



**Suruhanjaya Komunikasi dan Multimedia Malaysia**  
Malaysian Communications and Multimedia Commission

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**GUIDELINES ON NOMINATION FOR FREE ENTITLEMENT  
FROM COST RECOVERY OF SATELLITE NETWORK FILINGS  
BY THE ITU**

31 July 2013

## **GUIDELINES ON NOMINATION FOR FREE ENTITLEMENT FROM COST RECOVERY OF SATELLITE NETWORK FILINGS BY THE ITU**

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### **1.0 Intent**

- 1.1 The objective of these guidelines is to outline the application and evaluation process for the nomination of a Malaysian satellite network filing for free entitlement from cost recovery at the International Telecommunication Union (ITU).

### **2.0 Background**

- 2.1 The ITU is the United Nations specialised agency for information and communication technologies. Its role among others, is to coordinate radio communication services and the international management of radio frequency spectrum and satellite orbits.
- 2.2 As a member state of the ITU, Malaysia is bound by the administrative regulations of the ITU.
- 2.3 The Malaysian Communications and Multimedia Commission (MCMC) is the Administration that is responsible for the registration of Malaysia's allotments, assignments and satellite network filings at the ITU.
- 2.4 Cost Recovery is the processing fees imposed by the ITU-Radiocommunication Bureau (BR) for satellite network filings received from Administration/s.
- 2.5 Free entitlement from cost recovery is the decision of ITU Council (Appendix A).

### **3.0 Eligibility**

3.1 Persons who are eligible to apply for the free entitlement shall meet the following criteria:

3.1.1 Network Facilities Provider and Network Service Provider  
Individual Licence holders;

3.1.2 No outstanding on the payment of the following:

3.1.2.1 Licence Fee;

3.1.2.2 Apparatus Assignment Fee; and

3.1.2.3 USP Fund.

### **4.0 Application Process**

4.1 A Malaysian satellite operator may apply to MCMC for nomination of free entitlement for their satellite network filings.

4.2 The application by the satellite operator shall be in the form determined by MCMC, and contain the following information:

4.2.1 Name of the satellite network filing, to be nominated for free entitlement;

4.2.2 Current status of the above satellite network filing at the ITU (Advance Publication Information (API), Coordination Request (CR) or Notification (N)); and

4.2.3 The estimated cost for the new filing or the actual cost if ITU has issued the invoice for the above satellite network filing.

4.3 The application must be submitted to MCMC **before 31 August of each year** for it to be processed and considered by MCMC.

## **5.0 Evaluation of Application**

- 5.1 Any incomplete application shall be returned to the operator without assessment.
- 5.2 Only completed applications will be recommended for consideration of free entitlement.
- 5.3 Service coverage area of the nominated satellite network which includes the Malaysian territory is the main criteria for evaluation. If there is no other application for a particular calendar year, the nominated satellite network with coverage outside the Malaysian territory may also be considered for the annual free entitlement.
- 5.4 The use of the annual free entitlement is at the discretion of the MCMC and the decision on awarding the free entitlement will only be decided by MCMC in **October of each year.**
- 5.5 MCMC will notify the applicant(s) of its decision.

## **6.0 Implementation**

- 6.1 This guideline shall be effective from the date of its issuance and shall be reviewed as and when necessary.

## Appendix A

### Decision 482 (as amended) - 'Implementation of Cost Recovery for Satellite Network Filings'

*"decides*

- 4 that each Member State shall be entitled to the publication of special sections or parts of the BR IFIC (space services) for one satellite network filing each year without the charges referred to above. Each Member State in its role as the notifying administration may determine which network shall benefit from the free entitlement;*
  
- 5 that the nomination of the free entitlement for the calendar year of receipt by the Bureau of the satellite network filing based on the formal date of receipt of the filing shall be made by the Member State no later than the end of the period for payment of the invoice in decides 9 below. The free entitlement cannot be applied to a filing previously cancelled for non-payment;"*