



Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission



UNIVERSAL SERVICE PROVISION ANNUAL REPORT 2020

VISION

Establishing a communications and multimedia industry that is competitive, efficient and increasingly self-regulating, generating growth to meet the economic and social needs of Malaysia.

MISSION

We are committed to:

- Promoting access to communications and multimedia services;
- Ensuring consumers enjoy choice and a satisfactory level of services at affordable prices;
- Providing transparent regulatory processes to facilitate fair competition and efficiency in the industry;
- Ensuring best use of spectrum and number resources; and
- Consulting regularly with consumers and service providers and facilitating industry collaboration.

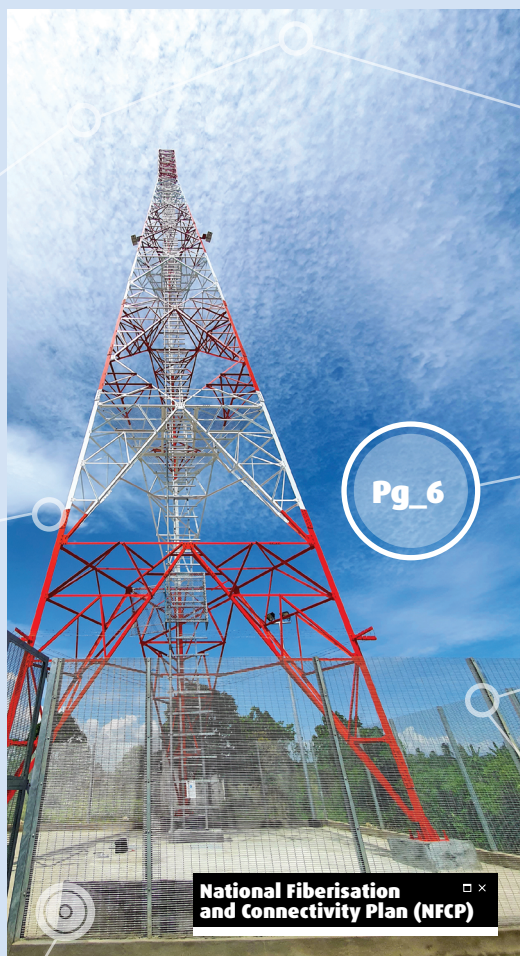
INSIDE THIS REPORT

Pg_2

Chairman's Message

Pg_8

The National Fibreisation and Connectivity Plan 5 (NFCP 5)

**SECTION 1****CHAIRMAN'S MESSAGE****2** Chairman's Message**SECTION 2****OVERVIEW**

- 4** Achievement of Ongoing Initiatives Under the USP Programme
- 5** Completed USP Initiatives

SECTION 3**USP INITIATIVES**

- 6** National Fiberisation and Connectivity Plan (NFCP)
- 7** The National Fiberisation and Connectivity Plan 1 (NFCP 1)
- 8** The National Fiberisation and Connectivity Plan 5 (NFCP 5)
- 10** Commercialisation of Sites Under the Time 3 Extension Phase 1 (Part 2) Project
- 12** Communications Towers and Upgrading of Base Stations
- 13** Fixed Broadband Deployment (Suburban and Urban Broadband)
- 14** Rural Broadband
- 15** Fiberisation of Towers
- 16** Smart Devices with Internet Packages
- 17** Community Internet Centres (Pusat Internet Komuniti)
- 19** Community WiFi Hotspots

SECTION 4**USP FUND****20** USP Fund**SECTION 5****FINANCIAL STATEMENTS****22** Financial Statements

CHAIRMAN'S



DR. FADHLULLAH SUHAIMI ABDUL MALEK

*Chairman,
Malaysian Communications
and Multimedia Commission*



It is an honour, as the Chairman of the Malaysian Communications and Multimedia Commission (the Commission), to present this Universal Service Provision (USP) Report 2020, an annual publication pursuant to Regulation 36 of the USP Regulations 2002.

