption of electrical and electronic household and office equipment
http://www.msa.org.mt/rad/ecodesign/EUP_inforce/Standby%20power/
2. Ecodesign requirements for no-load condition electric power consumption and average active efficiency of external power supplies
http://www.msa.org.mt/rad/ecodesign/EUP_inforce/ext%20power%20supply/
3. Ecodesign requirements for simple set-top boxes
http://www.msa.org.mt/rad/ecodesign/EUP_inforce/ext%20power%20supply/
4. Ecodesign requirements for non-directional household lamps
http://www.msa.org.mt/rad/ecodesign/EUP_inforce/Lighting/reg%20244_2009.pdf
5. Ecodesign requirements for fluorescent lamps without integrated ballast, for high intensity discharge lamps, and for ballasts and luminaries able to operate such lamps
http://www.msa.org.mt/rad/ecodesign/EUP_inforce/Lighting/reg%20245_2009.pdf

Requirements:

- I. Setting of minimum energy efficiency and/or performance requirements for the **placing on the market** of the applicable electrical / electronic products.
- II. Affixing of the **CE** mark.
- III. Drawing a **declaration of conformity** to one or more applicable regulations.
- IV. Availability of information requirements for consumers/users as required by each applicable regulation in English or Maltese.
- V. Technical documentation (**technical file**) demonstrating conformance to the applicable regulations to be made available to the Market Surveillance Authorities within 10 days of the request.

The regulations shall be implemented as part of Legal Notice 347 of 2007 – Framework for the Setting of Ecodesign Requirements for Energy-using Products Regulations

Note that Commission Regulation (EC) No 245/2009 repeals Directive 2005/55/EC from 13 April 2011, consequently the Maltese counter part legislation, Energy Efficiency Requirements for



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Ballasts for Fluorescent Lighting (Implementing Measures) Regulations (Legal Notice 350 of 2007) shall also be repealed.

Interested parties are invited to send their replies to this consultation by 15 May 2009. Should more information be required kindly contact the *Regulatory Affairs Directorate*, Malta Standards Authority by post or e-mail: joseph.micallef@msa.org.mt or ecodesign.msa@msa.org.mt