



Interoperability of Car Radio Devices

Implementing Article 113 of the European Electronic Communications Code (EECC) with regard to the interoperability of car radio receivers

Consultation Document

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1. Foreword

Directive (EU) 2018/1972 of the European Parliament and of the Council of 11th December 2018 establishing the European Electronic Communications Code ('EECC') entered into force on the 20th December 2018.¹ Member States have two years to incorporate it into national law, except where specifically mentioned.

Among others, the EECC contains provisions on the interoperability of car radio devices in Article 113. For other radio devices intended for consumers, additional measure may be adopted by the Member States. The aim of the regulation is to encourage more widespread use of digital radio services across Europe.

The EECC requires that any car radio receiver integrated in a new vehicle of category M,² which is made available on the market for sale or rent in the European Union as from the 21st December 2020, to be capable of receiving digital terrestrial radio.

The Malta Communications Authority (MCA) is consulting on a proposed amendment to the Electronic Communications Networks and Services (General) Regulations, SL 399.28³ ('the Regulations') in order to implement the provisions set out in Article 113(1) of the EECC regarding the interoperability of car radio devices.

The proposed amendment to the Regulations is intended to provide legal clarity to the effect that, as from 21st December 2020, any car radio receiver integrated in a new car (category M) made available for sale or rent in Malta must be equipped, as a minimum, with a DAB+ radio device.

The amendments to the Regulations in short order will ensure that local car importers are aware of this requirement well in advance of the date when the obligation comes into force.

This consultation period will run from the **8th October 2019** to the **12th November 2019**. Please refer to **Section 3** for further details about the submission of comments.

Next Steps

The MCA will, after taking into consideration the responses received to this consultation, submit to the Minister responsible for communications its proposed amendments to the Regulations.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L1972&from=EN>

² Category M vehicles are motor vehicles having at least four wheels and are for the carriage of passengers.

³ <http://www.justiceservices.gov.mt/DownloadDocument.aspx?app=lom&itemid=10563>

2. Implementation of European Requirements - Car radio receivers

In line with the EEC any car radio receiver integrated in a new vehicle of category M which is made available on the market for sale or rent in the European Union from 21st December 2020 (i.e. two years after the date of entry into force of the EEC) shall comprise a receiver capable of receiving and reproducing at least radio services provided via digital terrestrial radio broadcasting.

Receivers which are in accordance with harmonized standards, the references of which have been published in the *Official Journal of the European Union*, or with parts thereof, shall be considered as being compliant with that requirement covered by those standards or parts thereof.

The EEC ensures that car drivers across the European Union will have access to the various benefits presented by digital terrestrial radio - including an increased number of radio stations to choose from, more consistent audio quality and enhanced data services. In Europe the most common form of digital terrestrial radio is DAB/DAB+. The use of DAB+ is widespread and by far the dominant technology used in EU Member States for digital terrestrial radio broadcasting. In Malta a DAB+ network and related services is available nationwide.

The proposed amendment to the Regulations (refer to **Appendix 1**) implements the obligation to ensure the interoperability of car radio devices arising from Article 113(1) of the EEC,⁴ and serves to encourage more use of digital radio in Malta.⁵ The proposed amendment is based on the wording of Annex XI(3)⁶ of the EEC, which requires the receiver to enable, at a minimum, the transmission and reception of radio services transmitted via digital terrestrial broadcasting. To ensure compliance with the requirement of the EEC any car radio receiver integrated in a new vehicle of category M which is made available on the market for sale or rent in Malta as from 21st December 2020 shall comprise a receiver capable of receiving and reproducing at least radio services provided via digital terrestrial radio broadcasting of type DAB+.

In addition to the interoperability of car radio devices, Article 113(2)⁷ of the EEC provides Member States with the opportunity to introduce measures to ensure interoperability for certain other radio devices intended for consumers, whilst limiting the impact on the market for low-value radio broadcast receivers. At this stage the MCA is not proposing measures that ensure the interoperability of other consumer radio devices (in addition to car radio devices) whereby such devices must contain a receiver

⁴ Article 113(1) of the EEC states that Member States shall ensure the interoperability of car radio receivers and consumer digital television equipment in accordance with Annex XI.

