

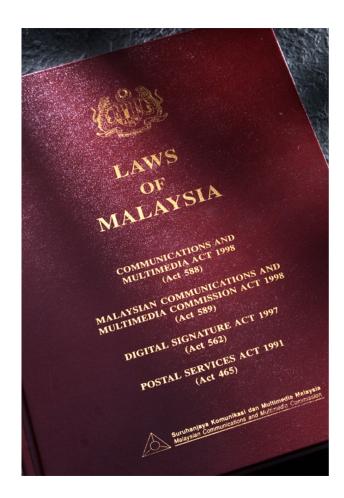
NETWORKED MEDIA CONTENT SEMINAR

PROTECTION OF USERS: CMA PERSPECTIVE 30 October 2013

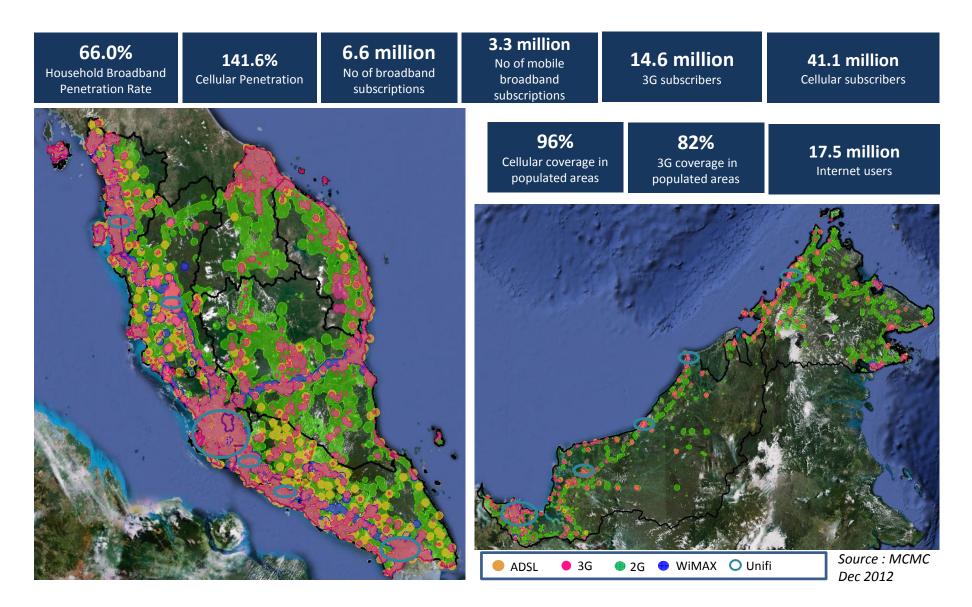




- MCMC is a statutory body established by the Malaysian Communications and Multimedia Commission Act 1998 (MCMCA) that implements and promotes the national policy objectives for the communications and multimedia sector.
- MCMC undertakes the role of regulating and ensuring the development of the communications and multimedia industry which encompasses the telecommunications and broadcasting sectors, online activities, postal services and digital certificates.
- MCMC operates autonomously, but is subject to policy directions issued by the Minister.



