



Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission

REPORT ON

ENGAGEMENT AND MARKET SURVEILLANCE
PROGRAMME 2022

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INTRODUCTION

In ensuring the safety of the general public and protecting the network facilities and other equipment, all communications equipment are required to be certified in accordance with the Communications and Multimedia (Technical Standards) Regulations 2000 before the equipment can be placed on the market. The certification is performed based on the technical codes published by the Malaysian Communications and Multimedia Commission ("MCMC"), which cover the requirements of safety, radio frequency, electromagnetic compatibility and interoperability.

MCMC has conducted regular Market Surveillance programme to promote compliance and monitor the communications equipment in the market. Market Surveillance programme would assist MCMC as the regulatory authority for communications equipment and SIRIM QAS International (SIRIM) as the registered certifying agency in ensuring the communications equipment available in the market complied with the relevant specifications and technical regulations. It would also benefit manufacturers and distributors, as it is in their interest to have a level playing field, without unfair competition from those that do not adhere to existing rules and regulations on product safety, radio frequency, electromagnetic compatibility and interoperability. This report presents the Market Surveillance Programme for 2022.

OBJECTIVE

The main objectives of Engagement and Market Surveillance Programme 2022 are as follows:

- a) To discuss and promote better understanding on the structure of the MCMC's regulation, SIRIM's certification and approval process

of communications equipment with the identified organisations, associations and online platforms in Malaysia.

- b) To check and ensure Customer Premises Equipment (CPE) placed in the market are in conformity with the specified requirements and are safe for usage.

ENGAGEMENT PROGRAMME

The objectives of engagement programme were to heighten awareness among the identified organisations and associations regarding the MCMC's regulatory framework and SIRIM's certification and importation process for communications equipment to reduce the recurrence of non-compliances in the market. The program also aimed to establish collaboration with the industry players to ensure they were committed to complying with the regulatory requirements for communications equipment.

The targeted participants for the 2022 engagement were the members of Malaysia Medical Device Association ("**MMDA**"), Go Shop and Wow Shop, members of Electrical and Electronics Association of Malaysia ("**TEEAM**"), Malaysian Electrical Appliances Distributors Association ("**MEADA**"), Malaysian Air-Conditioning & Refrigeration Association ("**MACRA**"), Lembaga Lebuhraya Malaysia ("**LLM**"), and IT Mall Management and Tenants in the northern region of Malaysia. The total number of the participants are tabulated in **Table 1** below:

Table 1: Summary of the number of participants

| No. | Identified Associations and Online Platform | Date | Participants |
|------------|---|-------------------|---------------------|
| 1. | Malaysia Medical Devices Association (MMDA) | 26 May 2022 | 86 |
| 2. | Wow Shop and Go Shop | 19 July 2022 | 15 |
| 3. | The Electrical and Electronics Association of Malaysia (TEEAM), Malaysian Air-Conditioning & Refrigeration Association (MACRA) and Malaysian Electrical Appliances Distributors Association (MEADA) | 30 August 2022 | 68 |
| 4. | Lembaga Lebuhraya Malaysia (LLM) | 26 September 2022 | 56 |
| 5. | IT Mall Management & Tenants (State Level - Northern) | 23 November 2022 | 52 |
| | | Total | 277 |

MARKET SURVEILLANCE PROGRAMME 2022

Sampling Plan

The samples were purchased randomly at local physical stores and online platforms such as Lazada, Shopee, Wow Shop and Go Shop based on predetermined product categories. For online platforms, the purchase of the samples were focused on local sellers with high number of followers based on official stores, flagship stores and chain stores.

A total of 72 samples from 60 models covering 15 product categories were purchased during the exercise. Details of the sampling plan can be found in **Annex 1**.