This Report will highlight the progress and development of the network facilities and network services infrastructure that have been deployed across the country, utilising income from the Universal Service Provision Fund (USP Fund). The Report also provides information on the financial front for the year 2020. Under the remit of the USP Regulations 2002, the infrastructure and network services deployed under the USP initiatives are meant for underserved areas and for underserved groups within served areas.

Looking back at the year 2020, we saw a lot of work done and also challenges that changed the nature of how people communicate, interact and learn, as the world was affected by the COVID-19 pandemic that invariably

resulted in the communications and multimedia industry making forays into a new landscape.

In January 2020, the Commission started off the year with the implementation of the National Fiberisation and Connectivity Plan 1 project. The project involved the installation of network facilities and the deployment of network services for the provisioning of public cellular services (including mobile broadband) in 152 locations in 93 *mukim*. This encompassed eight states, namely Johor, Kedah, Kelantan, Negeri Sembilan, Pahang, Perak, Terengganu and Sabah. The provisioning of services for NFCP 1 will provide 3G and 4G services at average speeds of 30Mbps, which will ensure people at the identified locations enjoy parity in service quality.

MESSAGE

USP INITIATIVES

1

**NATIONAL
FIBERISATION AND
CONNECTIVITY
PLAN (NFCP)**

2

**THE NATIONAL
FIBERISATION AND
CONNECTIVITY
PLAN 1 (NFCP 1)**

3

**THE NATIONAL
FIBERISATION AND
CONNECTIVITY
PLAN 5 (NFCP 5)**

4

**COMMERCIALISATION
OF SITES UNDER
THE TIME 3
EXTENSION PHASE 1
(PART 2) PROJECT**

5

**COMMUNICATIONS
TOWERS AND
UPGRADING OF BASE
STATIONS**

6

**FIXED BROADBAND
DEPLOYMENT
(SUBURBAN AND
URBAN BROADBAND)**

7

RURAL BROADBAND

8

**FIBERISATION OF
TOWERS**

9

**SMART DEVICES WITH
INTERNET PACKAGES**

10

**COMMUNITY
INTERNET CENTRES
(PUSAT INTERNET
KOMUNITI)**

11

**COMMUNITY WIFI
HOTSPOTS**

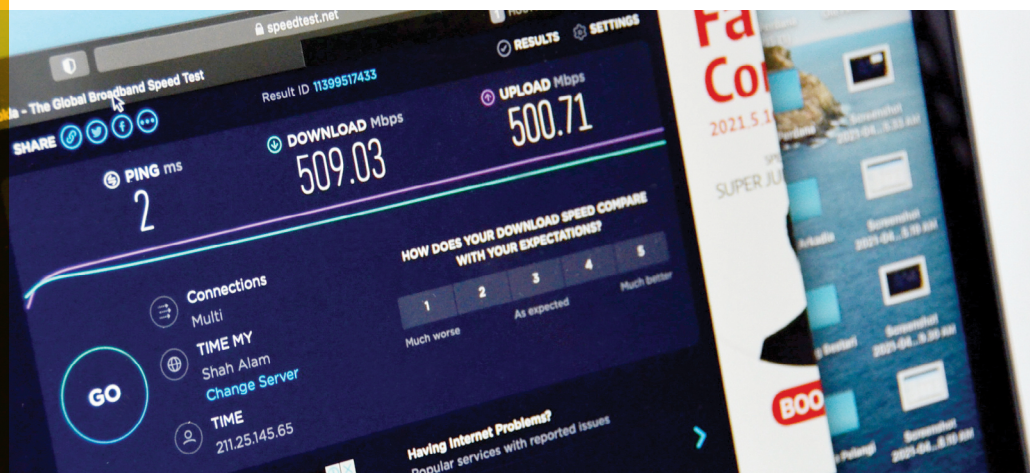
Although we had a very good start, we then saw Malaysia hit by the COVID-19 pandemic in the first quarter of the year. Due to the pandemic, we saw a great surge in the demand for data and broadband connectivity. This came about as socio-economic activities and how we live our lives had to be recalibrated. There was an increase in the usage of online videoconferencing, online learning and other means of social media interaction as the world adjusted and embraced this paradigm shift.