Communications Services & Coverage 2012





Overview of the Malaysian Online Landscape

A look at recent history – 10 years ago





Face book didn't exist



4G was a parking place



Twitter was a sound



LinkedIn was a prison



The Cloud was in the sky

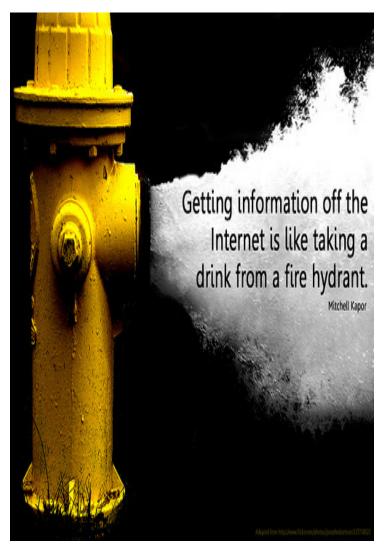


Applications were what you sent to colleges

Now... social media galore









Internet Use by Malaysians

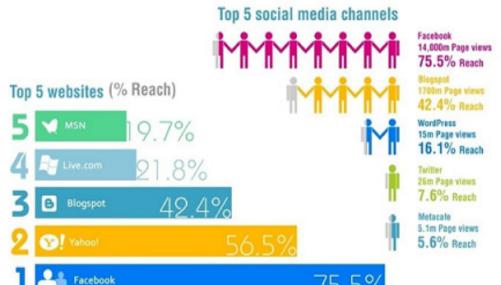


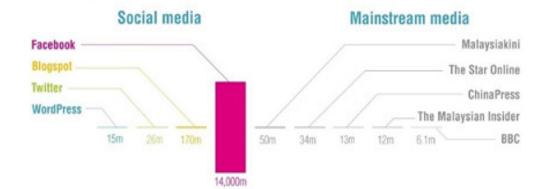


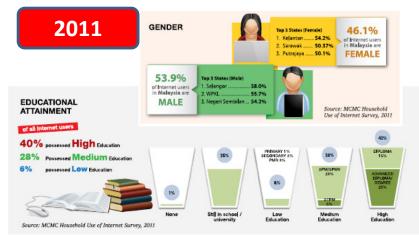
Internet population

Malaysia population - 26,160,256

64.7% of Malaysian use the Internet. Internet users - 16,900,000







2012

DEMOGRAPHICS: GENDER/AGE

56.4% of Internet Users in Malaysia are

MALE

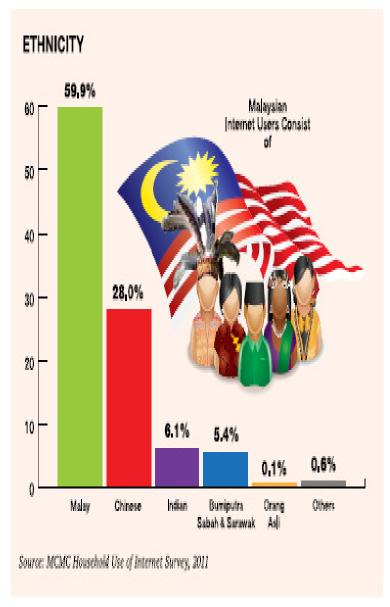




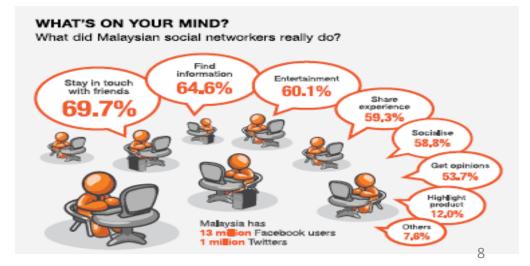
43.6% of Internet Users in Malaysia are FEMALE

Malaysian Internet User Profile





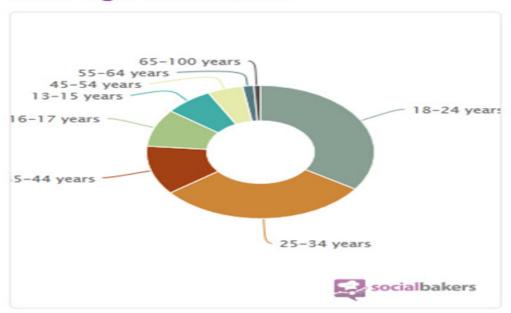


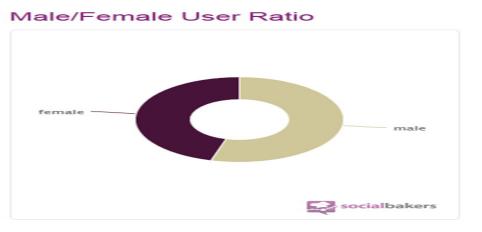


Social Media use



Malaysian Facebook Users – by Age and Gender User age distribution







Top 20 sites surfed by Malaysians in 2012

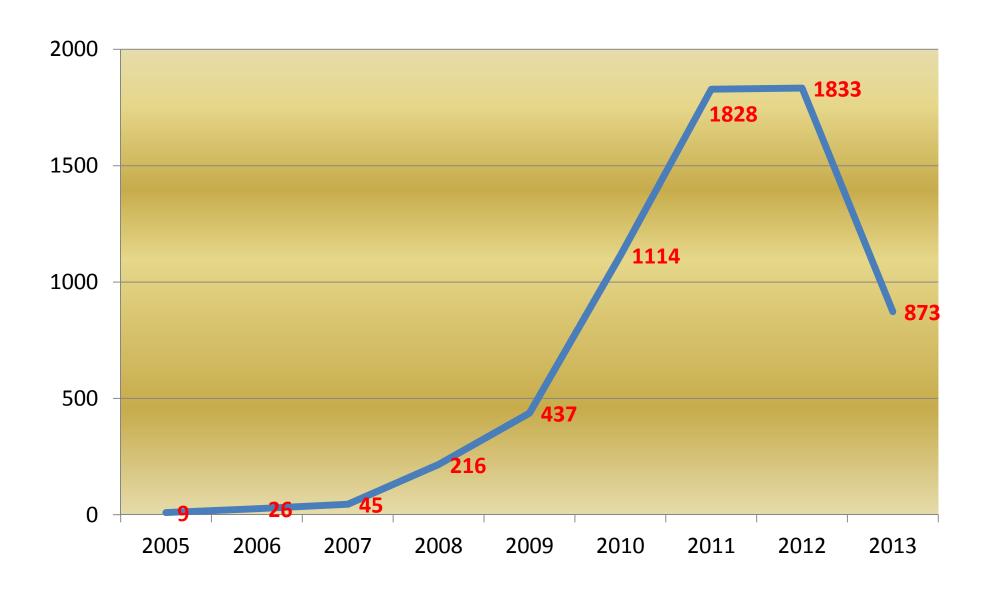
1. Facebook	11. Windows Live
2. Google.com.my	12. WordPress.com
3. Youtube	13. Lowyat.Net
4. Blogspot.com	14. Malaysiakini.com
5. Yahoo	15. Cari.com.my
6. Blogger.com	16. Lelong.com.my
7. Wikipedia	17. Amazon.com
8. Maybank2u.com.my	18. cimbclicks.com.my
9. Twitter	19. The Star Online

20. Airasia.com

10. Mudah.my



NEW MEDIA COMPLAINTS TREND





TYPE OF COMPLAINTS

- Misuse of Personal Data (Photos, Phone numbers)
- Dissemination of offensive pictures
- Online Defamation/Sedition
- False/Misleading news
- Fake profiles
- Negative/Provocative remarks against race and religion
- Bullying/Physical threat
- Porn

- Insulting royal institutions
- Hacking
- Fraud/Scam
- Trademark/Copyright Infringement
- Wrongful Information/ Misinformation about Islam

RELEVANT PROVISIONS FROM CMA 1998 ON PROTECTING THE USERS



Section 211 (Prohibition on provision of offensive content). Offensive content is defined as "content which is indecent, obscene, false, menacing or offensive in character with intent to annoy, abuse, threaten or harass any person".



Section 233 (Improper use of network facilities or network services) makes, creates or solicits and initiates transmission any comment, request, suggestion or other communications which is obscene, indecent, false, menacing or offensive in character with intent to annoy, abuse, threaten or harass another person.



