



Malaysian Communications and Multimedia Commission

GUIDELINES ON THE USE OF LOW POWER FM TRANSMITTER FOR DRIVE-IN SERVICES

Notice:

The information contained in these guidelines is intended as a guide only. For this reason, it should not be relied on as legal advice or regarded as a substitute for legal advice in individual cases. Parties should still refer to the legislative provisions contained in the law. The information contained in these guidelines will be updated from time to time either via an addendum or revised guidelines.

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1.0 ABBREVIATIONS

AA	: Apparatus Assignment
CASP (C) Licence	: Content Applications Service Provider Class Licence
CMA	: Communications and Multimedia Act 1998
EIRP	: Effective Isotropic Radiated Power
FM	: Frequency Modulation
MCMC	: Malaysian Communications and Multimedia Commission
MOH	: Ministry of Health
MKN	: Majlis Keselamatan Negara
NFP (C) Licence	: Network Facilities Provider Class Licence
NSP (C) Licence	: Network Service Provider Class Licence
PDRM	: Polis DiRaja Malaysia
SOP	: Standard Operating Procedures

2.0 INTENT

- 2.1 These guidelines prepared by the Malaysian Communications and Multimedia Commission (“MCMC”), with the intent to serve as reference for regulatory provision within its jurisdictions for operation of drive-in services utilising spectrum ranging from 100.0 MHz to 108.0 MHz in Malaysia.
- 2.2 Drive-in services is a content applications service and by virtue of Section 6¹ of the CMA, this service would fall under the category of limited content applications service.
- 2.3 Under these guidelines, the drive-in services is a setup of a small scale, low power FM transmitter to broadcast audio content to audiences at a specific area and location, in which the content is received through a built-in vehicle audio FM receiver. Examples of the drive-in services include drive-in cinema and drive-in concert.
- 2.4 The provisioning of the drive-in services for political and religious matters is not allowed.
- 2.5 These guidelines should be read together with the CMA including the relevant subsidiary legislations, instruments, codes and other guidelines that have been issued by MCMC pursuant to the CMA.
- 2.6 Compliance with these guidelines does not itself confer immunity from legal obligations.

¹ Section 6 of the CMA defines limited content applications service as a content applications service which is limited because of:-

- a) it is targeted to a special interest group;
- b) it is available to a restricted geographical area;
- c) it is available for a short time;
- d) it is based on content of limited appeal; or
- e) the reasons set out in a Ministerial Determination

3.0 BACKGROUND

- 3.1 MCMC notes that the global pandemic situation such as Coronavirus (Covid-19) has led to the requirement of physical distancing and creating interests among individuals and entities to provide a drive-in services such as drive-in cinema. The drive-in services would be subject to adherence to the standard operating procedures (“SOP”) imposed by other authorities such as Majlis Keselamatan Negara (“MKN”), Ministry of Health (“MOH”) and Polis DiRaja Malaysia (“PDRM”).
- 3.2 As drive-in services is relatively new to Malaysia, these guidelines will guide applicants on the requirements to be met prior to providing their services.

4.0 LICENSING REQUIREMENTS

- 4.1 Any applicant intending to own, operate and provide drive-in services is required to register for the relevant licence(s) under the CMA.
- 4.2 Pursuant to Regulation 28, 29 and 31(1)(a)(iii) of the Communications and Multimedia (Licensing) Regulations 2000 (“Licensing Regulations”), the following licences, would be required:
- (a) Network Facilities Provider Class Licence [NFP (C)] for transmitter equipment;
 - (b) Network Service Provider Class Licence [NSP (C)] for broadcasting distribution services; and
 - (c) Content Applications Service Provider [CASP (C)] for limited content applications services.

- 4.3 For the purpose of licence application, the applicant needs to submit the following to MCMC:
- (a) Two copies of the duly completed application form (Form D: registration notice) per licence (refer **Annexure 1**);
 - (b) A registration fee of RM2,500 per licence;
 - (c) Details as per checklist (refer **Annexure 2**);
 - (d) Brief write up of the application including but not limited to:
 - (i) Particulars of the applicant, including information on management;
 - (ii) Details on the proposed content feed, event layout, broadcast setup (e.g. network diagram) and duration; and
 - (iii) Cost and resources required to operate the services.
- 4.4 Any applicant who intends to register itself as a holder of a NFP (C) licence and/or NSP (C) licence is advised to first read the Ministerial Guidelines on Class Licences for Network Facilities and Network Services (Ministerial Guidelines No. 1 of 2002 and No. 2 of 2002) that were issued in September 2002 and ensure that the scope of the facilities and/or services to be provided, fall within the ambit of the said guidelines. (The Ministerial Guidelines are annexed as **Annexure 3**).
- 4.5 The applicant is also advised to refer to the Ministerial Determination on the Guidelines on Limited Content Applications Service, Determination No. 4 of 2003 that was issued on 17 July 2003, which provides clarification on the criteria for limited content. (The Limited Content Ministerial Guidelines is annexed as **Annexure 4**).