To embrace these challenges, the Commission initiated a joint lab with the main service providers in the country, which was held from July to August 2020, to come up with plan for a resilient and robust infrastructure highway that addresses speed and coverage issues in a both comprehensive and adequate fashion to enable Malaysia to flourish. The lab formulated the *Jalinan Digital Negara* (JENDELA), a comprehensive digital infrastructure plan that the nation can be proud of.

The national aspirations of JENDELA are to achieve 96.9% LTE coverage in all populated areas by the end of 2022. On the fixed broadband front, the aim is to have 83% of all premises in Malaysia connected by means of fixed broadband by the end of 2022.

Under JENDELA Phase 1, which was initiated by way of the issuance of the invitation for the submission of the draft plans on 15 November 2020, and revised on 15 January 2021, the Commission has identified a total of 1,661 locations nationwide for the provisioning of public cellular services for 2G and 4G technology. The project is estimated to have a value of RM4.6 billion and will have a huge impact on both the coverage and quality of public cellular services and mobile broadband in this country. The end-users will enjoy an average speed of 35Mbps, particularly in rural and remote areas. This is an investment that will be fully funded via the USP Fund over the next five years, and will ensure parity of services nationwide. This is the first time ever that the Commission has made a decision to undertake a mega project that involves such a huge number of locations.

I trust this Report will provide you with helpful, interesting and useful information on the USP front. We look forward to undertaking a far more aggressive journey through the initiatives in JENDELA, which we are confident will serve to narrow and eventually eliminate the digital divide in Malaysia.



OVERVIEW

ACHIEVEMENT OF ONGOING INITIATIVES UNDER THE USP PROGRAMME



COMMUNICATIONS TOWERS

Year Started

2009

Total Completed

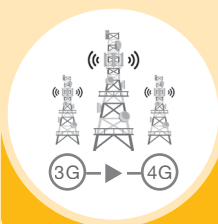
2,289
towers

Completed in 2020

243
towers

Completed in 2019

213
towers



UPGRADING OF BASE STATIONS

Year Started

2014

Total Completed

6,149
base stations

Completed in 2020

461
base stations

Completed in 2019

793
base stations



UPGRADING OF STREAMYX SUBSCRIBERS (NFCP5)

Year Started

2020

Total Completed in 2020

22,398
subscribers



FIXED BROADBAND (SUBURBAN AND URBAN)

Year Started

2005

Total Completed

493,164 ports

Completed in 2020

3,712 ports

Completed in 2019

448 ports



FIBERISATION OF TOWERS

Year Started

2014

Total Completed

2,473.06 km

Completed in 2020

66.46 km

Completed in 2019

1,265 km



COMMUNITY INTERNET CENTRES (PUSAT INTERNET KOMUNITI)

Year Started

2007

Total Completed in 2020

873
centres

Completed in 2019

5
centres



COMMUNITY WIFI HOTSPOTS

Year Started

2011

Total Completed in 2020

743
hotspots

COMPLETED USP INITIATIVES



RURAL BROADBAND

Implementation Period

2005-2020

Completed in 2020

240 ports

Total Completed

146,280 ports

Completed in 2019

39,564 portsMINI COMMUNITY
BROADBAND CENTRES
(PUSAT MAKLUMAT RAKYAT)

Implementation Period

2010-2015

Total Completed

120 centresSMART DEVICES WITH
INTERNET PACKAGES

Implementation Period

2014-2020

Completed in 2020

14,010 units

Total Completed

2,512,342 units

Completed in 2019

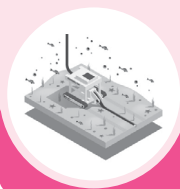
11,992 units

NETBOOK

Implementation Period

2010-2015

Total Completed

1,668,772 unitsSUBMARINE CABLE SYSTEM
TO THE ISLANDS

Implementation Period

2017-2019

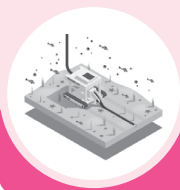
Total Completed

99 kmCOMMUNITY BROADBAND
LIBRARIES

Implementation Period

2007-2016

Total Completed

44 librariesSUBMARINE CABLE SYSTEM
TO SABAH AND SARAWAK

Implementation Period

2015-2017

Total Completed

3,819 km

PAYPHONE

Implementation Period

2002-2018

Total Completed

1,252 units

National Fiberisation and Connectivity Plan (NFCP)