REQUIREMENTS FOR ASSISTANCE UNDER CMA 1998

Sec 263 (1)

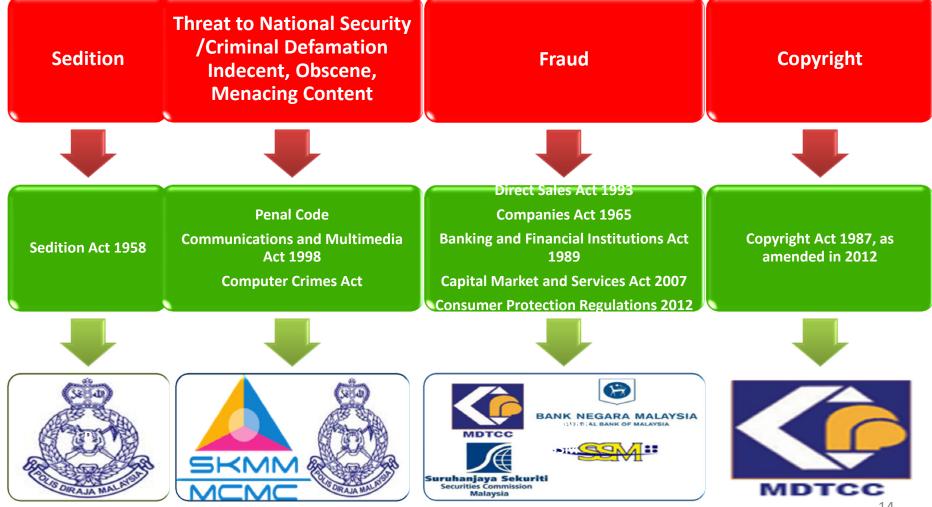
 General duty of licensee to use his best endeavor to prevent his network facilities from being used for the commission of an offence under the laws of Malaysia

Sec 263 (2)

 General duty of licensees to assist in preventing the commission or attempted commission of an offence under the any laws of Malaysia.

Some Laws Relating to Online Offence





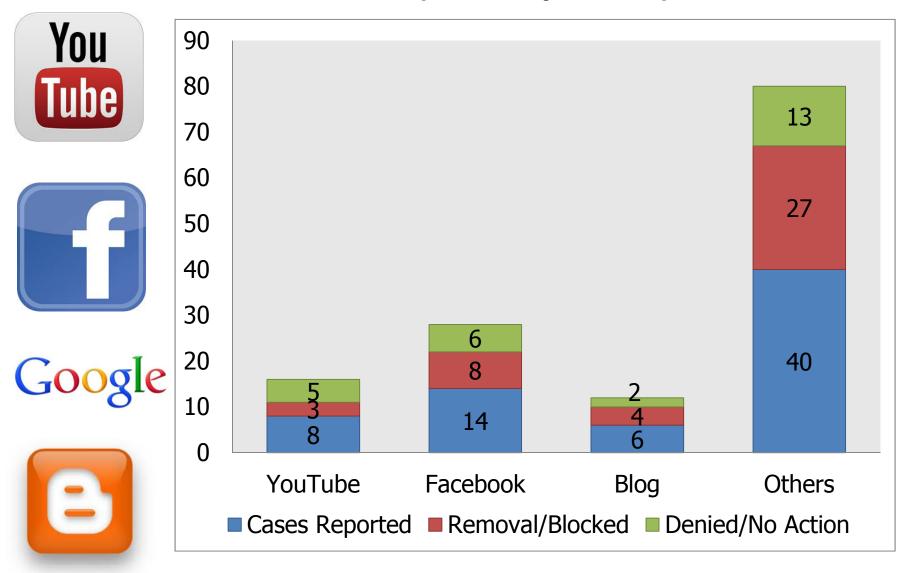


ACTIONS TAKEN BY MCMC

- Advisory to complainants
- Notices to Administrators/Moderators for removal
- Abuse Report to Providers
- Blocking of access

- Referral to Content Forum
- Referral to other agencies
- Investigation
- Prosecution

Cases reported and action taken for removal of content (Jan-Sep 2013)



Notices (Removal of Content)



From: SKMM New Media Unit
To: 'cc-advoc@yahoo-inc.com'; 'copyright@yahoo-inc.com'
Cc
Subject: FRAUDULENT PROFILE AND DISCLOSURE OF PERSONAL PHOTOS (http://www.flickr.com/photos/nurazzahngahmohdnazzimohiddin)

Our Ref: SKMM(T)09-NMD/960/2013/Jld.7(301)
cc-advoc@yahoo-inc.com; copyright@yahoo-inc.com

Yahoo! Inc.
Customer Care - Privacy Policy Issues
701 First Avenue
Sunnyvale, CA 94089
(408) 349-5070

Dear Sir,
FRAUDULENT PROFILE AND DISCLOSURE OF PERSONAL PHOTOS (http://www.flickr.com/photos/nurazzahngahmohdnazrimohiddin)

We refer to the above matter.

2. Kindly note we represent the Malaysian Communications and Multimedia Commission (the Commission) being the statutory regulator for the communication and multimedia industry in Malaysia. Accordingly the Commission monitors the efficacy of the said industry in pursuant to the Communications and Multimedia Act 1998 (CMA 1998) and other related legal provision necessary to safeguard national integrity.

From: SKMM New Media Unit
To: 'durov 2005@gmail.com'
Cc: 'cfo@vkontakte.ru'; 'noc@vkontakte.ru'
Bcc: Sharizzaman bin Ahmad Sabaruddin; Elvira Shamsuddin
Subject: CHILD OBSCENE CONTENT ON VK.COM

Our Reference : SKMM(T)09-MIMD/960/2013/Jld.6(254)

Date : 11 June 2013

Dear Sir/Madam,

CHILD OBSCENE CONTENT ON VK.COM

We refer to the above matter.