5.0 SPECTRUM REQUIREMENTS AND PRINCIPLE OF ASSIGNMENT

5.1 In accordance with Section 157 of the CMA, no person shall intentionally use any part of the spectrum to provide a network service unless the person holds a Spectrum Assignment or an Apparatus Assignment (“AA”).

5.2 Table 1 below explained the spectrum requirements and principle of assignment for drive-in services.

Frequency Band	Maximum EIRP	Type of Assignment
100.0 MHz – 108.0MHz	5 Watt	AA

Table 1: Spectrum requirements and principle of assignment for drive-in services

5.3 For the use of the spectrum, the applicant needs to apply for AA from MCMC. The applicant is required to provide and submit the following:

- (a) A duly completed AA application form for broadcasting service together with AA application fee of RM60 (refer **Annexure 5**);
- (b) Topographical maps which clearly show the coverage boundary of the proposed service area.
- (c) Network diagram and set up of the transmission. Installation is limited to only one low power FM transmitter to cover the whole boundary of the proposed service area which is not exceeding 1km, example given in **Diagram 1** below;
- (d) Detailed specifications of equipment(s);
- (e) Duration of the event;
- (f) Written approvals and/or permit from relevant authorities/bodies for the drive-in services including but not limited to:
 - PDRM;

- MOH; and
- Local authorities.

- 5.4 MCMC reserves the right to decide on the suitable frequency, transmit power and any other technical parameters for the transmission.
- 5.5 The issuance of the AA is subject to availability of frequency at the proposed area as well as approvals from relevant authorities are obtained as stated in paragraph 5.3 (f) above.
- 5.6 Drive-in services provider shall ensure that the operation of devices and transmission parameters is in accordance with the AA issued by MCMC.

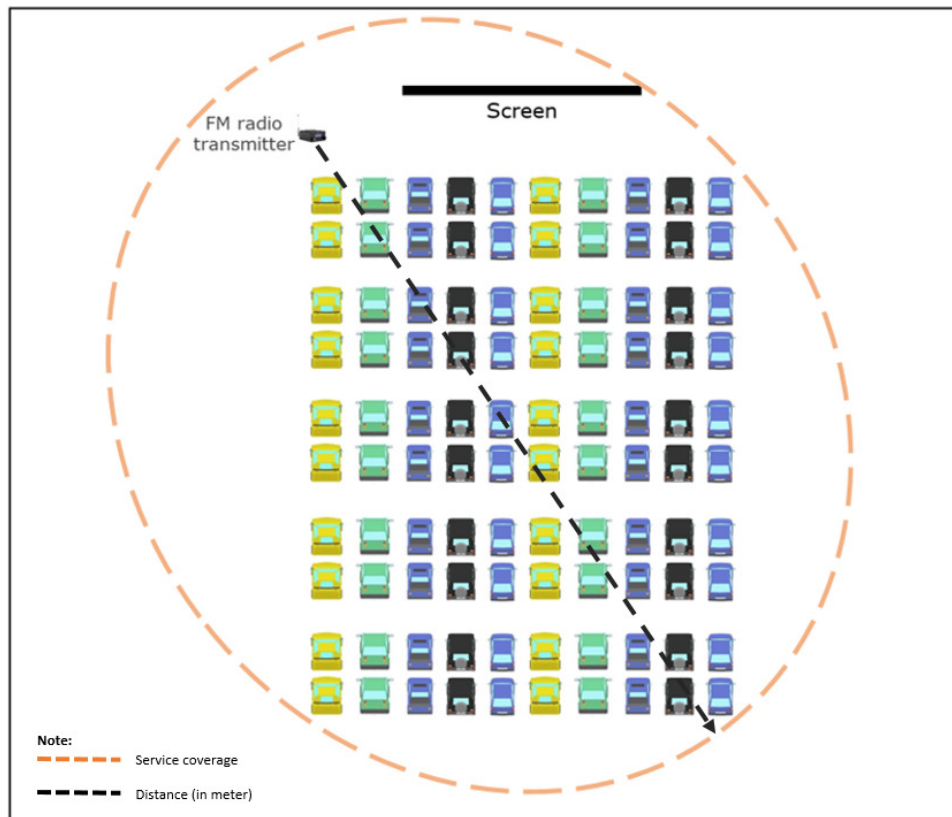


Diagram 1: Example of coverage service area within a bounded area

- 5.7 The use of the spectrum for the operation of low power FM transmitter for the drive-in services is on non-interference and non-protection basis to/from existing services. As such in the event of interference, the existing services shall take priority and drive-in service providers need to switch off its FM transmission immediately.
- 5.8 Please refer to the recent guidelines for AA issued by MCMC for detailed AA requirements and procedures from the following link.
<https://www.skmm.gov.my/ms/spectrum/assignment-of-spectrum/apparatus-assignment>

