Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission

GUIDELINES FOR APPARATUS ASSIGNMENT

(MCMC/G/01/20)

These guidelines ("**Guidelines**") are issued pursuant to paragraph 21(2)(b) of the Communications and Multimedia (Spectrum) Regulations 2000, to give guidance to interested parties and the general public. These Guidelines shall supersede the previous Guideline for Apparatus Assignment (SKMM/G/01/09) published on 20 November 2012. The information contained in these Guidelines may be subject to changes.

Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission
MCMC Tower 1, Jalan Impact, Cyber 6, 63000 Cyberjaya, Selangor Darul Ehsan
Tel: +60 3 86 88 80 00 Fax: +60 3 86 88 10 00
www.mcmc.gov.my

Table of Contents

1.0 ABBREVIATIONS

AA	:	Apparatus Assignment
AIS	:	Automatic Identification System
CMA 1998	:	Communications and Multimedia Act 1998
CCTV	:	Closed Circuit TV
DSNG	:	Digital Satellite News Gathering
DME	:	Distance Measuring Equipment
DVOR	:	Doppler Very High Frequency Omni Range
EESS	:	Earth Exploration-Satellite Service
EPIRB	:	Emergency Position-Indicating Radio Beacon
FS	:	Fixed Service
FWA	:	Fixed Wireless Access
FWS	:	Fixed Wireless System
GHz	:	Gigahertz
HF	:	High frequency
ICAO	:	International Civil Aviation Organization
ILS	:	Instrument Landing System
ITU	:	International Telecommunication Union
ITU-R	:	ITU Radiocommunication Sector
MHz	:	Megahertz
MIFR	:	Master International Frequency Register
METSAT	:	Meteorological satellite
MLAT	:	Multilateration
MS	:	Mobile Service
NFP (I)	:	Network Facilities Provider (Individual)
RF	:	Radio Frequency
THz	:	Terahertz
Commission	:	Malaysian Communications and Multimedia Commission
UHF	:	Ultra High Frequency
VHF	:	Very High Frequency
VSAT	:	Very Small Aperture Terminal

2.0 INTRODUCTION

Pursuant to section 157 of the CMA 1998, no person shall intentionally use any part of the spectrum[1] to provide a network service unless–

a) the person holds a spectrum assignment;
b) the person holds an apparatus assignment; or
c) the use of the spectrum is subject to class assignment issued by the Commission.

Penalty for contravening this section is a fine not exceeding Ringgit Malaysia Five Hundred Thousand (RM500,000) or imprisonment for a term not exceeding five (5) years or both.

All assignments must be consistent with the Spectrum Plan. The Spectrum Plan outlines the spectrum in Malaysia into a number of frequency bands and specifies the purposes for which the bands may be used. This process is referred to as the allocation of frequency bands to radiocommunication services.

The purpose of an assignment is to confer the right to a person to use spectrum (frequencies up to 420 THz). It also serves as a mean to manage the efficient use of spectrum.

There are three (3) types of assignments namely, spectrum assignment, apparatus assignment and class assignment:

a) Spectrum assignment

- A spectrum assignment confers the right on a person to use one or more specified frequency bands for any purpose consistent with the assignment conditions. This allows the assignment holder to use the assigned spectrum with technology requirements as stipulated in the assignment conditions.
- In addition to the standard conditions imposed under regulation 10 of the Communications and Multimedia (Spectrum) Regulations 2000 ("Spectrum Regulations"), the Commission may impose other condition(s) as stipulated in regulation 15 of the Spectrum Regulations.
- A spectrum assignment issued by the Commission shall be valid for a maximum period of twenty (20) years or such lesser period as may be specified in the spectrum assignment.

[1] Spectrum: Continuous range of electromagnetic wave frequencies up to and including a frequency of 420 THz
Source: CMA 1998

b) Apparatus assignment

- An apparatus assignment confers rights on a person to use spectrum to operate a network facility of a specified kind at a specified frequency or in any specified frequency band or bands.
- In addition to the conditions imposed under regulation 10 of the Spectrum Regulations, the Commission may impose other condition(s) as stipulated in regulation 22 of the Spectrum Regulations.
- The apparatus assignment, when issued is valid for a maximum period of five (5) years or a lesser period as may be specified in the apparatus assignment.
- Except for aircraft, amateur radio and ship stations, continuous use of apparatus assignment is subject to annual re-application as explained in **subsection 7.1.4** of these Guidelines.

c) Class assignment

- A class assignment confers rights on any person to use the frequency(ies) for a list of devices and no fee shall be payable. The usage of devices which have been listed in the class assignment issued under section 169 of the CMA 1998 are governed by, including but not limited to, the type of devices, emission power limit and frequency bands.
- The class assignment is reviewed periodically by the Commission. The devices which have been issued with class assignment are required to be certified by the Commission or its registered certifying agency.
- In principle, the use of such device is on a shared non-exclusive basis and shall not be afforded protection from any interference.
- A class assignment is valid until it is cancelled by the Commission.

2.1 Apparatus Assignment

In the Spectrum Regulations, apparatus assignment has been interpreted as:

"Apparatus" includes-

a) any transmitter or receiver or a combination of both including any accessory equipment;
b) any other device or equipment which either alone or together with one or more other devices or equipment is capable of

interfering with or being subject to interference by electromagnetic radiation; or

c) any device which can be used for the purposes of radiocommunications-based network facilities, network services or applications services.

An apparatus assignment authorises a person to use one or more specified frequency bands to operate an apparatus of a specified kind or for a specified purpose. The conditions that may be imposed on an apparatus assignment include the standard and additional conditions that apply to all types of apparatus assignments. The conditions for an apparatus assignment are set out in regulations 10 and 22 of the Spectrum Regulations.

Regulation 20 of the Spectrum Regulations states that no person shall use or operate any apparatus which is of the type specified in the First Schedule of the Spectrum Regulations except with an apparatus assignment being duly assigned by the Commission.

While the Commission may grant an apparatus assignment to a person, the apparatus assignment holder does not have a monopoly to use the frequency or a right of continued tenure in respect of the frequency.

The fees that are applicable to an apparatus assignment comprise of fixed and variable fees. The fixed fees are determined by the type of apparatus, and are depicted in Table A of the First Schedule of the Spectrum Regulations. The variable fees are depicted in Table B in the same Regulations, and are based on the size of bandwidth used. An application fee of RM60.00 per application is imposed as prescribed under the Second Schedule of the Spectrum Regulations.

3.0 TYPES OF APPARATUS ASSIGNMENT

Apparatus assignments are divided according to the nature of service as provided in the Spectrum Plan.

There are six (6) types of services defined under the Spectrum Regulations, as follows:

a) Fixed

Fixed Service means a radiocommunications service between specified fixed points. Example of stations under this service are line-of-sight fixed wireless systems (microwave) and earth station.

Below are the types of apparatus that fall under this category:

No	Type of Apparatus
1	Earth Station (less than 2.4 metre)
2	Earth Station (2.4 metre and above)
3	Land Station (less than 30 MHz)
4	Land Station (30 MHz up to 3 GHz)
5	Land Station (more than 3 GHz)
6	Experimental Station
7	Press Receiving Station
8	Fixed Station

Table 1

To apply for an apparatus assignment under this category, an applicant has to fill in the Application for Apparatus Assignment(s) Fixed Service or Fixed Service: Earth Station forms, as shown in **APPENDIX A** and **APPENDIX B** of these Guidelines respectively.

b) Radiodetermination

Radiodetermination Service means a radiocommunications service for the purpose of radiodetermination. Example of stations under this category are radar and beacon systems.

Below are the types of apparatus that fall under this category:

No	Type of Apparatus
1	Radiolocation Station
2	Radionavigation Station
3	Radiodetermination Station

Table 2

To apply for an apparatus assignment under this category, an applicant has to fill in the Application for Apparatus Assignment(s) Radiodetermination Service form, as shown in **APPENDIX C** of these Guidelines.

c) Space

Space Service means a radiocommunications service using a space station or any other stations located beyond, or intended to go beyond, or which has been beyond, the major portion of the earth's atmosphere. Examples of this service include telecommunications satellite and broadcasting satellite.

Below are the types of apparatus that fall under this category:

No	Type of Apparatus
1	Space Station
2	Amateur-Satellite Station
3	Broadcasting Satellite Station
4	Fixed-Satellite Station

Table 3

To apply for an apparatus assignment under this category, an applicant has to fill in the Application for Apparatus Assignment(s) Space Service form, as shown in **APPENDIX D** of these Guidelines.

d) Mobile

Mobile Service means a radiocommunications service between a mobile station and land station or between mobile stations. Examples of this service are trunked radio service, private network walkie-talkie, ship stations and aircraft stations.