- 2. For your information, the Malaysian Communications and Multimedia Commission (the Commission) is the regulator for the communications and multimedia industry in Malaysia and we are responsible for the administration of the Communications and Multimedia Act 1998.
- 3. In this regard, the Commission is writing as the complainant to seek your assistance on this matter. The Commission note that someone has made a profile on http://vk.com/kualalumpurkids using the nickname of "Kualalumpur Kids", and the account is being used to promote child gay services in Malaysia, and also to spread child pornographic content among all the vk.com members.
- 4. Based on our investigation into the complaint, provisioning of such content contravenes Section 233(1) of the Communications and Multimedia Act 1998 as well as the Child

Notices (Removal of Content)



From:	SKMM New Media Unit	Sent:	Mon 7/15/2013 2:5
	'Webmaster Adpost.com'		
Cc:			
Subject:	RE: Fraudulent Advertisement - http://www.adpost.com/my/personals/24913/		
8 ! .	$. \ 1 \ \cdot \cdot \cdot \cdot 2 \ \cdot \cdot \cdot \cdot 1 \ \cdot \cdot \cdot 3 \ \cdot \cdot \cdot \cdot \cdot \cdot \cdot \cdot 4 \ \cdot \cdot \cdot \cdot \cdot \cdot 5 \ \cdot \cdot \cdot \cdot \cdot \cdot \cdot \cdot 6 \ \cdot \cdot \cdot \cdot \cdot \cdot 7 \ \cdot \cdot \cdot \cdot \cdot 1 \ \cdot \cdot \cdot \cdot 1 \ \cdot \cdot \cdot \cdot 1 \ \cdot \cdot \cdot \cdot$		1 14
Sent: Thui To: mailto:	<u>4M New Media Unit</u> rsday, June 27, 2013 5:38 PM <u>webmaster@adpost.com</u> rraudulent Advertisement - <u>http://www.adpost.com/my/personals/24913/</u>		
Our Refero Date	ence : SKMM(T)09-NMD/960/2013/Jld.6(280) : 27 June 2013		
webmaste	Adpo	st	com
Fraudulon	t Advertisement http://www.adport.com/my/personals/24913/		

- We refer to the above matter.
- 2. For your information, the Malaysia Communications and Multimedia Commission (the Commission) is the regulator for the communications and multimedia industry in Malaysia and we are responsible for the administration of the Communications and Multimedia Act 1998.
- 3. In this regard, the Commission requests for the removal of an advertisement link at http://www.adpost.com/my/personals/24913/. We had received a complaint from Ms Olivia Karren Anak Peter that the advertisement, which contains her personal information including her photo and mobile telephone number, was put up without her knowledge and consent. As a result, Ms Olivia Karren has been receiving calls from unknown persons due to the details posted in the said advertisement.
- 4. Based on our investigations into the complaints, the fraudulent information on the complainant is found to be in contravention of the following provision of the Malaysian Law:

From:	SKMM New Media Unit
To:	'annlavin@google.com'; 'lihshiun@google.com'
Cc:	
Bcc:	Elvira Shamsuddin
Subject:	ACCOUNT ON YOUTUBE IN BREACH OF MALAYSIAN LAW
8	· · · · · · · · · · · · · · · · · · ·

Dear Sir/Madam,

ACCOUNT ON YOUTUBE IN BREACH OF MALAYSIAN LAW

http://www.youtube.com/user/AmirahAfigahIrdinald

We refer to the above matter.



- 2. Kindly note we represent the Malaysian Communications and Multimedia Commission (the Commission) being the statutory regulator for the communication and multimedia industry in Malaysia. Accordingly, the Commission monitors the efficacy of the said industry in pursuant to the Communications and Multimedia Act 1998 (CMA 1998) and other related legal provision necessary to safeguard national integrity.
- 3. The Commission has received a complaint regarding the content found at http://www.youtube.com/user/AmirahAfiqahIrdinald. The material is deemed to be both offensive and false and it contravenes the following provision:

Section 233 (1) (a) CMA 1998: A person who by means of any network facilities or network service or application service knowingly -

- i. Makes, creates or solicits; and
- ii. Initiates the transmission of,

Any comment, request, suggestion or other communication which is obscene, indecent, false, menacing or offensive in character with intent to annoy, abuse, threaten or harass another person commits an offence.

4. In addition, we note that the account was opened by an unknown party without the consent of actual individual. For your information, Ms Amirah, who associated with the account and the video content is under 18 years old, and thus considered a child under the Child Act of Malaysia. As such, your assistance in ensuring the safety and well-being of the child is appreciated. Therefore, we hereby request for the removal of the account as well as all content at http://www.youtube.com/user/AmirahAfiqahIrdinald.

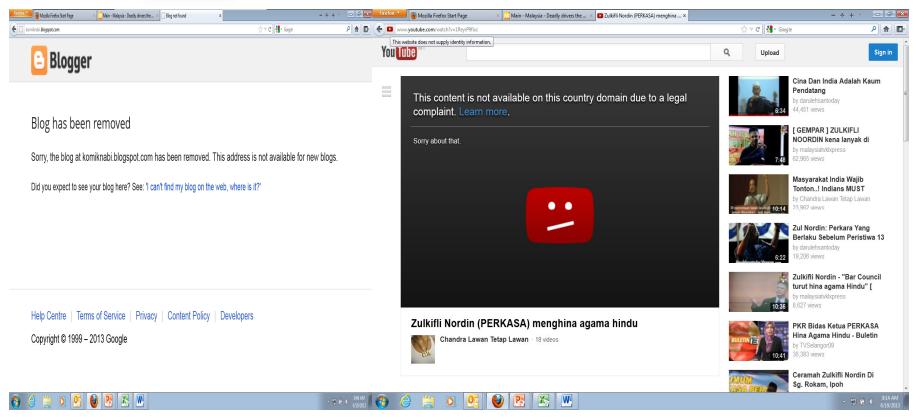
Thank you.