The National Fiberisation and Connectivity Plan (NFCP), which was launched on 19 September 2019, formed the basis of the planning and execution of Universal Service Provision initiatives in 2020. NFCP aims to take Malaysia to the next level, by putting in place robust, pervasive, high quality and affordable digital connectivity for the well-being of the people and progress of the country. With better access to digital connectivity, all Malaysians have the opportunity to participate in the digital economy and share in the prosperity of the nation.

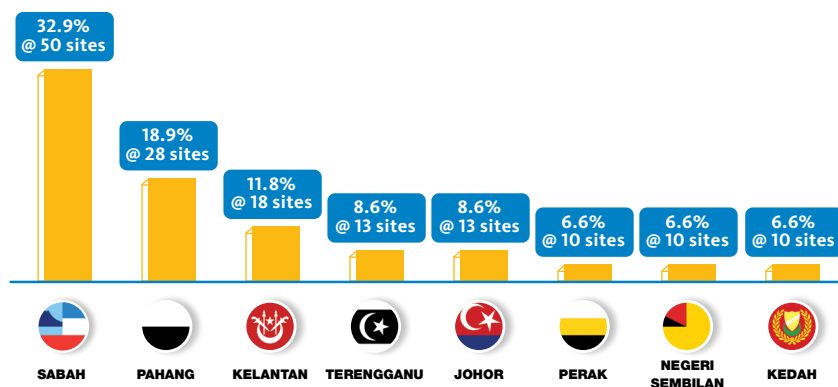
The NFCP acts to shape and drive the planning and implementation of USP projects in a focused, effective and meaningful manner to enable the *rakyat* to enjoy high quality broadband services in particular, which will have a significant impact in uplifting lives and improving productivity throughout Malaysia.

The Commission is duty bound to abide by Section 202 of the Communications and Multimedia Act 1998, and the objectives underlying the provisioning of universal service in Malaysia as specified in Regulation 3 and Regulation 3A of the Communications and Multimedia (Universal Service Provision) Regulations 2002 (USP Regulations).



The National Fiberisation and Connectivity Plan 1 (NFCP 1)

The NFCP 1 involves the deployment of 152 towers and the provisioning of cellular mobile broadband services in 93 *mukim*. These comprises of eight (8) states namely Johor, Kedah, Kelantan, Negeri Sembilan, Pahang, Perak, Terengganu and Sabah.



Cost of project:
RM290 million

152 towers
to be deployed
for public
cellular service
provisioning

Deployment of Towers by State

This project, which was tendered out earlier as Ubiquitous 1 on 31 May 2017, was reviewed by the Commission with the aim of revising to its specifications to fit into the targets set in the NFCP blueprint. Under NFCP 1, the project was separated into two (2) parts, namely Parts 1 and 2.

PART 1

SCOPE OF WORK

- To supply, deliver and install tower(s) and its ancillaries, for the purposes of the provisioning of public cellular services.

2020

23 JANUARY 2020

- Issuance of Notification of Approval (letters of award) to successful licensees

15 FEBRUARY 2020

- Commencement date of the project for Part 1 DUSPs

FEBRUARY 2021

- Target for completion of project (12 months – 146 sites)

FEBRUARY 2022

- Target for completion of project (24 months – 6 sites for fiberisation)

SUCCESSFUL LICENSEES



EDOTCO MALAYSIA SDN BHD

113 sites @ 75%



FGV PRODATA SYSTEMS SDN BHD

39 sites @ 25%

PART 2

SCOPE OF WORK

- To design, supply, install, test, commission and operate network service equipment and services. It is also responsible to provide minimum 3G and 4G services with an average speed of 30Mbps, via a Radio Access Network (RAN) sharing solution.