Below are the types of apparatus that fall under this category:

No	Type of Apparatus
1	Mobile Station
2	Land Mobile Station
3	Aeronautical Mobile Station
4	Mobile Earth Station
5	Maritime Mobile Earth Station
6	Aeronautical Mobile Earth Station
7	Experimental Station
8	Ship Station
9	Remote Controlled Station
10	Private Use Station
11	Paging Base Station
12	Cellular Radio Base Station
13	Leased Channel Radio Base Station
14	Trunked Radio Base Station
15	Cordless Base Station
16	Coast Station
17	Wireless Alarm Station
18	Aircraft Station
19	Aeronautical Fixed Station

Table 4

To apply for an apparatus assignment under this category, an applicant has to fill in the Application for Apparatus Assignment(s) Mobile Service form, as shown in **APPENDIX E** of these Guidelines.

e) Broadcasting

Broadcasting Service means a content applications service in which content is transmitted by means of radiocommunications and

intended for direct reception by general public or a section of the general public.

Below are the types of apparatus that fall under this category:

No	Type of Apparatus
1	Broadcasting Transmitter Station
2	Broadcasting Repeater Station

Table 5

To apply for an apparatus assignment under this category, an applicant has to fill in the Application for Apparatus Assignment(s) Broadcasting Service form, as shown in **APPENDIX F** of these Guidelines.

f) Amateur Radio

Amateur Radio Service means a radiocommunications service in which a station is used for the purpose of self-training, intercommunication and technical investigation carried out by amateurs, that is, by duly authorised persons who are interested in radio technique solely with a personal aim and without any pecuniary interest.

Below are the types of apparatus that fall under this category:

No	Type of Apparatus
1	Amateur Station (Class A)
2	Amateur Station (Class B)
3	Amateur Repeater Station

Table 6

To apply for an apparatus assignment under this category, an applicant has to fill in the Application for Apparatus Assignment(s) (Amateur Service) form for Amateur Station (Class A and B), and Application for Apparatus Assignment(s) form for Amateur Repeater Station, as shown in **APPENDIX G** and **APPENDIX H** of these Guidelines, respectively.

3.1 Example of Stations According to Type of Apparatus

The table below shows the example of stations according to its type of apparatus.

NATURE OF SERVICE AS PER SPECTRUM PLAN	TYPES OF APPARATUS	EXAMPLE OF STATIONS
FIXED	Earth Station (< 2.4m)	▪ Very Small Aperture Terminal (VSAT) ▪ Receiving Earth Station ▪ Earth Station (Fixed-Satellite Service (FSS)/ Earth Exploration Satellite Service (EESS)/ meteorological satellite (METSAT)) ▪ Terrestrial Microwave Link ▪ Troposcatter ▪ OB Microwave Link ▪ Closed Circuit TV (CCTV) ▪ Fixed Wireless Access (FWA) ▪ Telemetry ▪ Private Use ▪ Digital satellite news gathering (DSNG)
	Earth Station (≥ 2.4m)	
	Land Station (< 30 MHz)	
	Land Station (30 MHz up to 3 GHz)	
	Land Station (> 3 GHz)	
	Experimental Station	
	Press Receiving Station	
	Fixed Station	
RADIODETERMINATION	Radiolocation Station	▪ Radar ▪ Radio Beacon ▪ Doppler Very High Frequency Omni Range (DVOR) ▪ Distance measuring equipment (DME) ▪ Instrument landing system (ILS) ▪ Multilateration (MLAT)
	Radionavigation Station	
	Radiodetermination Station	
SPACE	Space Station	▪ FSS Satellite ▪ Mobile Satellite Station
	Amateur-Satellite Station	
	Broadcasting Satellite Station	
	Fixed-Satellite Station	
MOBILE	Mobile Station	▪ LTE Base Station ▪ Repeater (VHF/UHF) ▪ Simplex walkie talkie ▪ Aircraft/helicopter ▪ Ship/vessel/yacht ▪ Emergency Position-Indicating Radio Beacon (EPIRB/PLB) ▪ Automatic Identification System (AIS)
	Land Mobile Station	
	Aeronautical Mobile Station	
	Mobile Earth Station	
	Maritime Mobile Earth Station	

NATURE OF SERVICE AS PER SPECTRUM PLAN	TYPES OF APPARATUS	EXAMPLE OF STATIONS
	Aeronautical Mobile Earth Station	▪ HF/VHF/UHF Maritime ▪ HF/VHF/UHF Aeronautical ▪ Coast Station ▪ Paging ▪ Digital Trunked Radio ▪ Earth Station Vehicle Tracking ▪ Mobile Earth Station
	Experimental Station	
	Ship Station	
	Remote Controlled Station	
	Private Use Station	
	Paging Base Station	
	Leased Channel Radio Base Station	
	Trunked Radio Base Station	
	Cordless Base Station	
	Coast Station	
	Wireless Alarm Station	
	Aircraft Station	
	Aeronautical Fixed Station	
BROADCASTING	Broadcasting Transmitter Station	▪ FM Radio Transmitter ▪ Digital TV Transmitter
	Broadcasting Repeater Station	
AMATEUR	Amateur Station (Class A)	▪ Class A ▪ Class B ▪ Repeater ▪ Special event ▪ Club ▪ Reciprocal ▪ Beacon/gateway
	Amateur Station (Class B)	
	Amateur Repeater Station	

Table 7

4.0 EQUIPMENT (APPARATUS) TYPE APPROVAL

All communications equipment (apparatus) are required to be certified by the Commission or its registered certifying agency in accordance with the Communications and Multimedia (Technical Standards) Regulations 2000.

The devices shall be certified by way of:

a) Compliance approval; or
b) Special approval.

Compliance approval, which is also referred to as type approval, is granted to a specific model of a device which has been certified as compliant with the specified standards or technical codes.

Special approval may be granted to any device which is to be used exclusively by an applicant for any of the following purpose only:

a) for the applicant's sole purpose;
b) trials;
c) market surveys, demonstration or exhibition;
d) research and development; or
e) training.

Any device which is granted with special approval may be used within defined parameters which may include location, technical specifications, time period, type or class of users or other conditions of usage as specified in the approval.

The list of standards which specifies the technical requirements for certification of devices are accessible from the Commission's website at http://www.skmm.gov.my/Legal/Register/CMA-Registers.aspx.

The certification of devices is carried out by SIRIM QAS International Sdn Bhd (SIRIM QAS International) as the registered certifying agency for all communications equipment. For the purpose of certifying communications equipment, please contact:

SIRIM QAS International Sdn Bhd
SIRIM Complex, No. 1
Persiaran Dato' Menteri, Section 1
P.O. Box 7035, 40700
Shah Alam, Selangor
Tel: +603 5544 6400
Fax: +603 5544 6810
Website: www.sirim-qas.com.my

All certified communication equipment shall bear a certification mark or label. This includes all communication equipment that are imported, manufactured, distributed or sold in Malaysia.

5.0 INTERNATIONAL SPECTRUM COORDINATION

International spectrum coordination is to ensure efficient use of frequency along the border areas and to avoid dispute on rights to use frequency at international borders. International spectrum coordination is required for both terrestrial and satellite services.

5.1 Coordination for Terrestrial Services

Terrestrial services include but not limited to broadcasting, fixed, mobile, land mobile, aeronautical mobile, maritime mobile, radionavigation and radiolocation services. Use of frequencies by stations at common border areas of Brunei Darussalam, Indonesia, Singapore and Thailand requires coordination.

Bilateral or multi-lateral coordination is aimed to ensure minimal interference occurrence due to existing and planned systems in the country. The Commission is a member of four (4) coordination committee platforms which were established to address matters on spectrum management and coordination at common border areas, namely as follows:

a) Frequency Assignment Committee of Singapore, Malaysia and Brunei Darussalam (FACSMAB);

b) Joint Technical Committee on Coordination and Assignment of Frequencies along Malaysia - Thailand Common Border (JTC);

c) Joint Committee on Communications between the Republic of Indonesia and Malaysia (JCC); and

d) Trilateral Coordination Meeting between the Republic of Indonesia, Malaysia and Singapore.

5.1.1 Frequency Assignment Committee of Singapore, Malaysia and Brunei Darussalam

FACSMAB was established in 1948 and the meeting takes place bi-monthly. Its members consist of the regulatory authorities and the Ministry of Defence of all three (3) countries. The objective of FACSMAB is to manage coordination of radio spectrum at the common border areas between Malaysia, Brunei Darussalam and Singapore.

Figure 5.1: FACSMAB border areas

5.1.2 Joint Technical Committee on Coordination and Assignment of Frequencies along Malaysia - Thailand Common Border

JTC was established in 1992 and the meeting takes place once a year. Its members consist of the regulatory authorities, Ministry of Defence, Royal Police, broadcasting operators, and mobile operators from both Malaysia and Thailand. The objective of JTC meeting is to manage coordination of radio spectrum usage at the common border areas between Malaysia and Thailand.