6.0 EQUIPMENT USED FOR DRIVE-IN SERVICES

- 6.1 All equipment used for drive-in services are required to be certified under the Communications and Multimedia (Technical Standards) Regulations 2000, by MCMC's registered certifying agency.
- 6.2 The drive-in services providers shall ensure that the installation of the equipment is in accordance with good engineering practice.

7.0 DRIVE-IN SERVICES LOGS AND AUDIO RECORDS

- 7.1 All drive-in services providers must maintain a log. Each log entry must include time and date of the service provided and name of person making the entry. The following information must be entered into the log:
- (a) Synopsis of the programmes; and
 - (b) Programme schedule.

- 7.2 The drive-in services providers must keep audio records of the programmes aired through the drive-in services for a minimum period of two (2) weeks.
- 7.3 The drive-in services providers shall allow MCMC to inspect the premises at any time during its operation. Copy of logs and audio records shall be made available to MCMC on request.

8.0 CONTENT REQUIREMENTS

- 8.1 The licensed drive-in services providers are subject to the following:
- (a) Shall comply with the General Consumer Code of Practice for the Communications and Multimedia Industry Malaysia and The Malaysian Communications and Multimedia Content Code registered under the CMA which are relevant to the activities of the Licensee;
 - (b) Shall not provide any content which directly propagates any religious beliefs other than Islam which has been approved by the Department of Islamic Development Malaysia of the Prime Minister's Department (Jabatan Kemajuan Islam Malaysia, Jabatan Perdana Menteri);
 - (c) Shall not provide any content which may upset the sensibilities and sentiment of any race or religion in this country;
 - (d) Shall not provide any content which contains cultural and moral values that are against the community aspirations of the nation; and
 - (e) Shall broadcast public service announcements as determined by the Minister.

9.0 APPLICATION

- 9.1 Interested parties are advised to refer to MCMC's website to obtain the latest version of the guidelines, forms and other relevant documents.
- 9.2 All applications are to be accompanied by duly completed forms as provided in these guidelines with all the relevant documents and submit to:

**Head
Licensing and Assignment Division
Malaysian Communications and Multimedia Commission
MCMC Tower 1, Jalan Impact, Cyber 6
63000 Cyberjaya, Selangor Darul Ehsan**

10.0 EFFECTIVE DATE AND REVISION

- 10.1 These Guidelines shall come into effect on 19 August 2020 and shall continue to be effective until modified, varied or revoked by the MCMC.

11.0 ENQUIRY

- 11.1 For any queries and further information related to these guidelines, please contact:

Licensing and Assignment Division
Malaysian Communications and Multimedia Commission
MCMC Tower 1, Jalan Impact, Cyber 6
63000 Cyberjaya, Selangor Darul Ehsan

Tel No : +60 3-8688 8000
Fax No : +60 3-8688 1002
Email : Licensing@mcmc.gov.my

ANNEXURE 1: REGISTRATION NOTICE FOR CLASS LICENCE

(https://www.mcmc.gov.my/skmmgovmy/files/attachments/Form_D.pdf)

THIRD SCHEDULE
(Subperaturan 25 (1)/Subregulations 25 (1))

BORANG D/FORM D

AKTA KOMUNIKASI DAN MULTIMEDIA 1998/
COMMUNICATIONS AND MULTIMEDIA ACT 1998

PERATURAN-PERATURAN KOMUNIKASI DAN MULTIMEDIA (PELESENAN)/
COMMUNICATIONS AND MULTIMEDIA (LICENSING) REGULATIONS 2000

NOTIS PENDAFTARAN UNTUK LESEN KELAS/
REGISTRATION NOTICE FOR CLASS LICENCE

ASAL
ORIGINAL

No. Siri:
Serial No.:

1. NO. LESEN KELAS
CLASS LICENCE NO.

- (a) lesen kemudahan rangkaian
network facilities licence
- (b) lesen perkhidmatan rangkaian
network service licence
- (c) lesen perkhidmatan aplikasi
applications service licence
- (d) lesen perkhidmatan aplikasi kandungan
content applications service licence

Tandakan (✓) lesen kelas yang dengannya pemohon berhasrat untuk menjalankan kendalian:

Tick (✓) the class licence the applicant wishes to operate under:

2.

