



MALAYSIAN ACCESS FORUM BERHAD

**PUBLIC CONSULTATION ON THE
VOLUNTARY INDUSTRY ACCESS CODE DATED 25 SEPT 2008**

**INSTRUCTION TO INTERESTED PARTIES ON SUBMISSION PROCESS AND
PROCEDURES, TIMING AND POST-SUBMISSION SCENARIO.**

25 September 2008

MAFB/VIC/PC/Sept 2008

PREFACE

1. The Malaysian Access Forum Berhad (“MAF”) is pleased to publish this voluntary industry access code (“Code”) to the general public as part of the Public Inquiry process and invites comments and submissions from interested parties on the contents of this Code.
2. The Malaysian Access Forum Berhad was designated as the access forum by the Malaysian Communications and Multimedia Commission (“the Commission”) on 19th March 2003. This code is developed by the MAF pursuant to a request by the Commission to prepare a voluntary access code (“Code”) for the Communications and Multimedia Industry.
3. The aim of the Code is to set out a clear and robust access framework for the provision of Access by Access Providers to all qualified Access Seekers in compliance with the Standard Access Obligations (“SAO”) contained in the Communications and Multimedia Act 1998 (“CMA”). The Code also incorporates the National Policy Objectives¹ for the Communications and Multimedia Industry which, inter alia, are:
 - ◆ to establish Malaysia as a major global centre and hub for communications and multimedia information and content services ;
 - ◆ to regulate for the long term benefit of the end user;
 - ◆ to ensure an equitable provision of affordable services over ubiquitous national infrastructure;
 - ◆ to facilitate the efficient allocation of resources.
 - ◆ to promote a high level of consumer confidence in service delivery from the Communications Industry
4. Presently, Access in Malaysia is regulated by the Malaysian Communications and Multimedia Commission (“MCMC”) through :
 - ◆ a Commission Determination on Mandatory Standard for Access (“MSA”) (Determination No. 2 of 2005), which sets out the framework for the provision of Access by Access Providers to all qualified Access Seekers
 - ◆ A Commission Determination on Mandatory Standard on Access Pricing, which sets the ceiling prices for the various Access Services in the Access List.

¹ Section 3(2) CMA 1998

- ◆ Commission Determination on Access List (Determination No. 2 of 2005) which sets out the list of access facilities and access services that are subject to the SAO.
- 5. MAF hopes to make the Code strong and robust so as to be able to promote a self-regulatory regime rather than having regulatory intervention as currently practised, once the Access Code is registered with the MCMC. This is in line with the spirit of the CMA which promotes self regulation through Industry Codes.
- 6. In that regard the Code has been developed with the participation of all the members of the MAF.

7. **SUBMISSION INSTRUCTIONS**

- (a) All submissions are to be in writing;
- (b) You may use the Comment Form to response;
- (c) All comments and views provided must be accompanied by sufficiently detailed reasons;
- (d) Suggestions and alternative proposals are welcome but members of the public are to provide detailed suggestions and explanation of (i) the mechanics of the proposal and (ii) the reasons for the suggestion and how does it help promote industry self-regulation;
- (e) All submissions should be provided in soft copy (MS Word) to MAFB by no later than 24th October 2008.
- (f) Please submit your comments and views (together with proposals for consideration) and reasons for your views to acpi@mafb.com.my

For enquiries about the consultation process please contact us at +603-8063-2730.

8. Conclusion

Upon the conclusion of the consultation period, MAF will review the comments and if thought appropriate such comments will be result in a change to the Voluntary Industry Access Code and such code will then be submitted to the Commission for registration. There will be no report of the consultation published by MAF. However submissions made may be published by MAF to enable the public to understand the views of the parties commenting to the code. This is part of the larger awareness campaign undertaken by MAF.