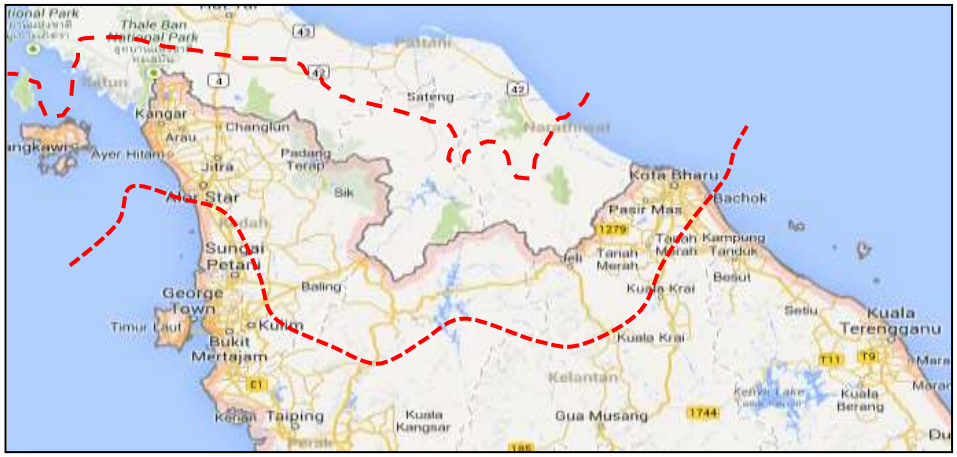


Figure 5.2: JTC border area

5.1.3 Joint Committee on Communications between The Republic of Indonesia and Malaysia

JCC was established in 2003 and the meeting takes place once a year. Its members consist of the regulatory authorities, broadcasting operators, and mobile operators from both Indonesia and Malaysia. The objective of JCC meeting is to manage coordination of radio spectrum usage at common border areas between Indonesia and Malaysia.

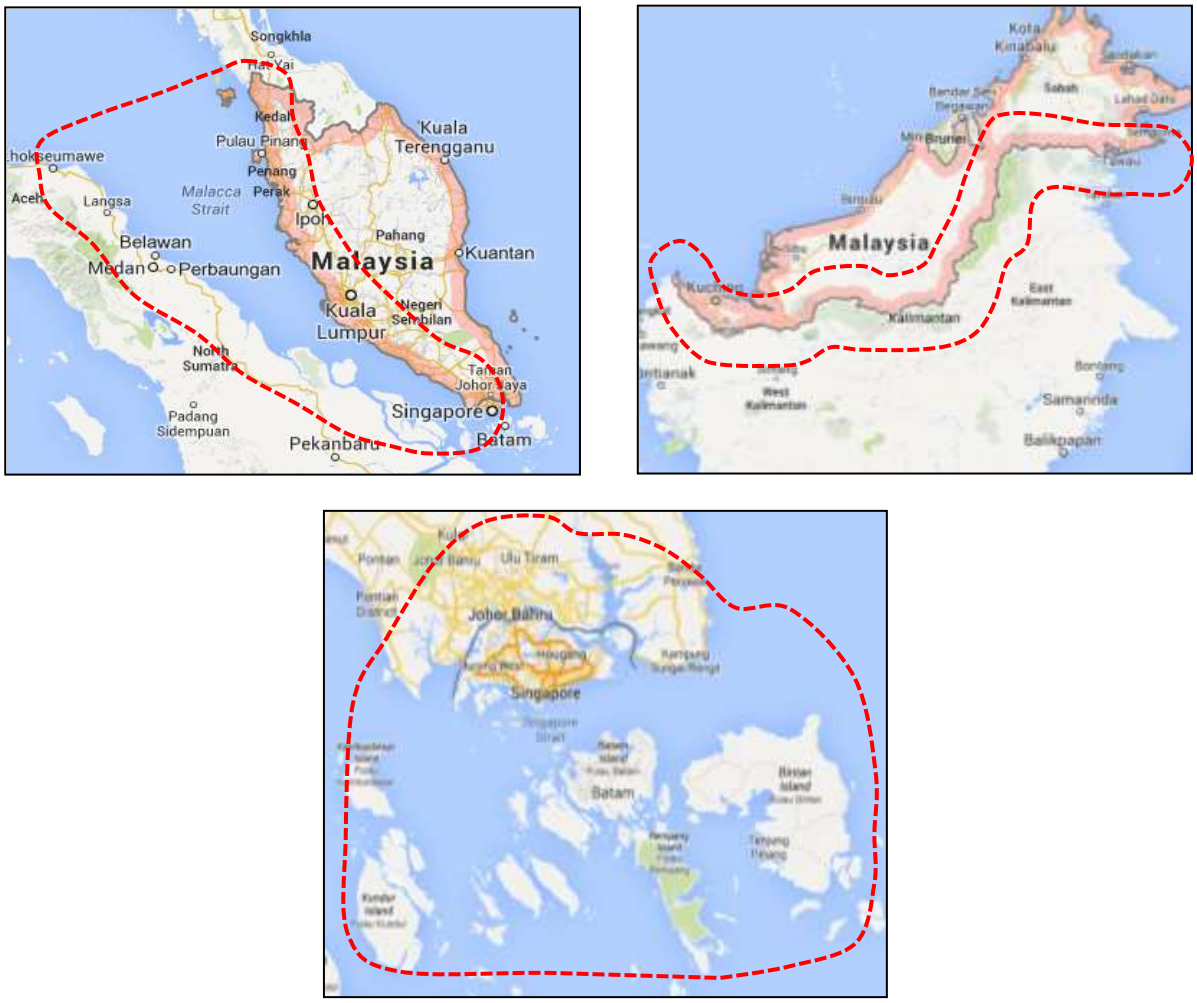


Figure 5.3: JCC border areas

5.1.4 Trilateral Coordination Meeting between the Republic of Indonesia, Malaysia and Singapore.

The Trilateral Coordination Meeting was established in 2005 and the meeting takes place once a year. Its members consist of regulatory authorities of Indonesia, Malaysia and Singapore. The objective of this meeting is to manage coordination of radio spectrum usage at specific common border areas between Indonesia (Riau Islands – Batam/Bintan/Karimun), Malaysia (South Johor) and Singapore.

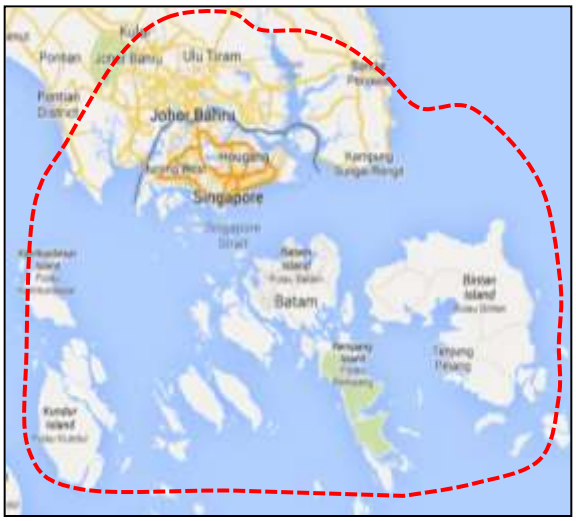


Figure 5.4: Trilateral border area

5.2 Submission of Apparatus Assignment Applications which require border coordination.

Apparatus assignment application which its parameter or location requires border coordination will be processed and submitted to the respective border coordination committees for frequency assignment. The timeline for frequency assignment with neighbouring countries varies depending on the agreed terms and conditions of each border coordination committee.

5.3 Outcome of Coordination for Terrestrial Service

The outcome of frequency assignment applications that has been evaluated by the relevant border coordination committee(s) will be further processed for issuance/rejection of apparatus assignment. The apparatus assignment shall comply with the condition(s) imposed as stated in the outcome of frequency coordination (if any).

Respective border coordination committee(s) have the right to defer any frequency assignment application. Should modification to the frequency assignment is necessary, the applicant will be advised accordingly to modify the relevant parameter(s) for resubmission to the border coordination committee.

5.4 Imposition of Non-Interference Basis (NIB)

Assignment imposed with NIB shall not cause any interference to and claim protection from:

a) earlier registered assignment(s); and
b) assignment(s) within other country's allocated block.

NIB shall be imposed only when there exists a high probability that interference to an existing frequency assignment will occur. As a general principle, NIB should be applied when there are overlapping of:

a) Coverage area;
b) Necessary radio frequency (RF) bandwidth;
c) Radiation directions; and/or
d) Hours of transmission of the existing and proposed frequency assignment(s).

In the event of interference between assignments occurs, the assignment with NIB shall take the necessary actions to eliminate/mitigate the interference.

5.5 Coordination for Satellite Service

Satellite coordination is a formal regulatory obligation for an administration seeking to assign new frequency assignment in its satellite network towards other administration's existing/planned services that may be affected by the new assignment.

The Commission is the notifying administration for Malaysian satellite network filings under the ITU Radio Regulations ("RR"). Satellite operator(s) intending to deploy their satellite network and earth station using Malaysian satellite network filing are subject to issuance of apparatus assignment.

In principle, the requirements of apparatus assignment for the use of earth station and its associated space station(s) are subject to the following conditions:

a) Successful technical analysis to ensure that it is free from interference to/from the existing terrestrial assignments/networks; and

b) Completed ITU's satellite coordination and notification processes whereby any foreign satellite providing capacity/service in Malaysia must comply with the following conditions:

    i) the satellite is fully coordinated with all Malaysian satellite network filings; and

    ii) the frequencies under its filing(s) must be recorded in the MIFR of ITU.