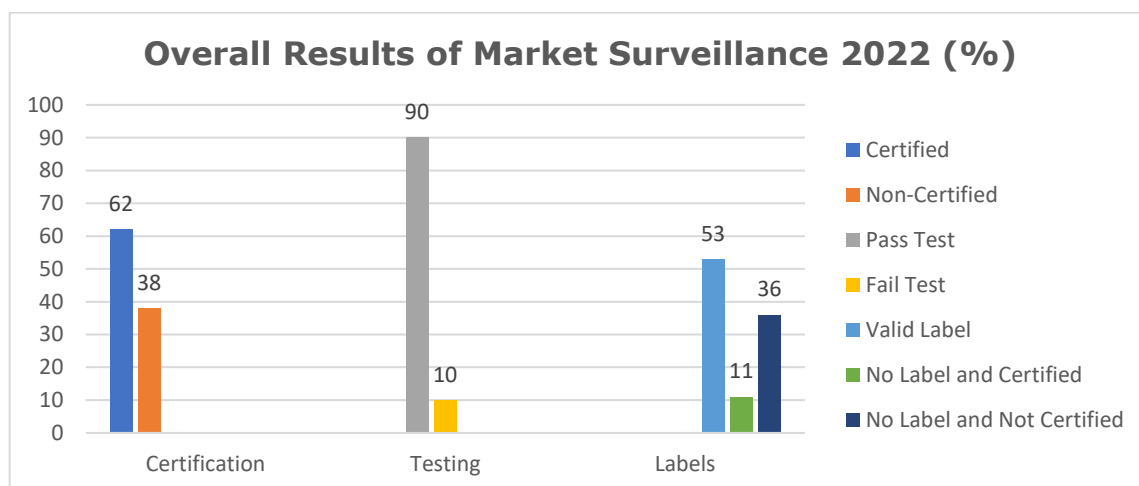
Evaluation Criteria

The samples were evaluated to determine the compliance to the requirements enforced by MCMC with respect to the following:

- a) The certification status of the models;
- b) The results of laboratory testing covering the Radio Frequency (RF), Electromagnetic Compatibility (EMC) and Safety for the pre-identified critical parameters of the relevant standards; and
- c) Labelling status of the samples purchased.

Findings

The overall results for the certification, lab testing and labelling are depicted in **Figure 1** below:



| | Certified | Non-Certified | Pass Test | Fail Test | Valid Label | No Label and Certified | No Label and Not Certified |
|----------------------|-----------------|-----------------|-----------------|----------------|-----------------|------------------------|----------------------------|
| Certification | 37 (62%) | 23 (38%) | - | - | - | - | - |
| Testing | - | - | 54 (90%) | 6 (10%) | - | - | - |
| Labels | - | - | - | - | 38 (53%) | 8 (11%) | 26 (36%) |

Notes:

The certification and testing results are calculated according to the models (60) of the products, while the labelling is calculated according to the individual samples (76)

Figure 1: Overall Results of Market Surveillance 2022

The overall trend for the certification, lab testing and labelling for all market surveillance results since 2012 are depicted in **Figure 2** below:

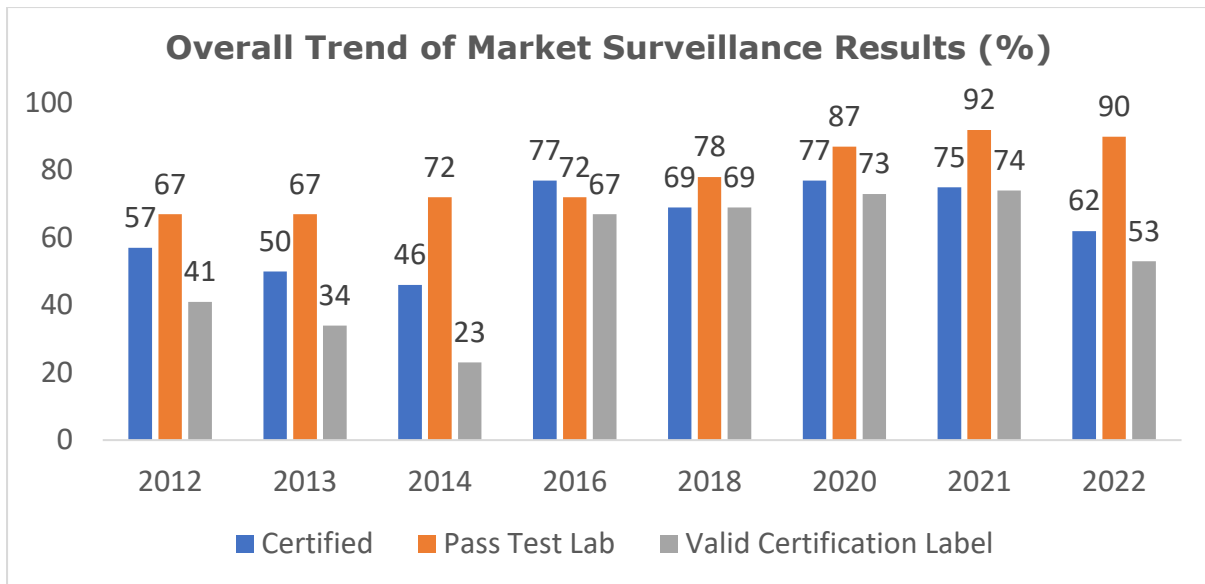


Figure 2: Overall trend of Market Surveillance results (2012 -2022)

The certification and labelling results were slightly lower in 2022. This were due to the number of samples were equally divided between physical stores and online platforms. The trend was also contributed by the low percentage of certification status and labelling status on online platforms compared to the physical stores. Details are depicted in **Figure 3** to **Figure 5** below:

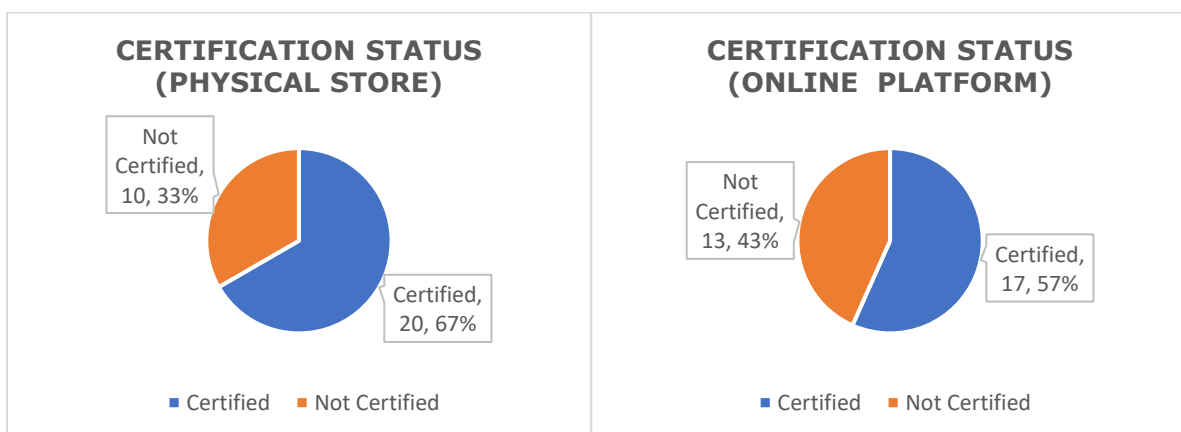


Figure 3: Certification Status for Physical Store and Online Platform

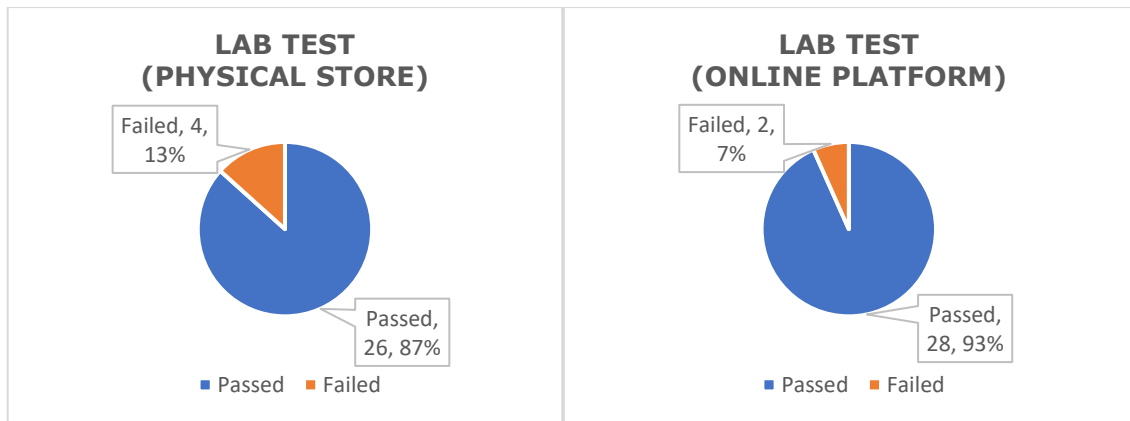


Figure 4: Lab Test Result for Physical Store and Online Platform

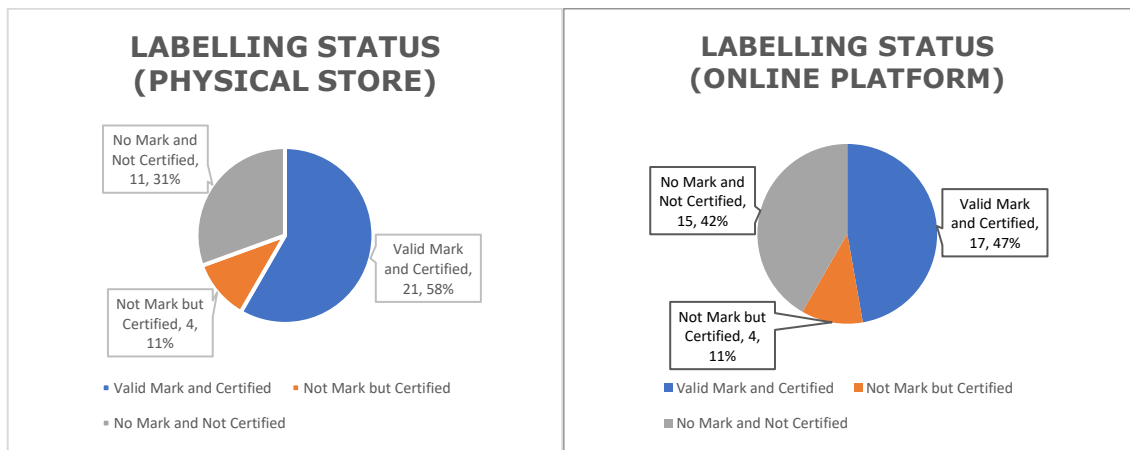


Figure 5: Labelling Status for Physical Store and Online Platform

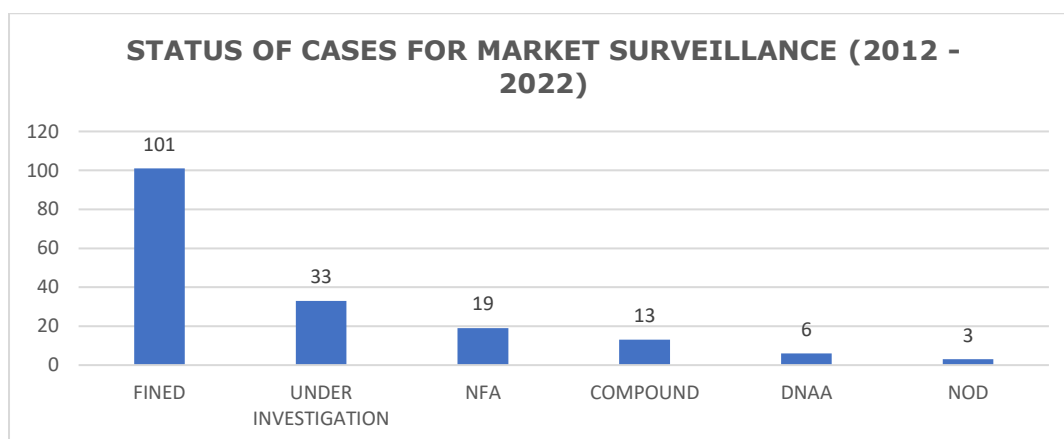
Action Against Non-Compliances

Actions against non-compliances for market surveillance in 2022 have been pursued, and they are divided into two (2) categories as follows:

| No. | Categories | Actions |
|-----|--|--|
| 1. | Non-compliances involving certified products | Corrective and preventive actions against the certificate holders: <ul style="list-style-type: none"> 9 cases for Phase 1 |

| No. | Categories | Actions |
|-----|--|---|
| | | <ul style="list-style-type: none"> 9 cases for Phase 2 |
| 2. | Non-compliances involving non-certified products | Issuance of FIRs for legal actions against the suppliers: <ul style="list-style-type: none"> 9 cases for Phase 1 14 cases for Phase 2 |