Notice of Removal of Content



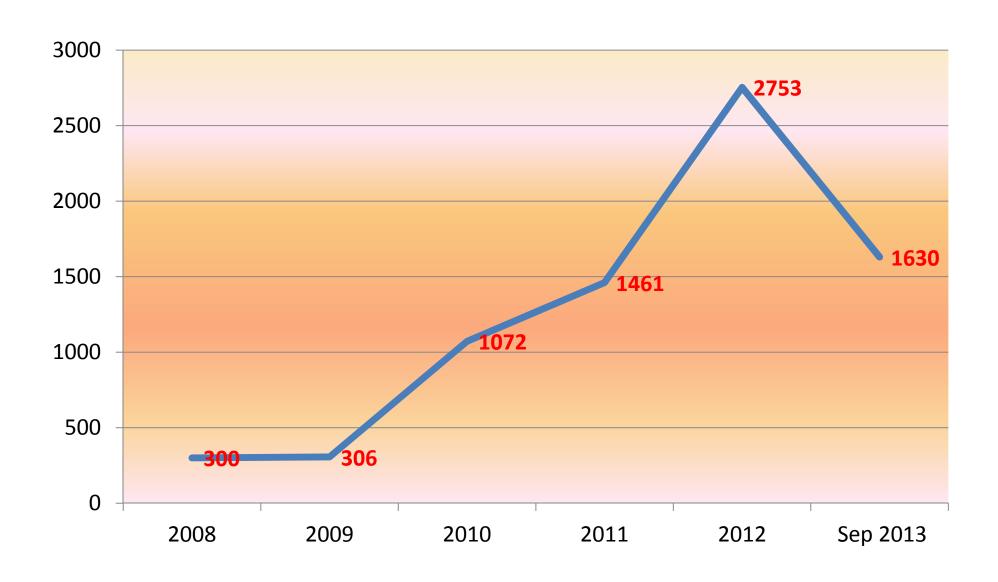








BLOCKING OF SITES



DETAILS OF BLOCKED SITES



Request for blocking from law enforcement agencies:-





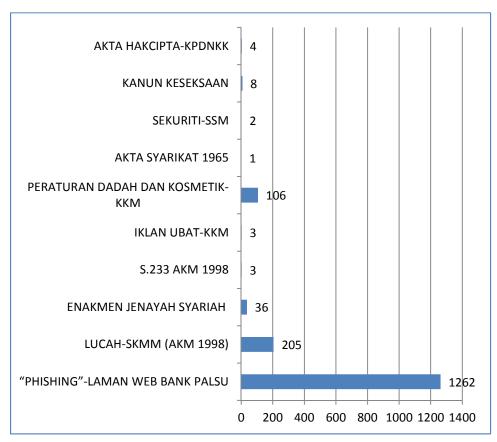








Total sites blocked (Jan-Sep 2013)



Note: A total of **1630** blocked, **163** based on request from other law enforcement agencies and **1467** blocked pursuant to breach of CMA 1998.

Notices on Blocked Sites



MAKLUMAN

Laman sesawang ini tidak dapat diakses di Malaysia kerana kandungannya melanggar undang-undang negara.

NOTIFICATION

This website is not available in Malaysia as it violates the National law.

* Untuk maklumat lanjut/for more information click her

Akses kepada laman sesawang ini dihalang di bawah Seksyen 263(2) Akta Komunikasi Dan Multimedia 1998 kerana melanggar undang-undang Malaysia di bawah:

Access to this site has been denied under Section 263(2) Communications And Multimedia Act 1998 as it violates the following Malaysian law:

AKTA/ACT

Akta Komunikasi Dan Multimedia 1998

Communications And Multimedia Act 1998

KESALAHAN/OFFENCE

Melanggar peruntukan Seksyen 211/233

Breached provision of Section 211/233

AGENSI PENGUATKUASA/ENFORCEMENT AGENCY

Suruhanjaya Komunikasi dan Multimedia Malaysia

Malaysian Communications and Multimedia Commission

Pertanyaan/Inquiries: newmedia.unit@cmc.gov.my



PAPARAN NOTIS/AMARAN

Akses kepada laman sesawang ini dihalang di bawah Seksyen 263(2) Akta Komunikasi Dan Multimedia 1998 kerana melanggar undang-undang Malaysia di bawah:

Access to this site has been denied under Section 263(2) Communications And Multimedia Act 1998 as it violates the following Malaysian law:

AKTA/ACT

Akta Jualan Dadah 1952

Sale of Drugs Act 1952

KESALAHAN/OFFENCE

Melanggar Peraturan 7(1)(a) Peraturan Kawalan Dadah dan Kosmetik 1984

Breached Regulation 7(1)(a) Control of Drugs and Cosmetics Regulations 1984

AGENSI PENGUATKUASA/ENFORCEMENT AGENCY

Kementerian Kesihatan Malaysia/P

Ministry of Health Malaysia

Pertanyaan/Inquiries: [].gov.my

ABTU 14 MAC 2009 / 17 RABIULAWAL 1430 # BIL 63 TAHUN KE-44 PP362/12/2009 (023000)

Ada orang tak suka

Rahsia di sebalik krisis ekonomi - Nor Mohamed

5 didakwa hina Sultan



CHAN Hon Keong, 26.



BUTININ Subaimin, 35. dituduh melakukan iesalahan sama

menggunakan perki aplikasi Internet secara sedar dengan komen di alamat di Kundasang, Sabah



NOR Hisham Osman, 36.

Sri Kembangan, Selangoi

MUSUM Ahmad 54 didahas didakon telah membuat dan memusaan penghantara komen yang jelik sifatnya di http://books.divambook. comuweb per/dull Herel yang nempunyai pautan kepada laman web Sultan Perak iaits ww.sultan.petak.gov.my Perbuatan itu didakwa

atas tiga tuduhan menulis komer menghina Sultan Perak menghira Sutan Perak menggurakan perkhidmatan Internet menghira Sultan Perak di Setapak, Ksala Lampur pukul 2.21 dan 2.27 petang, 7 Kebruari Ialu. PEMBANTU makmai Azrin Mc





perkara yang berlaku ke atas diri saya kerana telah banyak berjasa kepada parti. Saya akan akur dengan apa jua keputusan mahkamah berhubung kes itu nanti. Saya tidak akan melepaskan jawatan sebagai Ahli Majlis Tertinggi (MT) UMNO dan akan terus bertanding jawatan berkenaan pada pemilihai

Kata Mohamad Norza Zakaria, Ahli MT UMINO sambil menitiskan air mata selepas dihadapkan ke Mahkamah Majistet di Temerloh, Pahang, semalara berkaltan tudukan rasuah suapan wang tunai RM1,500 dan RM1,900.