SUCCESSFUL LICENSEES



MAXIS BROADBAND SDN BHD

102 sites @ 67%



U MOBILE SDN BHD

50 sites @ 33%

The Part 1 licensees are responsible to build the towers within six (6) months from the commencement date of the project which was on 15 February 2020. The Part 2 licensees will install radio communications equipment and provide the network service for the provisioning of public cellular services within six (6) months after handover of completed sites from the Part 1 licensees.

For six sites, the Part 2 service provider has been granted a duration of eighteen (18) months to complete the work involved, as these sites are particularly remote, and fiberisation in these locations is a challenge.

The list of sites are as shown below.

NO.	STATE	CLUSTER	SITE ID	SITE NAME
1.	Kedah	C02	FC1_019	Ladang Kim Seng, Batu 5
2.	Kelantan	C03	FC_024	Kg Meranto 2
3.	Pahang	C06	FC1_065	Pos Lemoi
4.	Pahang	C06	FC1_066	Kg Telimau
5.	Pahang	C07	FC1_072	Kg Pasir Durian
6.	Terengganu	C13	FC1_149	Kg Pak Sik

List of Sites Granted Duration of 18 Months

The National Fiberisation and Connectivity Plan 5 (NFCP 5)

The National Fiberisation and Connectivity Plan 5 or NFCP 5 project is to migrate existing Telekom Malaysia Berhad's (TM) Streamyx (copper) broadband subscribers to fibre-optic broadband access network(s) within the Universal Service Target (UST) areas nationwide. The NFCP 5 project was awarded to TM as a major contributor pursuant to Regulation 36A of the Communications and Multimedia (Universal Service Provision) Regulations 2002 (USP Regulations).

TM's proposal to upgrade its existing copper broadband network to a fibre-optic network for 377,360 subscribers was assessed, considered and approved by the Commission. Subsequently, TM was appointed as a designated universal service provider under Regulation 36F of the USP Regulations 2002 to undertake this project in underserved areas specified by the Commission under four notifications issued by it in 2002, 2004, 2008 and 2011, respectively (Notification Ref. No: NT/USP/2/02, Ref. No: NT/USP/1/04, Ref. No: NT/USP/08/01 and Ref. No: NT/USP/01/11).

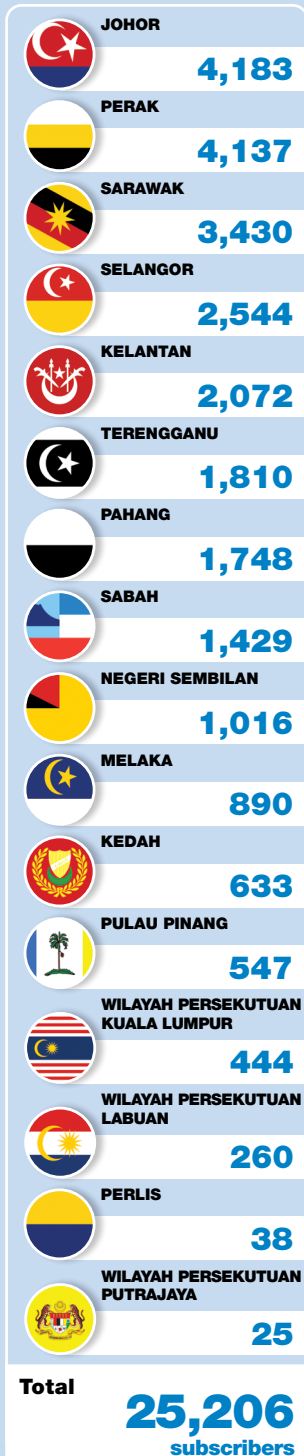
As a condition of this project, TM is also required to upgrade the remaining 556,364 Streamyx subscribers to fibre-optic broadband access network(s) using its own funds. Through this initiative 933,724 subscribers to be upgraded, out of which 377,360 subscribers will be upgraded via the USP Fund.