(a) Nama Pemohon
Name of Applicant

(b) Kedudukan pemohon di sisi undang-undang
Legal status of applicant

- Syarikat/Company Persatuan/Society
 Perkongsian/Partnership Lain-lain/Others *
 Individu/Individual

*Sila nyatakan dan berikan butir-butir dalam lampiran
**Please specify and provide particulars in annex*

(c) Alamat / Address

No. Telefon <i>Telephone No.</i>	<input style="width: 95%; height: 15px;" type="text"/>
No. Faks <i>Fax No.</i>	<input style="width: 95%; height: 15px;" type="text"/>
Alamat e-mel <i>E-mail address</i>	<input style="width: 95%; height: 15px;" type="text"/>

3. Perihal an kemudahan/perkhidmatan/aktiviti yang akan dipunyai atau diberi atau dikendalikan oleh pemohon:
General description of facilities/service/activity to be owned or provided or operated by the applicant:

4. Kemudahan/perkhidmatan terletak/akan diberikan di (sila berikan pengenalpastian spt. Protokol internet/alamat laman web, jika terpakai):
The facilities/services are located/provided at (please provide on-line identification e.g. internet protocol/web site address, where applicable):

No. Telefon <i>Telephone No.</i>	<input style="width: 95%; height: 15px;" type="text"/>
No. Faks <i>Fax No.</i>	<input style="width: 95%; height: 15px;" type="text"/>
Alamat e-mel <i>E-mail address</i>	<input style="width: 95%; height: 15px;" type="text"/>

**Guidelines on the Use of Low Power FM Transmitter
for Drive-In Services
Issue 1 of 2020**

5. Saya/Kami, , pemohon,
dengan ini mengaku dan mengesahkan bahawa semua maklumat yang diberikan dalam
permohonan ini dan apa-apa lampiran yang dikepilkan adalah benar dan tepat.

*I/We, , the applicant,
declare and confirm that all the information given in this application and in the attached
annexes is true and accurate.*

Tarikh:

Date:

Tandatangan disini
Sign here

Ditandatangani oleh
Signed by

untuk dan bagi pihak
for and on behalf of

NOTA:

NOTE:

Jika ruang yang disediakan tidak mencukupi untuk memberikan butir-butir, sila kepilkan lampiran.
Setiap lampiran mestilah ditandatangani ringkas oleh orang yang menandatangani permohonan ini.
*If the space is insufficient to provide particulars, please attach annexes. Any annex should be
initialled by the signatory to this application.*



Borang ini boleh dimuat turun di www.skmm.gov.my

This form can be downloaded from www.skmm.gov.my

ANNEXURE 2: CHECKLIST FOR CLASS LICENCE APPLICATION

(<https://www.mcmc.gov.my/skmmgovmy/media/General/pdf/Checklist-for-Class-Licence-2018.pdf>)

CHECKLIST FOR CLASS LICENCE APPLICATION

To:
Head of Licensing Department
Licensing and Assignment Division
Malaysian Communications and Multimedia Commission

From :

Name :

Position :

Company :

I/We hereby submit the Registration Notice for a Class Licence under the Communications and Multimedia Act 1998, and confirm that the following documentation is submitted together with the duly completed form:

(Please tick in the boxes provided).

- 1) Registration Notice (Form D) – Two (2) copies.
- 2) Certified copies of relevant documents to verify the legal status of the applicant:
 - a) For companies - Form 9, Form 13, Form 24 or Latest Annual Return, Form 44, Form 49 and Memorandum and Articles of Association / Super Form (for companies incorporated under the Companies Act 2016).
 - b) For Enterprises / Partnerships / Individual(s) – copy of Identity Card ('I.C'), Companies Commission of Malaysia ('SSM') form, Registry of Societies of Malaysia ('ROS') form and any other documents which may be required by the Commission.
- 3) A cheque for the amount of RM2,500.00, made payable to **Suruhanjaya Komunikasi dan Multimedia Malaysia**.
- 4) Company profile (for companies/partnerships/societies).
- 5) Information on the facilities/services to be deployed:
 - a) Brief description of network (s)/service(s) /facilities and other necessary information (for example: (i) Messaging service or 'SMS' provisioning – explain what are the short code arrangements made and provide documentary evidence of such arrangements; (ii) Purchase of bandwidth – document to show a contract between the applicant and the relevant NSP (I) service provider).
 - b) Proposed operating procedures (for example: network topology, agreement with CNN/Vision Four for a CASP class licence application).
 - c) Any other relevant supporting documents (for example: stamped contractual agreement(s), offer letter(s), etc) as may be required by the Commission.
- 6) To affix a company stamp next to the signature of the applicant in Form D.