INILAH RUMAH SAYA









Hukuman berat beri orang ramai pengajaran

DARI MUKA 1

Hakim Mahkamah Sesven Kuala Lumpur, Rozana Ali Yusoff, ketika menjatuhkan hukuman ke atas Azrin Md Zin, 33, berkata kesalahan itu tidak sepatutnya dilakukan kerana ia memberi kesan kepada orang lain dan demi kepentingan awam tertuduh perlu dikenakan hukuman setimpal bagi mengelaknya berulang.

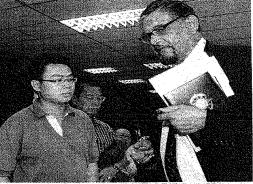
Azrin yang tidak diwakili peguam, dihukum denda RM10.000 atau lima bulan penjara. Bapanya membayar denda itu di pejabat Pendaftar Mahkamah Sesven pada jam 4.30 petang semalam.

Di mahkamah sama, Muslim Ahmad, 54, mengaku tidak bersalah terhadap tiga tuduhan sama yang didakwa dilakukan di No 1, Jalan 5/26, Taman Sri Rampai, Setapak di sini pada jam 2.21 petang, 7 Februari lalu.

Mahkamah menetapkan 8 April ini untuk sebutan semula kes itu.

Di PETALING JAYA, seorang juru ukur, Nor Hisham Othman, 36, mengaku tidak bersalah terhadap tuduhan kesalahan itu di No 16-01-06 Blok 16 Pangsapuri Sri Indah Taman Lestari Perdana, Seri Kembangan pada jam 12.34 tengah hari, 11 Februari lalu.

Timbalan Pendakwa Raya, Faizah Mohd Salleh, memohon mahkamah mengenakan jaminan RM10,000 dengan se-



CHAN berbincang dengan peguamnya di Mahkamah Sesyen Butterworth, semalam

orang penjamin, tetapi Hakim Balqis Aini Mohd Ali membenarkan tertuduh diikat jamin RM4,000 dan menetapkan 14 April bagi sebutan semula kes itu.

Sebaik Balqis Aini menetapkan ikat jamin itu, Nor Hisham yang diwakili peguam Edmund Bon dengan sebak berkata, dia sebenarnya dalam dilema sama ada mahu mengaku bersalah atau tidak.

"Sekiranya mengaku bersalah, saya tidak buat kesalahan ini. Saya tidak boleh tidur dan tertekan sehingga rasa nak bunuh diri," katanya.

Balqis Aini kemudian memberi jaminan mahkamah akan mengadili kes itu sehaik mungkin.

Di BUTTERWORTH, seorang ahli perniagaan, Chan Hon Keong, 26, dan isterinya, Khoo Hui Shung, 27, dituduh melakukan kesalahan itu di rumah mereka di No 5, Lorong Arowana Emas 2, Taman Arowana Emas, Permatang Pauh pada jam 12.05 tengah malam, 13 Februari lalu.

Chan mengaku tidak bersalah, manakala Khoo tidak hadir kerana berada di Sarawak. Kedua-duanya dituduh mengikut Seksyen 292 (a) Kanun Keseksaan yang dibaca bersama Seksyen 34 kanun sama yang membawa hukuman penjara maksimum tiga tahun atau denda atau kedua-duanya.

Mereka juga menghadapi tuduhan pilihan mengikut Seksyen 233(1)(a) Akta Komunikasi Multimedia 1988 kerana secara sedar membuat dan memulakan penghantaran komen itu dan dibaca bersama Seksven 34 Kanun Keseksaan.

Hakim Julie Lack Abdullah membenarkan tertuduh diikat jamin RM6,000 dan menetapkan 15 April ini sebagai tarikh sebutan semula.

Di Mahkamah Sesyen berlainan, Hakim Amernudin Ahmad membatalkan tuduhan ke atas Chan atas permintaan Timbalan Pendakwa Raya, Fathin Yusup dan Radzhi Abas kerana membahitkan kes sama.

Bagaimanapun, tuduhan terhadap Khoo dikekalkan dan tidak dibantah peguam bela, Datuk C K Prabhakaran. Amernudin kemudian menetapkan 15 April sebagai tarikh sebutan semula.

Di KOTA KINABALU, pemilik kedai telefon bimbit, Rutinin Suhaimin, 36, dari Kundasang, Ranau, juga mengaku tidak bersalah melakukan tuduhan itu di Blok A. Lot 4, Kedai Sedco, Kundasang, Ranau pada jam 6.33 petang, 13 Februari lalu.

Hakim Ummu Kalthom Abdul Samad menetapkan tarikh perbicaraan kes itu pada 25 dan 26 Mei ini serta membenarkan tertuduh dijamin RM10.000.



MCMC gathers final evidence, charges expected



TEXT SIZE 1 2 3

The investigation into the "offensive" videos relating to the controversial cow-head protest continued today with the authorities inspecting Malaysiakini.tv's servers hosted at Internet service provider Jaring in Bukit Jalil's Technology Park Malaysia.

Malavsiakini's technology manager Danny Hong and senior video programmer Aizuddin



More Examples



http://sultan.perak.gov.my/

Sending offensive comment at DYMM Sultan Perak's office website [S.233(1)(a)CMA98]

Chan Hong Keong & Khoo Hui Shuang

[Mahkamah Sesyen Jenayah 4, Butterworth Pulau Pinang. Kes No: 62-(42&58)-2009] Found guilty. Fine of RM50,000 and 1 year imprisonment

Making defamatory e-mail delivery

Using internet application to send menacing e-mail from the_artemis@ymail.com with intention to annoy others.