The project is scheduled to take 24 months to complete from the date of commencement of the project, which was on 15 March 2020. As at 31 December 2020, TM has migrated 22,398 subscribers, while the incidence of churn has affected 2,808 subscribers.



The National Fiberisation and Connectivity Plan 5 (NFCP 5)

TOTAL MIGRATED SUBSCRIBERS IN 2020 BY STATE AND FEDERAL TERRITORY



Breakdown of Total Migrated Subscribers in 2020 by State and Federal Territory



Breakdown of Migrated Subscribers in 2020

STATE/ FEDERAL TERRITORY	TOTAL NO. OF STREAMYX SUBSCRIBERS MIGRATED	NO. OF SUBSCRIBERS (CHURN)	NO. OF SUBSCRIBERS (REJECTED MIGRATION)	TOTAL NO. OF SUBSCRIBERS
Johor	3,740	416	27	4,183
Perak	3,861	262	14	4,137
Sarawak	3,255	157	18	3,430
Selangor	1,833	705	6	2,544
Kelantan	1,989	77	6	2,072
Terengganu	1,757	46	7	1,810
Pahang	1,597	146	5	1,748
Sabah	1,221	203	5	1,429
Negeri Sembilan	938	77	1	1,016
Melaka	724	162	4	890
Kedah	598	33	2	633
Pulau Pinang	476	68	3	547
Wilayah Persekutuan Kuala Lumpur	104	338	2	444
Wilayah Persekutuan Labuan	260	0	0	260
Perlis	38	0	0	38
Wilayah Persekutuan Putrajaya	7	16	2	25
Grand Total	22,398	2,706	102	25,206

Breakdown of Migrated Subscribers in 2020 by State and Federal Territory

Commercialisation of Sites Under the Time 3 Extension Phase 1 (Part 2) Project

2020 saw a new milestone as the operations and maintenance of 47 sites under the Time 3 Extension Phase 1 (Part 2) project (shown below) became commercialised. The designated universal service providers, having gained a communications network fully paid for via the USP Fund, will operate and maintain these sites on a commercial basis.

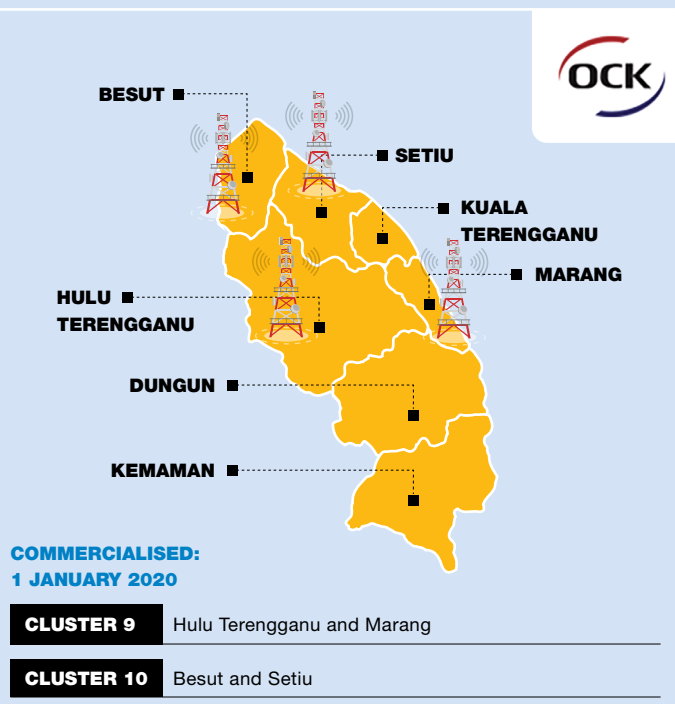


This is an important achievement as it allows the Commission to utilise the limited resources of the USP Fund to reach out to other underserved areas that require support for the deployment of networks and services for communications. The Commission expects all holders of radio spectrum assignments under the Communications and Multimedia Act 1998 and the Communications and Multimedia (Spectrum) Regulations 2000 for the provisioning of public cellular services in Malaysia to continue to be present at all these sites, and facilitate the achievement of the government's aspirations for the *rakyat* to enjoy public cellular services.