6.0 APPARATUS ASSIGNMENT APPLICATIONS

Application for an apparatus assignment shall be made in accordance with regulation 21 of the Spectrum Regulations. Such application can be submitted to the Commission in the following methods:

a) Hard copy submission at the Commission's headquarters or state offices[2]; or
b) Online submission through e-SPECTRA[3].

In order for applicants to use e-SPECTRA, they must register with the Commission and obtain their client ID before they can proceed with online submission of applications. The Commission will send a notification to inform on status of the registration.

Pursuant to regulation 21 of the Spectrum Regulations, an application fee of RM60 for each apparatus assignment application must be accompanied with the submission of apparatus assignment application to the Commission. Failure to do so will result in the application being rejected.

[2] Apparatus assignment application for Amateur Radio, Ship, Aircraft and private network stations can be made at Johor, Pulau Pinang, Pahang, Sarawak and Sabah state offices

[3] e-SPECTRA is an electronic medium for applicants to submit applications for apparatus assignment to the Commission

7.0 CATEGORIES OF APPLICATIONS

There are several categories of apparatus assignment applications, as listed below:

a) New apparatus assignment application;
b) Variation of apparatus assignment;
c) Cancellation of apparatus assignment; and
d) Certified true copy.

7.1 New Apparatus Assignment Application

Applicant shall submit the duly completed apparatus assignment form according to the intended service (refer to **Section 3.0** of these Guidelines) with all the relevant documents as required in the form. Failure to do so will result in the application being rejected by the Commission.

After the apparatus assignment application is approved by the Commission and the associated apparatus assignment fees pursuant to First Schedule of the Spectrum Regulations have been paid, an apparatus assignment certificate will be issued to the apparatus assignment holder signifying the assignment of the apparatus assignment.

The certificate issued to the apparatus assignment holders incorporating, inter alia, the details and conditions of the said assignment.

The process flow for the apparatus assignment application is as follows:

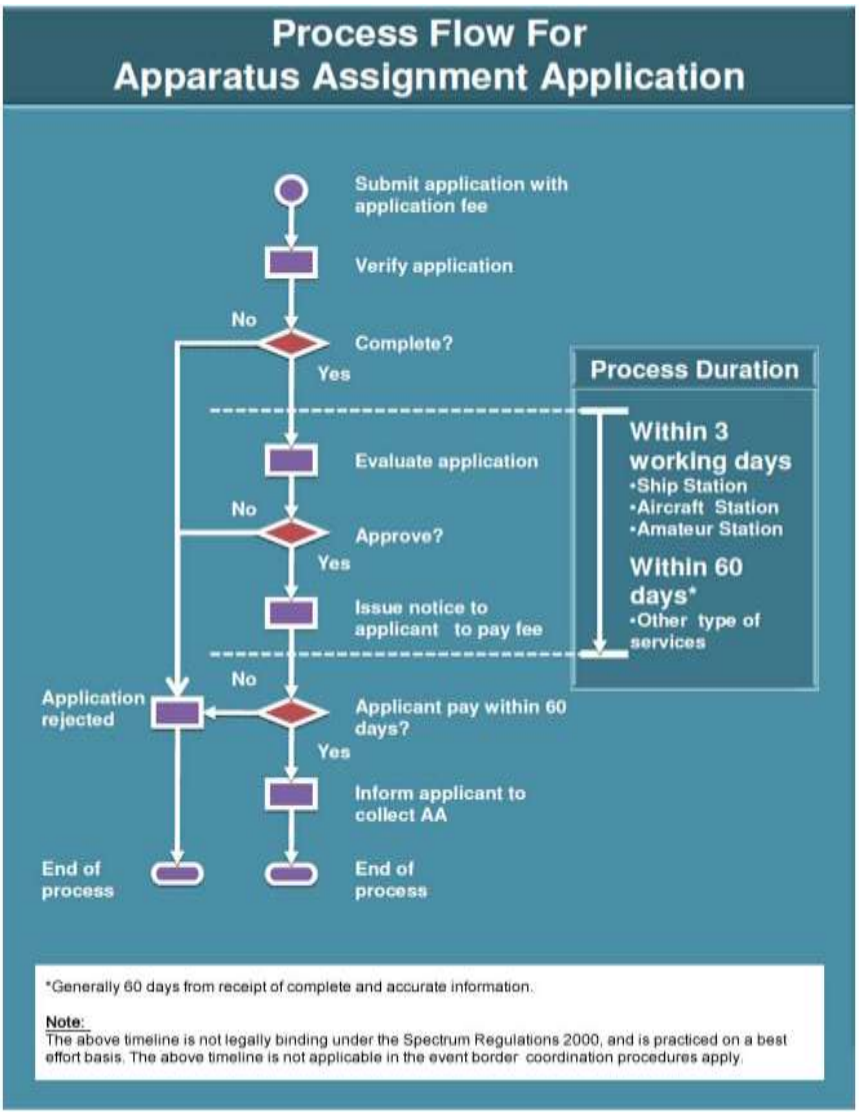


Figure 7.1: Process flow for application of apparatus assignment

7.1.1 Apparatus Assignment Validity Period

The validity period of apparatus assignment can only be **up to five (5) years for the following stations:**

a) amateur radio service[4];
b) maritime mobile service (ship station, VHF portable (diver), buoy); and
c) aircraft station.

For other stations, the assignment's expiry date shall be standardised to 31st December[5] with exception on a case-by-case basis.

[4] Please refer to Guidelines for Amateur Radio Services in Malaysia

[5] The validity period of apparatus assignment approved after 1 July will be until 31 December of the following year

For short term apparatus assignment, trial, demonstration or experiment, the validity period can be up to twelve (12) months only.

7.1.2 Apparatus Assignment Fee Calculation

After the apparatus assignment application is approved, the applicant is obliged to pay the prescribed fees in the First Schedule in accordance with regulation 23 of the Spectrum Regulations.

The First Schedule of the Spectrum Regulations prescribes the fee applicable to an apparatus assignment which comprise of a fixed fee and variable fee as stated in Tables A and B of the First Schedule, respectively.

The fees under Table A of the First Schedule are based on the nature of service and type of apparatus used by the apparatus assignment holder whereas the fees under Table B of the First Schedule are based on the size of the bandwidth used and the spectrum bands in which the apparatus operates.

The total fees payable for an apparatus assignment is the fee calculated using the fixed fee plus the variable fees for an assignment. An apparatus assignment may have fixed fee charges for the existence of the apparatus only or plus the variable fees for the various frequencies and bandwidth employed depending on the nature of the service being provided.

There are various types of apparatus assignment as mentioned in **Section 3.0** of these Guidelines. In addition, applications for an apparatus assignment may have different requirements such as single channel frequency or multiple channel frequencies, which may lead to different apparatus assignment fee charged to the applicant. For example, two different private networks may be charged differently based on the bandwidth used.

Fee calculation examples are provided in **Section 10.0** of these Guidelines.

7.1.3 Mode of Payment

There are two (2) modes of payment for apparatus assignment fees:

a) Online payment[6]:
Online payment via credit card or FPX through e-payment website: https://epayment.skmm.gov.my/. For more information, please email to epayment@mcmc.gov.my.

[6] Subject to a maximum RM 10,000 per transaction

b) Payment at Apparatus Assignment Payment Counter:

i) Credit Card/Debit Card[6];or
ii) Cheque, Money Order or Postal Order made payable to the "Suruhanjaya Komunikasi dan Multimedia Malaysia".

7.1.4 Re-application of existing apparatus assignment

Pursuant to subregulation 24(2) of the Spectrum Regulations, the apparatus assignment holder may, not less than sixty (60) days before the expiry of the apparatus assignment, make a fresh application to the Commission for an apparatus assignment.

In order to facilitate re-application of existing apparatus assignment, the Commission may send a notice to the assignment holder before an expiry of apparatus assignment. The notice would include details of assignment and the amount to be paid if the said assignment holder wishes to re-apply the assignment(s). This is only applicable if there is no changes in parameters of the existing apparatus assignment. Apparatus assignment holder may contact the Commission before the expiry of the apparatus assignment, in the event the notice is not received by the assignment holder.

Assignment holder is required to complete the section *'Deklarasi Permohonan Semula'* at the back of the apparatus assignment re-application notice(s) to confirm its re-application of the apparatus assignment.

Failure to complete the re-application process (including payment) within the notice period will result in cancellation of notice. In the event use of apparatus is still needed, the assignment holder is required to submit new application.

For any change of parameters, the assignment holder is required to submit new application to the Commission.

Use of frequencies without an apparatus assignment is a breach of the law, including regulation 20 of Spectrum Regulations.

7.2 Variation of Apparatus Assignment

Variation of apparatus assignment refers to a request by an assignment holder to change the existing information of an apparatus assignment.