Signature:

Date:

**ANNEXURE 3: MINISTERIAL GUIDELINES ON CLASS LICENCES FOR
NETWORK FACILITIES (MINISTERIAL GUIDELINES NO.1 OF 2002)**

KEMENTERIAN TENAGA, KOMUNIKASI
DAN MULTIMEDIA, MALAYSIA
TINGKAT 1, WISMA DAMANSARA,
50668 KUALA LUMPUR



No. Telefon: 03-2553113
03-26942527
No. Faks : 03-2558954

MENTERI TENAGA, KOMUNIKASI DAN MULTIMEDIA, MALAYSIA
MINISTER OF ENERGY, COMMUNICATIONS AND MULTIMEDIA, MALAYSIA

COMMUNICATIONS AND MULTIMEDIA ACT 1998

MINISTERIAL GUIDELINES ON CLASS LICENCES FOR NETWORK FACILITIES

MINISTERIAL GUIDELINES NO. 1 of 2002

IN exercise of the powers conferred by regulation 28 of the Communications and Multimedia (Licensing) Regulations 2000 ("Regulations"), the Minister issues the following Guidelines:

Citation and Commencement

1. These Guidelines may be cited as the "Ministerial Guidelines on Class Licences for Network Facilities".
2. These Guidelines shall come into operation on [17th September 2002]

Introduction

3. These Guidelines have been prepared to explain the criteria for registration under a network facilities provider class licence and to clarify the meaning of "niche or limited purpose network facilities" for the purpose of administering the Act and the Regulations.

Criteria for Network Facilities Class Licence

4. In general, a network facility, which has minimal impact on the general public and the communications market, will fall under the meaning of "niche or limited" if it satisfies all the following criteria:

- (1) Specific or limited in coverage

The network facility is specific or limited in use or it is provided for a specified segment of the general public

(2) Degree of reliance by the general public on the network facility

The degree of reliance by the general public on the network facility should be low. In ascertaining the degree of reliance by the general public on the network facility, the following shall be considered:

- (a) The activity or activities for which the network facility is to be used rather than the capabilities of the network facility itself; and
- (b) The substitutability of the network facility by other network facility providers.

Generally facilities which are used for only specified purposes regardless of capability and are substitutable, would fall within a class licence.

(3) Degree or reliance on the network facility by other service providers in providing downstream activities

The term “downstream activities” refers to those activities that are dependent on the availability of the network facility for such activities to be provided.

The degree of reliance by other service providers on a network facility should be low. In ascertaining the degree of reliance by the other service providers the following shall be considered:

- (a) Whether the support provided to downstream activities is critical; or
- (b) Whether it is a bottleneck facility.

Generally where the support is not critical or there are available substitutes, the facilities would be considered as falling within a class licence.

5. A niche or limited network facility shall not be used to support network services, applications services or content applications services which fall within individual license activities.

Illustrations of Niche or Limited Purpose Network Facilities

6. As a further illustration, the following are examples of network facilities that would be niche or limited purpose:

- (1) Radiocommunications transmitters for public mobile radio network service

Public mobile radio network service is a public two-way radiocommunications system that provides a network connection service between the mobile radio access devices. The communications traffic may pass through any of the channel or group of channels selected automatically by the system or access device being served by fixed radio base stations.

- (2) Radiocommunications transmitters for public radio paging network service

Public radio paging network service is a public one-way or two-way radiocommunications system which provides a network service delivering paging messages to mobile radio paging access devices being served by fixed radio paging base stations.

- (3) Radiocommunication transmitters and links for broadband point-to-point and point-to-multipoint wireless Internet network service.

Wireless broadband point-to-point and point-to-multipoint network service is a public radiocommunications system which provides a network connection service between a fixed radiocommunications devices or point communicating with one or many fixed radiocommunications devices or points.

- (4) Radiocommunications transmitters and links for public wireless video communications network.

Public wireless video communications network service is a public radiocommunications system which provides a network service for the carriage and distribution of video between video programme source and receivers.

- (5) Radiocommunications transmitters and links for public wireless data network service.

Wireless data network service is a public radiocommunications system which provides a network service between the mobile radio data access devices in which the data communications traffic between them are being served by fixed radio base stations.

- (6) Network of broadband access switches or multiplexers and fixed links and cables offered for the sole purpose of end users in a building or a single clustered building complex.