⁵ A survey commissioned by the [MCA in 2017](#) noted that 14% of respondents owned a DAB+ radio set, 60% did not, whilst 21% had never heard about DAB radio. A survey by the [Broadcasting Authority in 2018](#) noted that 71% of the population did not have a DAB+ radio whilst 13% stated that they had a DAB+ radio.

⁶ Any car radio receiver integrated in a new vehicle of category M which is made available on the market for sale or rent in the European Union from 21 December 2020 shall comprise a receiver capable of receiving and reproducing at least radio services provided via digital terrestrial radio broadcasting.

⁷ Article 113(2) of the EEC states that Member States may adopt measures to ensure the interoperability of other consumer radio receivers, while limiting the impact on the market for low-value radio broadcast receivers and ensuring that such measures are not applied to products where a radio receiver is purely ancillary, such as smartphones, and to equipment used by radio amateurs.

that allows for, as a minimum, the transmission and reception of digital radio services. The MCA will however keep under review the adoption of digital radio devices by consumers in Malta and may, if deemed necessary, consider additional measures to encourage more widespread use of digital radio services in Malta.

3. Request for Comments and Next Steps

The MCA is seeking the views and comments from all interested parties (including, among others, car importers, car rental companies, consumers, and the general public) on the proposed changes to the Regulations (refer to **Appendix 1**) in order to introduce measures related to the interoperability of car radio devices.

Views on whether additional measures should be introduced for other radio devices intended for consumers (not only based on equipment requirements for car radios but also extending the range of possible reception channels, including, amongst others, the reception of internet radio) are also welcome.

All views and comments should be submitted in writing in electronic format (such as Microsoft Word or PDF Format). Respondents are required to include their personal or company particulars, correspondence address, contact number and email address in their submissions.

The MCA will, after taking into consideration the responses received to this consultation, submit to the Minister responsible for communications the proposed changes to the Regulations.

The MCA will on its part raise awareness amongst the general public and car importers that as from 21st December 2020 each car radio installed in a new vehicle (Category M) must be equipped with a radio receiver that, as a minimum, enables the transmission and reception of radio services transmitted via digital terrestrial broadcasting services of type DAB+.

The consultation period will run until close of business of **12th November 2019**.

Comments should be sent to:

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Appendix I - Proposed Amendment to the Regulations

ELECTRONIC COMMUNICATIONS (REGULATION) ACT

(CAP. 399)

Electronic Communications Networks and Services (General) (Amendment) Regulations, 2019

IN EXERCISE of the powers conferred on him by articles 34 and 47 of the Electronic Communications (Regulation) Act, the Prime Minister after consultation with the Malta Communications Authority has made the following regulations:

Citation and commencement.

S.L.399.28.

1. The title of these regulations is the Electronic Communications Networks and Services (General) (Amendment Number 3) Regulations, 2019, and these regulations shall be read and construed as one with the Electronic Communications Networks and Services (General) Regulations, hereinafter referred to as “the principal regulations”.

Amendment of regulation 3 of the principal regulations.

2. In subregulation (2) of regulation 3 of the principal regulations after the definition of “the Authority” there shall be inserted the following new definition:

“Cap. 368.

“Category M vehicles” means motor vehicles with at least four wheels designed and constructed for the carriage of passengers, and they comprise M1, M2 and M3 vehicles as are defined in accordance with the Motor Vehicles Registration Licensing Act”.

Addition of new regulation 85A to the principal regulations.

3. After regulation 85 of the principal regulations, there shall be added the following regulation:

“Interoperability of car radio receivers.

85A (1) Any car radio receiver integrated in a new vehicle of category M which is made available on the market for sale or rent in Malta as from 21 December 2020 shall comprise a receiver capable of receiving and reproducing at least radio services provided via digital terrestrial radio broadcasting of type DAB+:

Provided that receivers which are in accordance with harmonised standards the references of which have been published in the *Official Journal of the European Union* or with parts thereof shall be considered to comply with that requirement covered by those standards or parts thereof.

(2) The Authority shall take such measures as it may consider appropriate in accordance with its powers at law to ensure conformity with the provisions of this regulation.

(3) The Authority may adopt measures to ensure the interoperability of other consumer radio receivers, while limiting the impact on the market for low-value radio broadcast receivers and ensuring that such measures are not applied to products where a radio receiver is purely ancillary, such as smartphones, and to equipment used by radio amateurs.”