An application for such variation can be made directly to the Commission's Headquarters or any of the Commission's state offices, by submitting a letter to state the parameter(s) to be varied together with

the relevant apparatus assignment application form or to apply via online through e-SPECTRA.

Applicants are only allowed to apply for variation during the validity period of the apparatus assignment, subject to the Commission's approval.

A fee of RM20.00 is payable for the application for variation of apparatus assignment, as prescribed in the Second Schedule of the Spectrum Regulations.

Variation is **NOT ALLOWED** for changes in respect of the following matters:

a) apparatus assignment holder;
b) coordinates of station;
c) type of station; and
d) frequency band.

A request for the above said changes shall be treated as a new apparatus assignment application.

7.3 Cancellation of Apparatus Assignment

An apparatus assignment holder can request to cancel their apparatus assignment in writing. The request should clearly state information such as name, address, contact number, current apparatus assignment number and reason for the cancellation. All apparatus assignment cancellation shall be made directly to the Commission's Headquarters or any of its state offices.

An assignment holder can also cancel its apparatus assignment via online through e-SPECTRA during the validity period of its assignment.

There shall be no fee refund for cancellation of an apparatus assignment.

7.4 Certified True Copy

An apparatus assignment holder may request for a certified true copy of an apparatus assignment, in writing from the Commission or via online through e-SPECTRA. The request should clearly state information such as name, address, contact number and the current apparatus assignment number.

All requests for a certified true copy of an apparatus assignment can be made directly to the Commission's Headquarters or any of its state offices.

A fee of RM10.00 per page will be payable in respect of the certified true copy of an apparatus assignment, as prescribed in the Second Schedule of the Spectrum Regulations.

8.0 THIRD PARTY AUTHORISATION

Apparatus assignment holders may appoint a third party to operate their network facility subject to application, criteria and conditions set by the Commission.

Subsection 167(1) of the CMA 1998 and regulation 25 of the Spectrum Regulations provide that an apparatus assignment holder may authorise a third party to operate its network facility.

Authorisation of a third party shall be subject to the Commission's approval, without relinquishing its rights of the said apparatus assignment and its associated obligations.

8.1 Criteria for the Third Party Authorisation

The criteria for the third party authorisation are specified below:

a) the apparatus assignment holder must possess a valid apparatus assignment licence;
b) the third party must possess a Network Facilities Provider (NFP) licence or is exempted from holding NFP licence as specified under Order 3 of Communications and Multimedia (Licensing)(Exemption) Order 2000;
c) the third party authorisation of the third party (if any) has never been revoked within the last two (2) years; and
d) the apparatus assignment of the third party has never been revoked within the last two (2) years.

8.2 Processes

In accordance with subregulation 25(2) of Spectrum Regulations, the apparatus assignment holder shall notify the Commission in writing of its intention to authorise a third party to operate its network facility and submit relevant documents specified in **subsection 8.3** below, to the Commission not less than sixty (60) days before the authorisation date, except where otherwise agreed by the Commission.

The apparatus assignment holder is required to return the original apparatus assignment certificate to the Commission for variation (if applicable). A fee is payable by the apparatus assignment holder for the variation of the apparatus assignment certificate. During this period, a certified true copy of the apparatus assignment is required to be displayed at the site until the new apparatus assignment is issued by the Commission.

8.3 Documents Required

The apparatus assignment holder is required to submit to the Commission the following documents:

a) agreement or authorisation between the apparatus assignment holder and the third party which shall state the duration of the agreement or authorisation, undertaking by the third party to comply with the apparatus assignment conditions, as imposed by the Commission in **subsection 8.4** below;
b) a copy of the NFP licence unless the third party is exempted from holding a NFP licence;
c) a declaration from the third party that its apparatus assignment and/or its third party authorisation never been revoked within the last two years;
d) the original apparatus assignment certificate (if applicable); and
e) any other information required by the Commission to be provided within the specified period.

8.4 Standard Conditions for Third Party Authorisation

The conditions to be imposed by the Commission under paragraph 25(1)(c) of the Spectrum Regulations are as follows:

a) the third party undertakes to comply with the conditions of the apparatus assignment as if the third party were the apparatus assignment holder;
b) the grant of an authorisation by an apparatus assignment holder to a third party shall not prevent or preclude the apparatus assignment holder from using the assignment, simultaneously or otherwise, in accordance with the conditions of the apparatus assignment;
c) the third party authorised to operate the network facility shall retain a copy of the authorisation;
d) the apparatus assignment holder shall notify the authorised third party of any material matters affecting the assignment within fourteen days after the apparatus assignment holder is given notice of the matter;
e) the apparatus assignment holder shall be responsible for the conduct of the duly authorised third party;
f) the assignment holder shall revoke the third party authorisation if the third party fails to comply with the conditions of the apparatus assignment;
g) the validity of the third party authorisation must be less or equal to the validity of the apparatus assignment;

h) the third party undertakes to comply with the provisions of the Spectrum Regulations; and
i) any other conditions that the Commission may impose.

8.5 Fee Payable

A fee of RM20.00 is payable for each application for variation of apparatus assignment, as prescribed in the Second Schedule of the Spectrum Regulations.

8.6 Issuance of Apparatus Assignment

The Commission will issue a new apparatus assignment certificate to the apparatus assignment holder that incorporates the information on the third party authorisation and the conditions imposed by the Commission for the authorisation.

9.0 ADDRESSES OF THE COMMISSION'S OFFICES

Apparatus assignment applications can be made at the Commission's Headquarters or state offices as follows:

Headquarters
Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission
MCMC Tower 1, Jalan Impact
Cyber 6, 63000, Cyberjaya
Selangor Darul Ehsan
Tel: +603 8688 8000
Fax: +603 8688 1000
Email: scd@mcmc.gov.my
Website: www.mcmc.gov.my

Penang State Office
GF-01, Woodsbury Suite
Jalan Chain Ferry
12100, Butterworth
Pulau Pinang
Tel: +604 314 9000
Fax: +604 314 9001

Pahang State Office
B18 & B20, Jalan IM 7/2
Bandar Indera Mahkota
25200, Kuantan
Pahang Darul Makmur
Tel: +609 515 4800
Fax: +609 515 4801

Johor State Office
Suite 7A, Level 7
Menara Ansar, Jalan Trus
80000, Johor Bahru
Johor Darul Takzim
Tel: +607 208 7600
Fax: +607 208 7700

Sabah and Federal Territory of Labuan State Office

6-10-10, 10th Floor

No. 6 Menara MAA
Lorong Api-Api 1, Api Api Centre
88000 Kota Kinabalu

Sabah

Tel: +6088 355 000
Fax: +6088 355 100

Sarawak State Office

Block D, i-Com Square

Jalan Pending

93450, Kuching

Sarawak

Tel: +6082 388 000

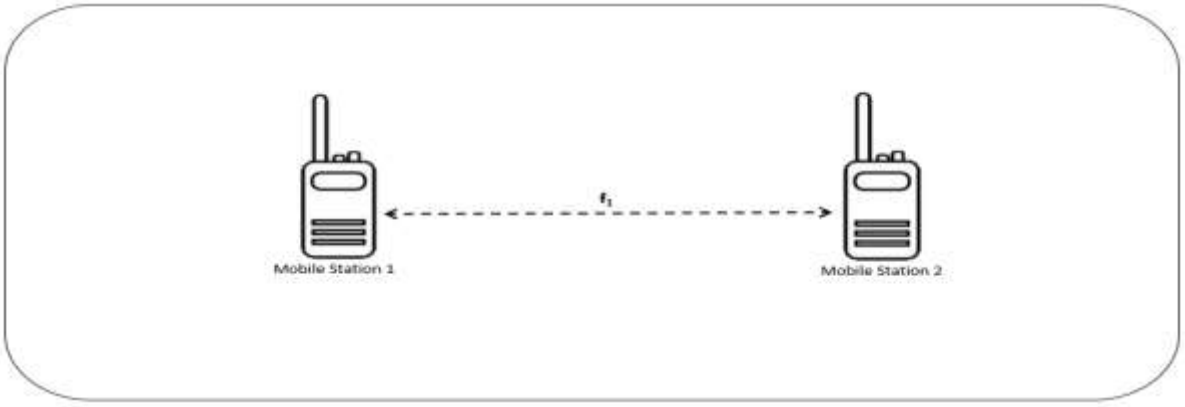
Fax: +6082 388 100

10.0 EXAMPLES OF APPARATUS ASSIGNMENT FEE CALCULATION

Fee examples of the annual calculation of Apparatus Assignment fees are shown in diagrams below.

These examples may be updated as deemed necessary by the Commission.