Amendments

7. The Minister may from time to time amend these guidelines on the recommendation of the Commission.

Issued : 17 September 2002

KTKM:BKM (S)23/494/10(1)



DATUK AMAR LEO MOGGIE

Minister of Energy, Communications and Multimedia

MINISTERIAL GUIDELINES ON CLASS LICENCES FOR NETWORK SERVICE (MINISTERIAL GUIDELINES NO.2 OF 2002)

KEMENTERIAN TENAGA, KOMUNIKASI
DAN MULTIMEDIA, MALAYSIA
TINGKAT 1, WISMA DAMANSARA,
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MENTERI TENAGA, KOMUNIKASI DAN MULTIMEDIA, MALAYSIA
MINISTER OF ENERGY, COMMUNICATIONS AND MULTIMEDIA, MALAYSIA

COMMUNICATIONS AND MULTIMEDIA ACT 1998

MINISTERIAL GUIDELINES ON CLASS LICENCES FOR NETWORK SERVICES

MINISTERIAL GUIDELINES NO. 2 of 2002

IN exercise of the powers conferred by regulation 29 of the Communications and Multimedia (Licensing) Regulations 2000 ("Regulations"), the Minister issues the following Guidelines:

Citation and Commencement

1. These Guidelines may be cited as the "Ministerial Guidelines on Class Licences for Network Services".
2. These Guidelines shall come into operation on [17th September 2002]

Introduction

3. These Guidelines have been prepared to explain the criteria for registration under a network services provider class licence and to clarify the meaning of "niche customer access services" and "niche connection service" for the purposes of administering the Act and the Regulations.
4. Customer access service refers to services that enable a customer to access an applications service provided over a network.
5. Connection service refers to services that provide any-to-any connectivity between networks thus enabling the end users to communicate with each other despite being directly connected to different networks.

Criteria for Network Service Class Licence

6. In general, a network service, which has minimal impact on the general public and the communications market, will fall under the meaning of “niche” if it satisfies all the following criteria:

(a) Retail network service activity

The focus of the network service activity is on retailing to end users. Provision of network services to other service providers shall not be classified as niche.

(b) Service is provided to a limited number of persons to meet special requirements

The network service shall be provided to a limited number of persons to meet special requirements. Examples include availability of a network service for tourists to particular area or a particular business operation. Factors which may be relevant in determining whether a network service is provided to limited number of persons to meet special requirements are as follows:

(I) Special requirements may be identifiable by specialised applications or apparatus to access the network service; and

(II) Limited number of persons must be a group whose members identify themselves as members of that group by virtue of shared or common interests or requirements and does not include groups which are formed arbitrarily or solely for the purpose of using the service.

(c) Specific and limited purpose

A network service must be provided for a specific and limited purpose, and/ may be for a specific duration for which the network service is required. Examples include use of network services for special events such as coverage of sporting or cultural events and festivals.

(d) Degree or reliance by the general public on the network service

The degree of reliance by the general public on the network service should be low. In ascertaining the degree of reliance by the general public on the network service, the following shall be considered:

- (I) The activity or activities for which the network service is to be used rather than the capabilities of the network service itself; and
- (II) The substitutability of the network service by other network service providers.

Generally where the actual activity is restricted regardless of capability and the network service is substitutable, the activity would fall within a class license

- 7. A niche customer access service and niche connection service cannot be used to support applications services or content applications services which fall within individual licence activities.

8. **Illustrations of Niche Customer Access or Niche Connection Services**

As a further illustration, the following are examples of network services that would be niche :

- (1) Public mobile radio network service

Public mobile radio network service is a public two-way radiocommunications system which provides a network connection service between the mobile radio access devices. The communications traffic may pass through any of the channel or group of channels selected automatically by the system or access device being served by fixed radio base stations.

- (2) One or two way radio paging network service

Public radio paging network service is a public one-way or two-way radiocommunications system which provides a network service delivering paging messages to mobile radio paging access devices being served by fixed radio paging base stations.

- (3) Broadband point-to-point and point-to-multipoint wireless internet network service for purposes of connecting end users to the Internet Access Service Provider

Wireless broadband point-to-point and point-to-multipoint network service is a public radiocommunications system which provides a network connection service between a fixed radiocommunications service device or point communicating with one or many fixed radiocommunications devices or points.

- (4) Wired/Wireless video communications network for carrying video for purposes of monitoring, teaching, supervision, occasional events and surveillance information

Public wireless video communications network service is a public radiocommunications system which provides a network service for the carriage and distribution of video between video programme source and receivers.

- (5) Terrestrial wireless fixed/mobile data network service for the specific purposes of messaging, surveillance, ticketing, or inventory management

Wireless data network service is a public radiocommunications system which provides a network service between the mobile radio data access devices in which the data communications traffic between them are being served by fixed radio base stations.

- (6) Broadband network customer access service offered for the sole purpose of connecting end users in a building or a single clustered building complex to the Internet Access Service Provider

9. Amendments

The Minister may from time to time amend these guidelines on the recommendation of the Commission.