[S.233910(a) CMA98)]

Mohd Noor Bin Ismail [Mahkamah Sesyen (4) Ayer Keroh, Melaka. Kes No: 63-71-2010]

Pleaded guilty. Fine of RM6,000.

http://www.freakytor.org

Selling of pirated copies product over internet [S.233(1)(a) CMA98]

Lee Pey Fung

NFA. The website is no longer in operation.



- An initiative by MCMC to educate and inculcate a culture of positive use of the Internet.
- National launch on 1 July 2012 in Penang
- Is based on the Rukun Negara (National Principles) & Good Behaviour & Morality Campaign
- Consistent with the National Policy Objectives of the Communications and Multimedia Act 1998.
- Complements existing initiatives by MCMC e.g.
 1Malaysia Internet Centre, National Broadband Initiative, U-Pustaka, Getting Malaysian Businee Online (GMBO) etc.





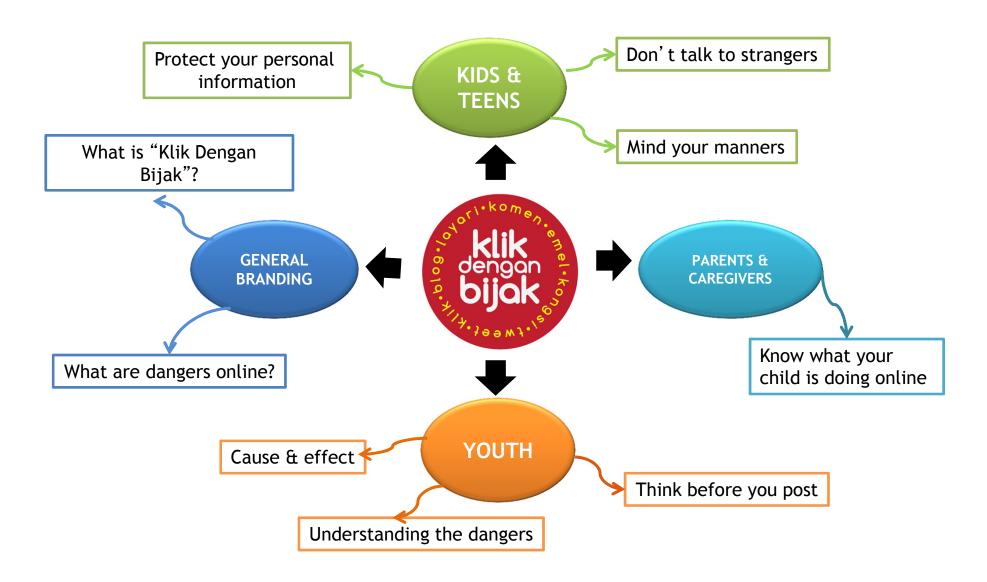
Safety
To educate the public to use the Internet in a safe manner

Security

To remind the public to be careful in all their online interactions

Responsibility
To promote positive use of the Internet to and by the public

TARGET AND MESSAGES





REPORTS BY USERS TO SERVICE PROVIDERS



Report Page



Suruhanjaya Komunikasi & Multimedia Malaysia



Report Profile



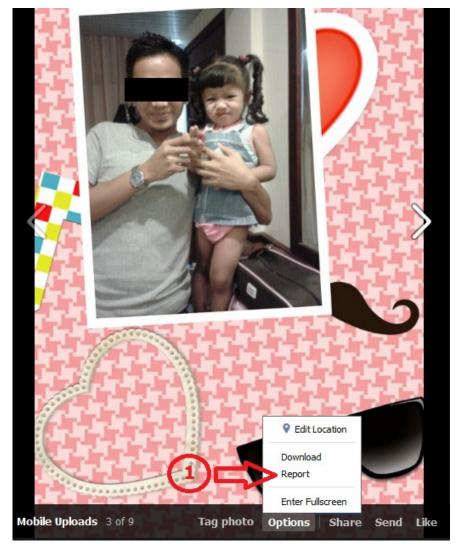


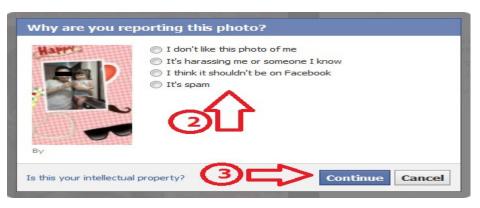






Report Photo



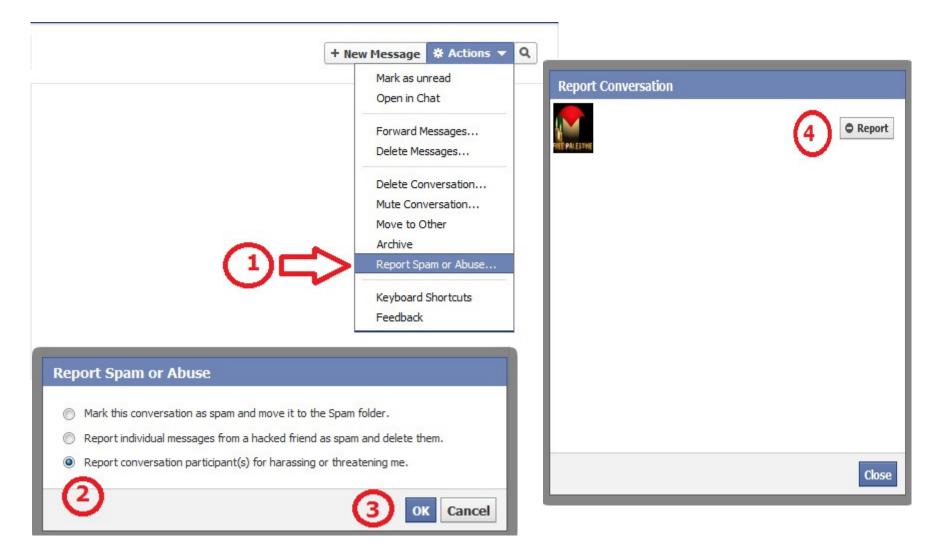








Report Message





Report Status



Thanks for your feedback. You can Undo this action or Report this content as abusive.