10.1 Land Mobile Radio Private Network (Simplex)

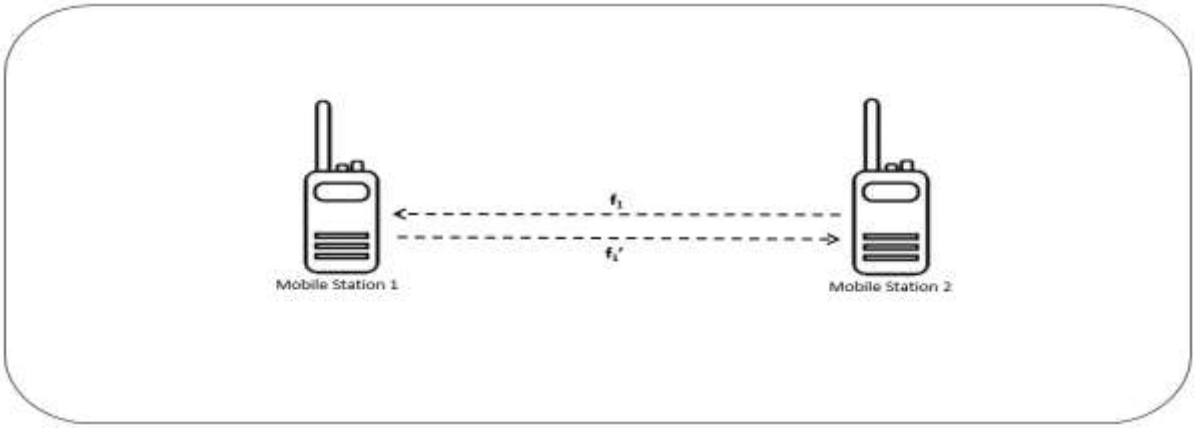


Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)		Mobile Fee (RM)		No. of Mobile(s)
60	+	240	+	(130 x n)	+	(60	x	(30 x n))

Note: n = number of frequency

Number of chargeable mobile is 30 units per frequency

10.2 Land Mobile Radio Private Network (Duplex)

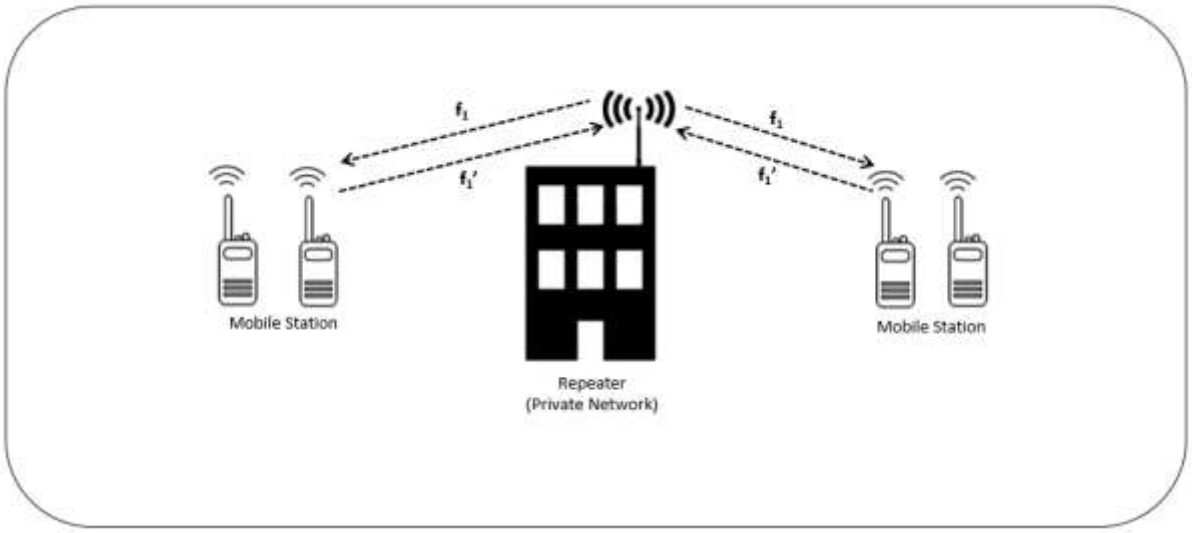


Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)		Mobile Fee (RM)		No. of Mobile(s)
60	+	240	+	(2 x 130 x n)	+	(60	x	(30 x n))

Note: n = number of frequency

Number of chargeable mobile is 30 units per frequency

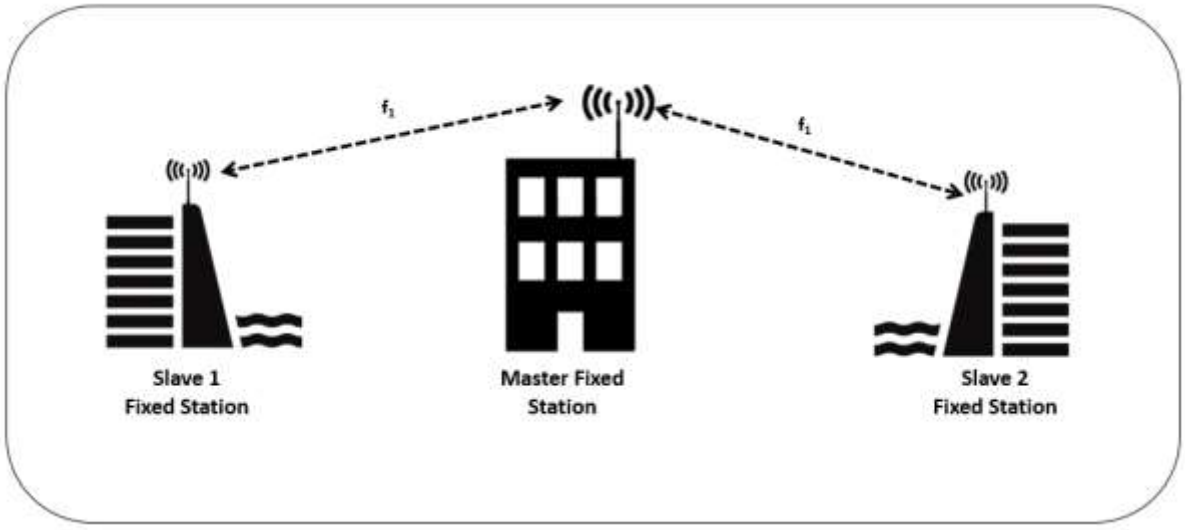
10.3 Land Mobile Radio Private Network (Repeater - Duplex)



Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)		Mobile Fee (RM)		No. of Mobile(s)
60	+	240	+	(2 x 130 x n)	+	(60	x	(30 x n))

Note: n = number of frequency
Number of chargeable mobile is 30 units per frequency

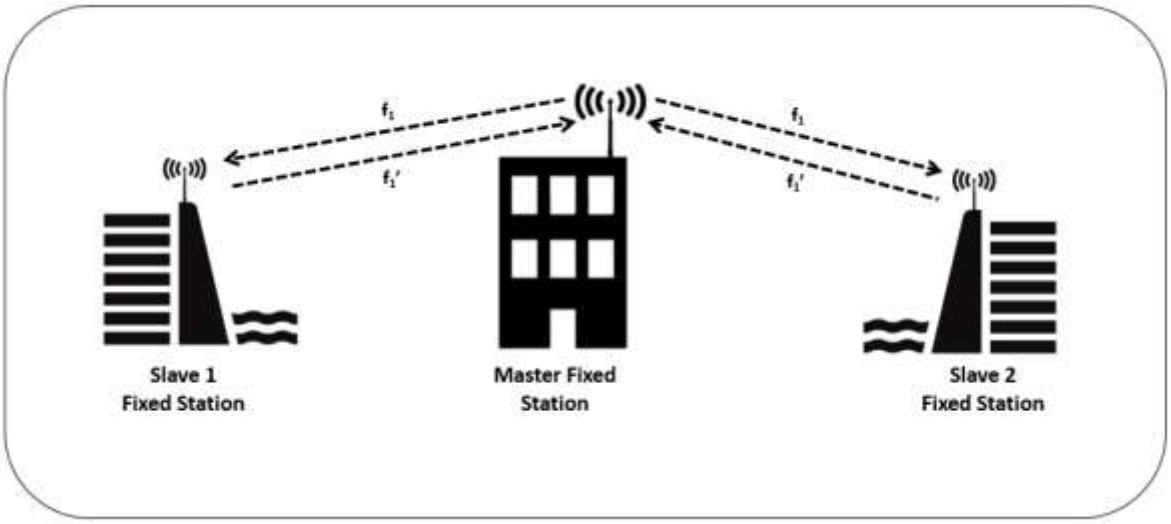
10.4 Telemetry Private Network (Simplex)



Station Name	Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)
Master	60	+	120	+	(130 x n)
Slave 1	60	+	120	+	(130 x n)
Slave 2	60	+	120	+	(130 x n)