Issued : 17 September 2002

KTKM : BKM (S) 23/494/10 (2)


DATUK AMAR LEO MOGGIE

Minister of Energy, Communications and Multimedia

ANNEXURE 4: MINISTERIAL DETERMINATION ON THE GUIDELINES ON LIMITED CONTENT APPLICATION SERVICE (MINISTERIAL DETERMINATION NO.4 OF 2003)

KEMENTERIAN TENAGA, KOMUNIKASI
DAN MULTIMEDIA, MALAYSIA
TINGKAT 1, WISMA DAMANSARA
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MENTERI TENAGA, KOMUNIKASI DAN MULTIMEDIA, MALAYSIA
MINISTER OF ENERGY, COMMUNICATIONS AND MULTIMEDIA

COMMUNICATIONS AND MULTIMEDIA ACT 1998

MINISTERIAL DETERMINATION ON THE GUIDELINES ON LIMITED CONTENT APPLICATIONS SERVICE

DETERMINATION No. 4 of 2003

IN exercise of the powers conferred by section 10 and subsection 209(3) of the Communications and Multimedia Act 1998 [the Act], the Minister makes the following determination:

CITATION AND COMMENCEMENT

1. This determination may be cited as "Ministerial Determination on The Guidelines on Limited Content Applications Service 2003" and shall come into operation on the date of registration of this Determination.

INTERPRETATION

2. Unless the context otherwise requires any term used in this determination shall have the same meaning as that contained in the Act, including subsidiary legislation and statutory instruments made under it.

DEFINITION OF "LIMITED CONTENT APPLICATIONS SERVICE"

3. Section 6 of the Act defines "limited content application service" as a content applications service the appeal of which is limited because of:-

- (a) it being targeted to a special interest group;
- (b) it being available in a restricted geographical area;
- (c) it is available for a short time;
- (d) it being based on content of limited appeal; or
- (e) reasons set out in a Ministerial Determination made under section 10 of the Act.

CLARIFICATION OF CRITERIA FOR LIMITED CONTENT

4. Targeted to a special interest group

- (a) Content that is targeted to special interest groups must be relevant to the specific requirements of the group. "Special interest groups" must be differentiated from general interest groups based on similarities such as sex, race, religion, ethnicity or occupation. A special interest group may also be identifiable by membership of a sporting, cultural, or professional association, club or organization or a common need or requirement such as that of students in a school or university.
- (b) The term special interest group does not include groups that are formed arbitrarily. For example, it does not include groups such as the aged unless the service in question addresses interests or tastes that are common to all or most aged people. Similarly the term does not cover general groups such as youths, farmers or tourists who happen to be in the country or at a particular public place unless they consciously share some common lawful purpose. Content that is of a general nature or content that can be of interest to many groups cannot be limited content.
- (c) The test for a service that is targeted to a special interest group is whether the content sufficiently addresses a specific need or requirement of the targeted group to prevent it from being either pervasive or influential. Consideration of the target audience or users, including its size will therefore be of particular importance in deciding whether the service is indeed of limited appeal or whether it possesses the pervasiveness which requires a more interventionist form of regulation. Accessibility issues will also be relevant where the restricted availability of a service limits its appeal

5. Available in a restricted geographical area

- (a) A content applications service may be restricted to a geographical area so that only those who are within that area have access to it. Examples of such services are networked content applications services in hotels, highway rest areas, buildings, trains, airport, rail and bus terminals.

- (b) Where the service is transmitted by wireless means, these services will generally be low powered services which can be received only within the perimeter of the intended service area. Where the service is delivered by wired means, these services will generally be available on a small network or a subset of a small network.
- (c) Apart from the geographical area covered, it will also be necessary to consider the number of people or premises which have access to the service. For this reason, a service in an urban area with a high population density will need to cover a smaller area than a comparable service in a rural area to be considered a "limited" service.
- (d) Thus the test for a service that is restricted to a geographical area will cover both whether it can only be accessed in the designated area or areas as well as the features of the designated areas in terms of population and reach.

6. Available for a short time

- (a) A service may be provided for a short period of time, generally to cater for social, cultural or sporting events. Such a service will be "one-off in nature.
- (b) In contrast, a service which is available for a substantial part of the day, week or year and is expected to be available indefinitely, would not be considered "limited" by virtue of this criterion.

7. Content of Limited Appeal

- (a) A service may be of limited appeal by virtue of the content provided. Factors that may be relevant to the appeal of the content may include the level of public interest in the content, the social or cultural relevance of the content, and whether the content is specialized to a small audience or group of users.
- (b) The level of public interest in a content applications service of limited appeal may be small due to the specialized nature of the content provided and its relevance to only small sections of the population.
- (c) The test for a service of limited appeal is whether the content provided is sufficiently specialized or narrow in scope so as to

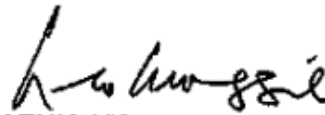
appeal to only small sections of the population i.e. it would lack pervasiveness or influence by its very nature.