Blogspot/Google



Report abuse

Blogger takes violations of our Terms of Service very seriously. We encourage you to read through our <u>Terms of Service</u> as well as the <u>Blogger Content Policy</u> before filing a report with us.

After careful review, Blogger may remove content or place a content warning page before viewing content deemed offensive, harmful, or dangerous.

Additionally, we are aware that there may be content on Blogger that is personal in nature or feels invasive. Please note that Blogger is a provider of content creation tools, not a mediator of that content. We allow our users to create blogs, but we don't make any claims about the content of these pages. We strongly believe in freedom of expression, even if a blog contains unappealing or distasteful content or presents unpopular viewpoints. We realize this may be frustrating, and we regret any inconvenience this may cause you. In cases where contact information for the author is listed on the page, we recommend that you work directly with this person to have the content in question removed or changed.

Here are some examples of content we will not remove unless provided with a court order:

- · Parody or satire of individuals
- · Distasteful imagery or language
- · Political or social commentary

What happens when content is removed?

When content is removed from a blog, the author(s) and admin(s) will be notified by email, a message on their Blogger dashboard, or both. Readers attempting to access that content will be shown a message that indicates that the content has been removed and, a link to a copy of the removal notice itself.

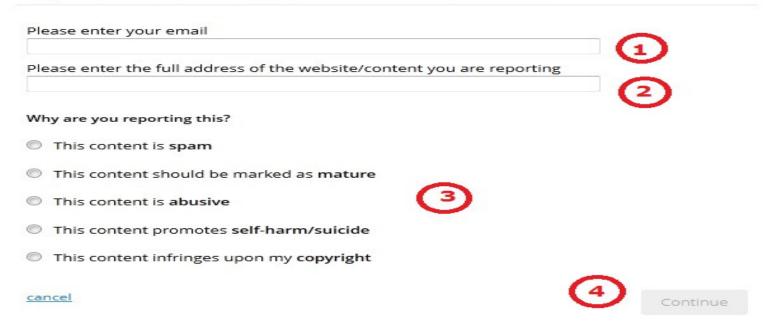
If you believe that you've found a blog that violates our Terms of Service, select the abuse type below to access the relevant contact form.

- Legal issues
- · Hate speech, violent or crude content
- Harassment
- · Spam, phishing, or malware
- Nudity
- · Posting of private information
- Impersonation



http://en.wordpress.com/abuse/

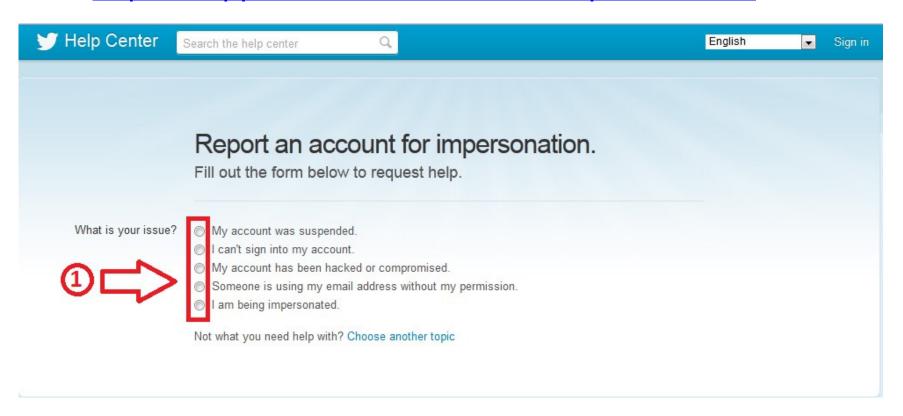
Report content to WordPress.com staff





Twitter (Profil/Akaun Palsu)

https://support.twitter.com/forms/impersonation





Twitter

Penyalahgunaan Hak Cipta ("Copyright Infringement")

https://support.twitter.com/forms/dmca

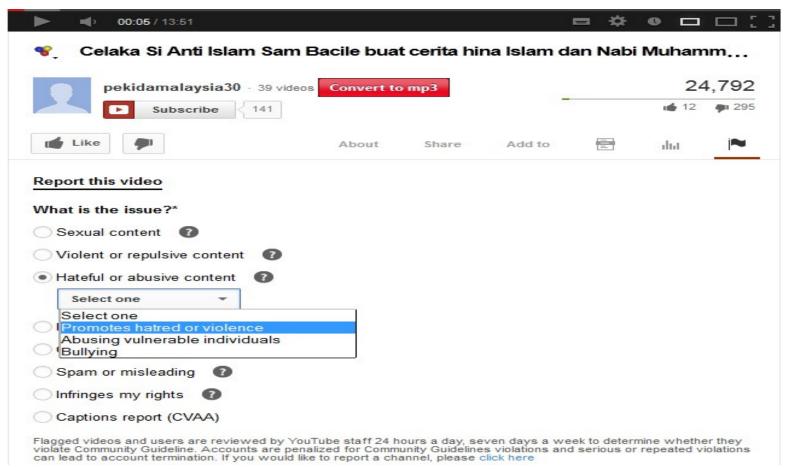
Pornografi

https://support.twitter.com/forms/general?subtopic=photossearch

Paparan/Penyalahgunaan Maklumat Peribadi

https://support.twitter.com/forms/abusiveuser





BIRO ADUAN PENGGUNA:

Suruhanjaya Komunikasi & Multimedia Malaysia, Off Persiaran Multimedia, 63000 Cyberjaya, Selangor.

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