Note: n = number of frequency

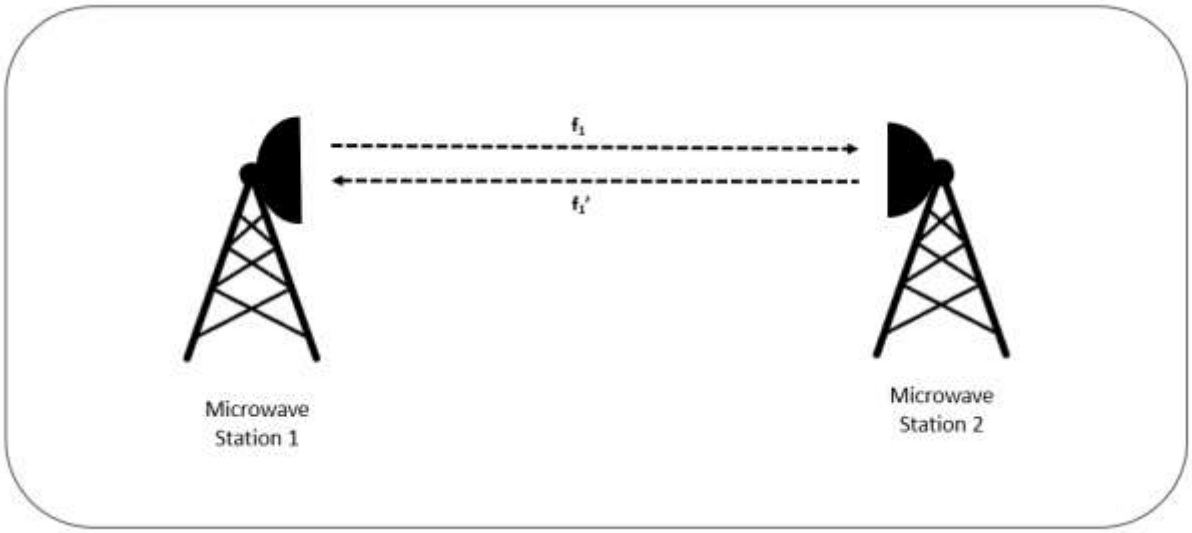
10.5 Telemetry Private Network (Duplex)



Station Name	Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)
Master	60	+	120	+	(130 x 2 x n)
Slave 1	60	+	120	+	(130 x 2 x n)
Slave 2	60	+	120	+	(130 x 2 x n)

Note: n = number of frequency

10.6 Terrestrial Microwave Links



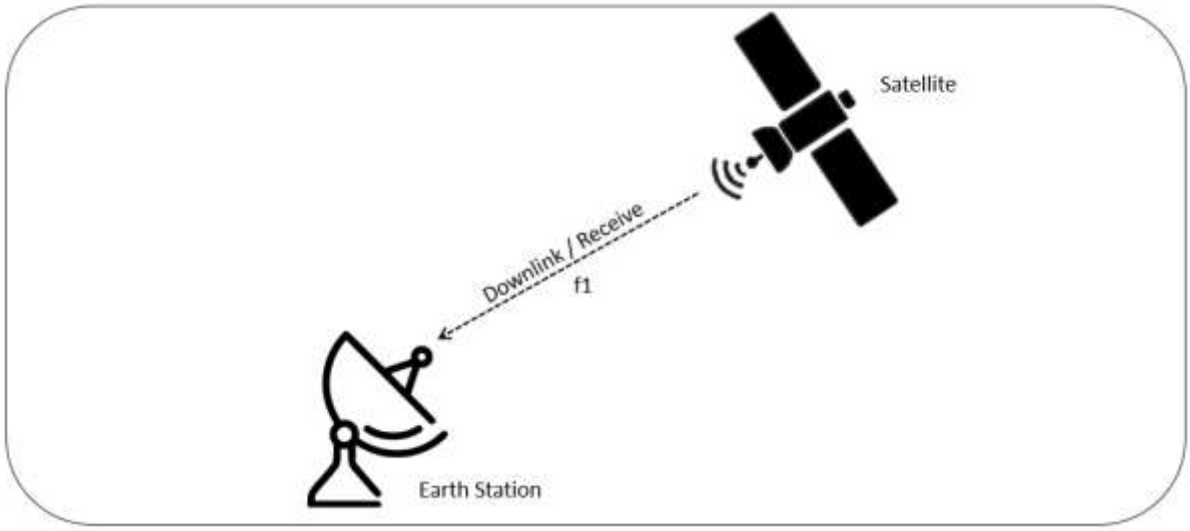
Station Name	Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)
Station 1	60	+	240	+	(2 x v) x n
Station 2	60	+	240	+	(2 x v) x n

Note: v = variable fee according to its respective bandwidth

n = number of frequency

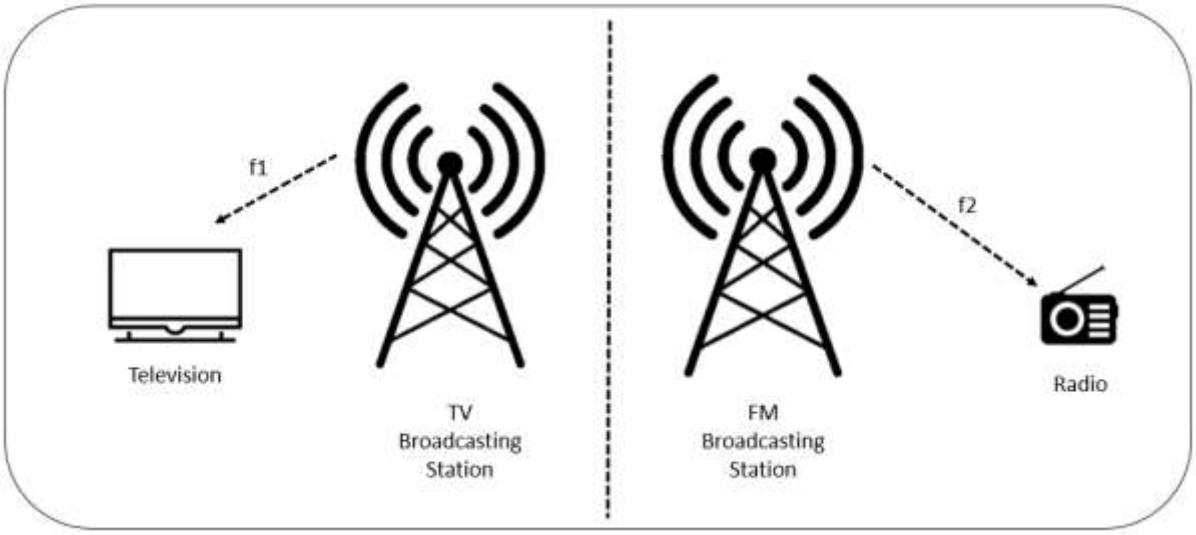
The above calculation for the case of the same amount of variable fees

10.7 TVRO Earth Station (Downlink Only)



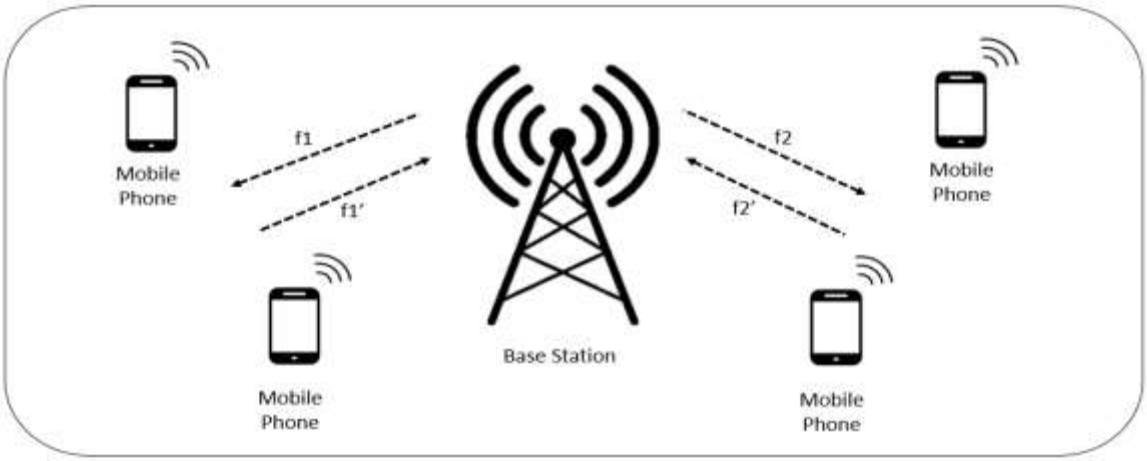
Station Type	Application fee (RM)		Fixed Fee (RM)
Earth Station (less than 2.4metre)	60	+	120
Earth Station (2.4metre and above)	60	+	1200

10.8 Broadcasting Digital TV/FM Radio



Station Name	Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)
Broadcasting Transmitter Station (TV)	60	+	1200	+	1000
Broadcasting Transmitter Station (FM Radio)	60	+	1200	+	380