AMENDMENTS

8. This determination may be amended from time to time in accordance with the provisions of the Act.

Made: 17 July 2003

[KTKM(S) 110/186/2-19(15)



DATUK AMAR LEO MOGGIE
Minister of Energy, Communications and Multimedia

ANNEXURE 5: APPARATUS ASSIGNMENT REGISTRATION FORM

(https://www.mcmc.gov.my/skmmgovmy/media/General/pdf/Form-BROADCASTING-SERVICE_v2018_ISO-update.pdf)

RSAD/AAP-F06



Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission
MCMC Tower 1, Jalan Impact, Cyber 6
63000 Cyberjaya, Selangor Darul Ehsan
Tel: 6 03-86888000 Fax: 6 03-86881000 <http://www.mcmc.gov.my>

**APPLICATION FOR APPARATUS ASSIGNMENT(S)
(BROADCASTING SERVICE)**

<input type="checkbox"/> New apparatus	<input type="checkbox"/> Type of apparatus (Please refer to instructions):					Application Fee RM60 per application
<input type="checkbox"/> Existing apparatus	Client ID no.:	Assignment no.(s):	Call sign:			

To be used when applying for broadcasting service apparatus assignment (s)

1. CLIENT INFORMATION						
Organisation name:						
Applicant name:						
Business / Residential address:						
Town / State:				Postal code:		
Billing address: (if different from above)				Postal code:		
Telephone (office/home):	Fax:			E-mail:		
Contact person:				Company / Business reg. no.:		
Nature of business:				IC no.:		
2. APPLICATION INFORMATION						
Proposed use of system / System description:						
3. GEOGRAPHIC AREA INFORMATION						
Location name:						
Site address:						
Town / State:				Postal code:		
Apparatus name:						
Latitude (°N):	__° __' __"	Longitude (°E):	__° __' __"			
Ground elevation: <i>(metres above mean sea level)</i>						
Structure height (m):						
Building height (m):						
Transportable:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Radius of operation (km):			
4. FREQUENCY INFORMATION						
Desired transmit frequency (MHz):			Desired receive frequency (MHz):			
Bandwidth (MHz):			Emission:			
5. COVERAGE INFORMATION						
Center of coverage area:	Latitude (°N):	__° __' __"	Longitude (°E):	__° __' __"		
Radius (km):						
<i>Note: Please attach coverage area map.</i>						

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6. ANTENNA INFORMATION					
Manufacturer and model:					
Antenna gain (dB):		Polarization (vertical, horizontal etc):			
Azimuth of main beam (0°-omni, 360°- directional north):					
Elevation angle (°):		Height above ground (m):			
Antenna displacement (m): <i>For antenna farm only</i>		Latitude (°N):		Longitude (°E):	
		__° __' __"		__° __' __"	
7. APPARATUS INFORMATION					
Manufacturer (Transmitter):		Model (Transmitter) / Serial no.:			
Manufacturer (Receiver):		Model (Receiver) / Serial no.:			
Transmitter power (watts):		Type approval no.:			
Transmission line length (m)		Line type (RG8, RG213 etc):			
8. FILTER INFORMATION					
Manufacturer/Model:					
Insertion loss (dB):		Tuned frequency (MHz):			
Manufacturer/Model:					
Insertion loss (dB):		Tuned frequency (MHz):			
<i>Note: If necessary, please attach Technical Specifications & Brochure for items 6 (antenna pattern), 7 and 8 together with the form.</i>					

9. DO YOU HAVE A LICENCE / ASSIGNMENT UNDER THE COMMUNICATIONS AND MULTIMEDIA ACT 1998? IF SO, PLEASE PROVIDE DETAILS OR A COPY OF YOUR LICENCE / ASSIGNMENT.

--

10. PLEASE STATE THE REQUIRED VALIDITY DATE AND PERIOD.

Date:	Date assignment is issued OR
	Date required _____ (Please state the date)
Period (from 3 months to 1 year):	

11. I CERTIFY THAT THE STATEMENTS MADE IN THIS APPLICATION ARE COMPLETE AND CORRECT TO THE BEST OF MY KNOWLEDGE, THE APPARATUS IS TYPE APPROVED FOR USE IN MALAYSIA AND IT WILL BE USED ONLY FOR THE PURPOSES AUTHORIZED BY THE MINISTER OF COMMUNICATIONS AND MULTIMEDIA MALAYSIA.

Signature:		Date:	
Name of signatory:		I.C. no.:	
Business / Company stamp:			

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FOR MCMC USE ONLY

Fee paid:	
Cheque or Bank in slip no.:	
Receipt no. / date:	
Spectrum Plan checked:	