Based on the total cases that were pursued for legal actions under market surveillance programme since 2012 as depicted in **Figure 5** below, the top three (3) actions taken were; (1) 101 or 57.7% of the cases were fined, (2) 33 or 18.9% of the cases are still under investigation and (3) 19 or 10.9% were under No Further Action (NFA).



Notes:

DNAA stands for Discharge Not Amounting to Acquittal

NFA: No Further Action

NOD: No Offence Disclosed

Figure 5: Status of Cases for Market Surveillance (2012 - 2022)

CONCLUSION

Market Surveillance programme findings give useful information on the compliance of communications equipment available on the market and aid MCMC in the identification of areas for improvement in order to minimise the percentage of non-compliances.

When purchasing communications equipment, consumers should always be careful and ensure that the communications equipment are certified and have the MCMC label. In the event of being unsure, the public is encouraged to use the Check Your Label smartphone application to confirm the label's legitimacy.

For more information, visit <https://cyl.mcmc.gov.my>.

Annex 1

SAMPLING PLAN MARKET SURVEILLANCE 2022

| No. | Product Categories | No. of Models | April to June | | | | | July to Sept | | | | |
|-----|---------------------------------|---------------|-----------------|----------------|----------------|-----------|----------|----------------|-----------------|--------------|-----------|----------|
| | | | Phase 1 | | | | | Phase 2 | | | | |
| | | | Northern Region | Central Region | Sarawak Region | Lazada | Go Shop | Eastern Region | Southern Region | Sabah Region | Shopee | Wow Shop |
| | Cellular | | | | | | | | | | | |
| 1 | Smartphone | 4 | 1(2) | | | | | 1(2) | | | | 1(2) |
| | Hybrid | | | | | | | | | | | |
| 2 | a) Digital TV | 4 | 1 | | | | | 1 | 1 | | | 1 |
| 3 | b) Hybrid Camera | 4 | | | 1 | 1 | | | | 1 | 1 | |
| 4 | c) Hybrid Lamp | 4 | | 1 | | 1 | | | 1 | | 1 | |
| 5 | d) Smart Switch | 4 | 1 | | | 1 | | 1 | | | 1 | |
| 6 | e) Hybrid Vacuum | 4 | | | 1 | | 1 | | | 1 | 1 | |
| 7 | f) Smart Door Lock | 4 | | 1 | | 1 | | | 1 | | 1 | |
| 8 | g) Drone | 4 | | 1 | | 1 | | | 1 | | 1 | |
| 9 | h) Wireless Media Player | 4 | 1 | | | 1 | | 1 | | | 1 | |
| | Computer | | | | | | | | | | | |
| 10 | Tablet | 4 | | | 1(2) | | | 1(2) | | 1(2) | | 1(2) |
| | Mobile Radio | | | | | | | | | | | |
| 11 | Walkie-Talkie (FRS) | 4 | 1(2) | | | 1(2) | | 1(2) | | | 1(2) | |
| | Short Range Device (SRD) | | | | | | | | | | | |
| 12 | a) Router | 4 | | | 1 | 1 | | | | 1 | 1 | |
| 13 | b) RFID | 4 | | 1 | | 1 | | | 1 | | 1 | |
| 14 | c) Wireless Microphone | 4 | | | 1 | 1 | | | | 1 | 1 | |
| 15 | d) Wireless Speaker | 4 | | 1 | | | | 1 | 1 | | | 1 |
| | TOTAL | 60 | 5 | 5 | 5 | 10 | 5 | 5 | 5 | 5 | 11 | 4 |

*The total number of samples are 72.