10.9 Long Term Evolution (LTE) Base Station

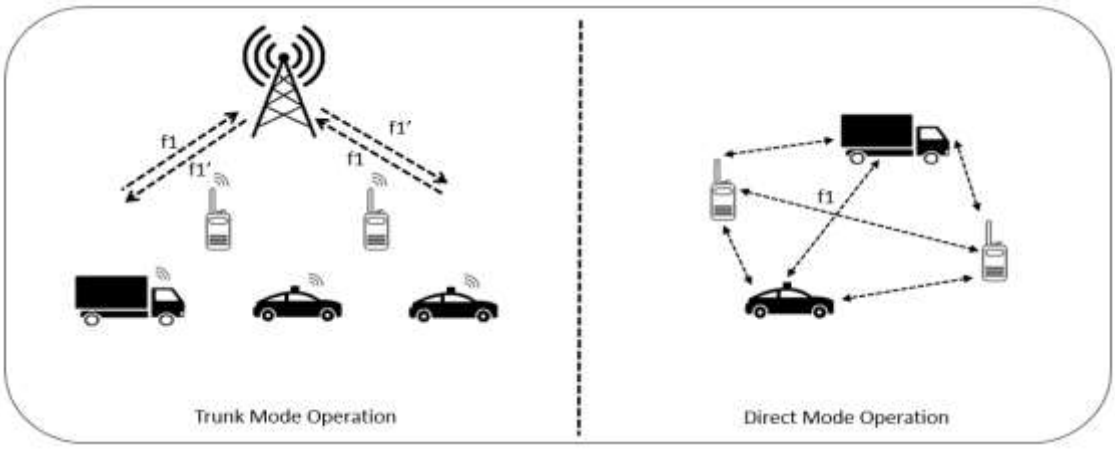


Application Fee (RM)		Fixed Fee (RM)		Variable Fee (RM)
60	+	120	+	(2 x v) x n

Note: v = variable fee according to its respective bandwidth

n = number of frequency

10.10 Digital Trunked Radio



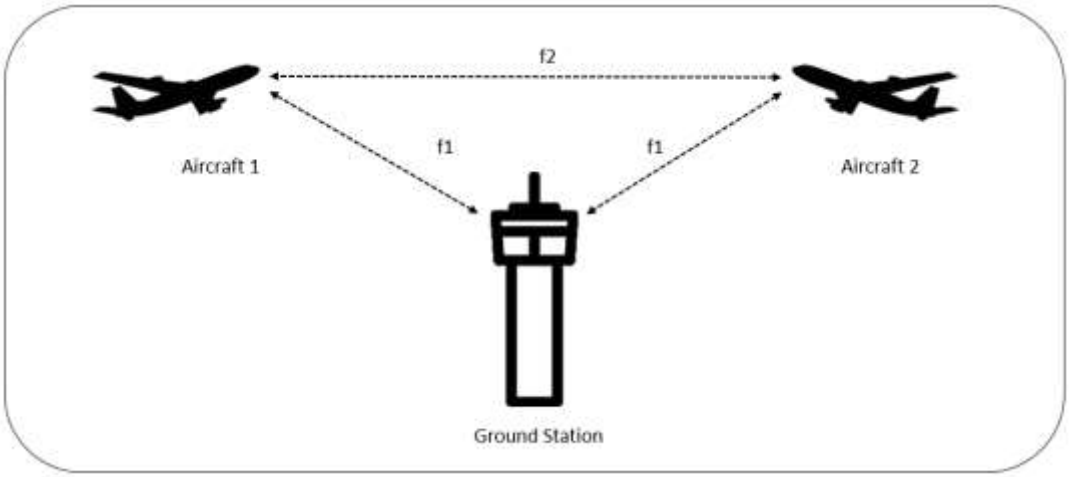
Station Name	AA Type	Application Fee (RM)	Fixed Fee (RM)	Variable Fee (RM)	Mobile Fee (RM)	No. of Mobile(s)
Trunked Mode Operation	Public	60 +	120	+ (2 x 130 x n) +	Classified under Class Assignment	
	Private	60 +	240	+ (2 x 130 x n) +	(60 x (n x m))	
Direct Mode Operation	Private	60 +	240	+ (2 x 130 x n) +	(60 x (n x m))	

Note: n = number of frequency

m = no. of mobile unit (minimum is 30 units per frequency)

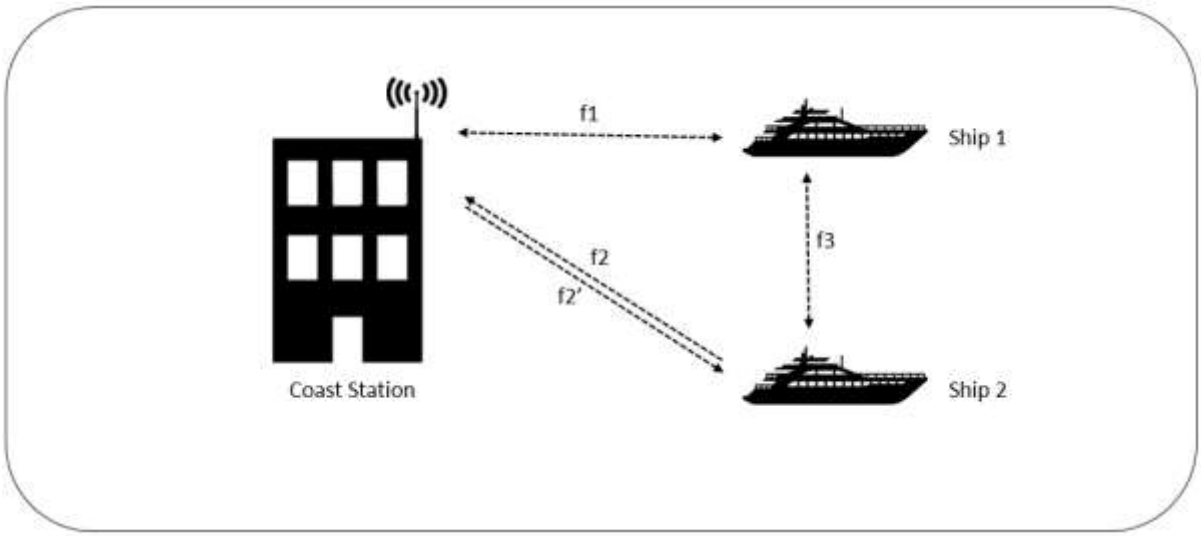
The above calculation for the case of the bandwidth of 12.5 kHz and 25 kHz

10.11 Aircraft Station



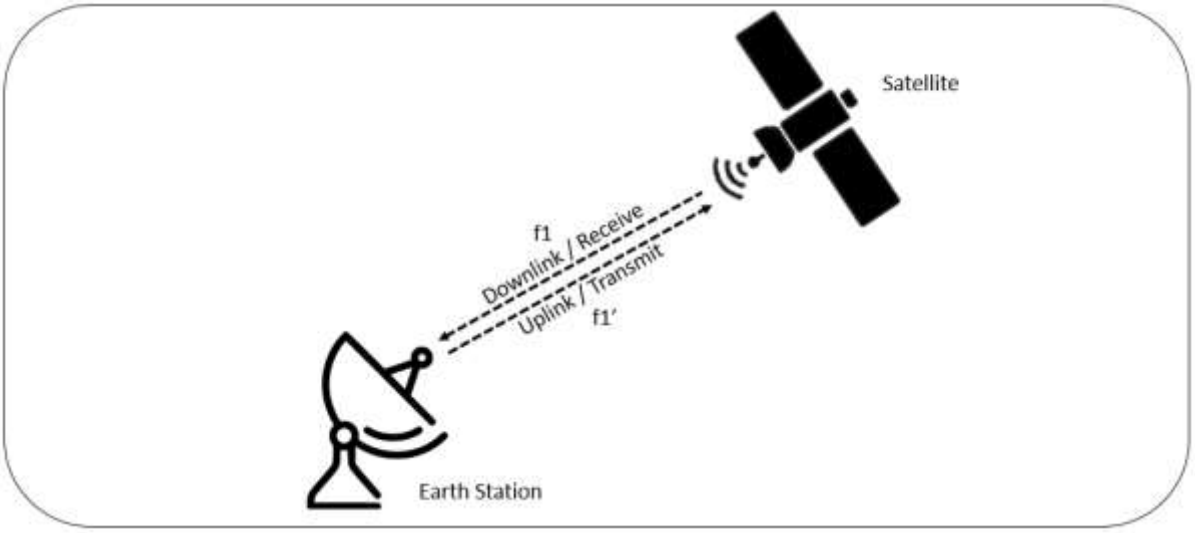
Station Name	Application Fee (RM)	Fixed Fee (RM)	Variable Fee for (RM)
Aircraft Station	60 +	60	
Aeronautical Fixed Station	60 +	120 +	130

10.12 Ship Station



Station Name	Application Fee (RM)	Fixed Fee (RM)	Variable Fee (RM)
Ship Station	60 +	60	
Maritime Mobile Service	60 +	60 +	130

10.13 Earth Station (Uplink and Downlink)



Station Types	Application Fee (RM)	Station Fee (RM)	Variable Fee (RM)
Earth Station (less than 2.4metre)	60	+ 120	+ v x n
Earth Station (2.4 metre and above)	60	+ 1200	+ v x n

Note: v = variable fee according to its respective bandwidth

n = number of frequency

The above calculation for the case of the same amount of variable fees