All holders of radio spectrum assignments have social and service objectives that go beyond mere profitability, and are expected to use this scarce national resource in a responsible and equitable manner.

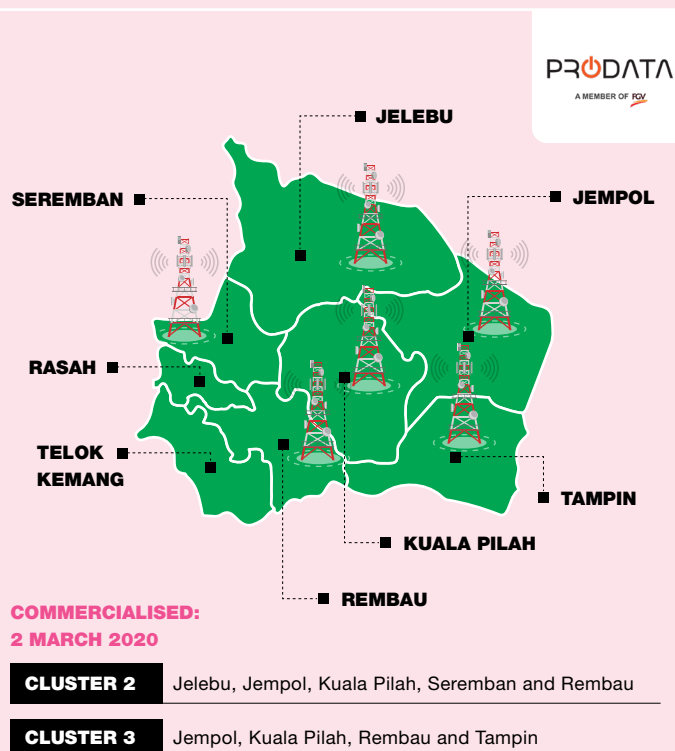
Commercialisation of Sites Under the Time 3 Extension Phase 1 (Part 2) Project

NO.	SITE NAME
1.	Kg. Tok Randok
2.	Kg. Bukit Tadok
3.	Kg. Pela/Kg. Durian Kassim
4.	Kg. Gerdong
5.	Kg. Kuala Jeneris
6.	Kg. Ulu Sat
7.	Kg. Bukit Nenas/ Jalan K. Berang Sg. Tong
8.	Kg. Tanggol/LPT2
9.	Jln Jambu Bongkok - Rantau Abang
10.	Kg. Alor Tembesu/Gong Balai
11.	Kg. Jerong Seberang
12.	Kg. Kubu/Kg. Tanah Lot
13.	Kg. Undang
14.	Pulau Kapas
15.	Kg. Kluang
16.	Kg. Kuala Kubang
17.	La Hot Spring
18.	Jln Belara - Sg. Tong
19.	Kg. Permaisuri
20.	Kg. Saujana
21.	Pulau Bidong
22.	Pulau Lang Tengah



List of USP sites now operated commercially by OCK Setia Engineering Sdn Bhd

NO.	SITE NAME
1.	Felda Titi Peringkat 3
2.	Glami Lemi (Pusat Perikanan)
3.	Kg. Rembang Panas
4.	Kg. Bintongan
5.	Simpang Tiga Kongkoi
6.	Kg. Bukit Kubot
7.	Kg. Chenor
8.	Felda Pasoh 2
9.	Kg. Parit Istana (Seri Menanti)
10.	Felda Palong 1
11.	Kg. Sungai Kelamah
12.	Kg. Ulu Rokan
13.	Felda Bukit Rokan Barat
14.	Kg. Bayai Baru
15.	Kg. Kepis Batu 12
16.	Kg. Dusun
17.	Kg. Kuala Johol
18.	Kg. Gemenchah Ulu
19.	Kg. Keru
20.	Kg. Miku
21.	Kg. Renggoh
22.	Kg. Merual
23.	Kg. Gunung Pasir
24.	Kg. Tengkek
25.	Kg. Sungai Dua Besar



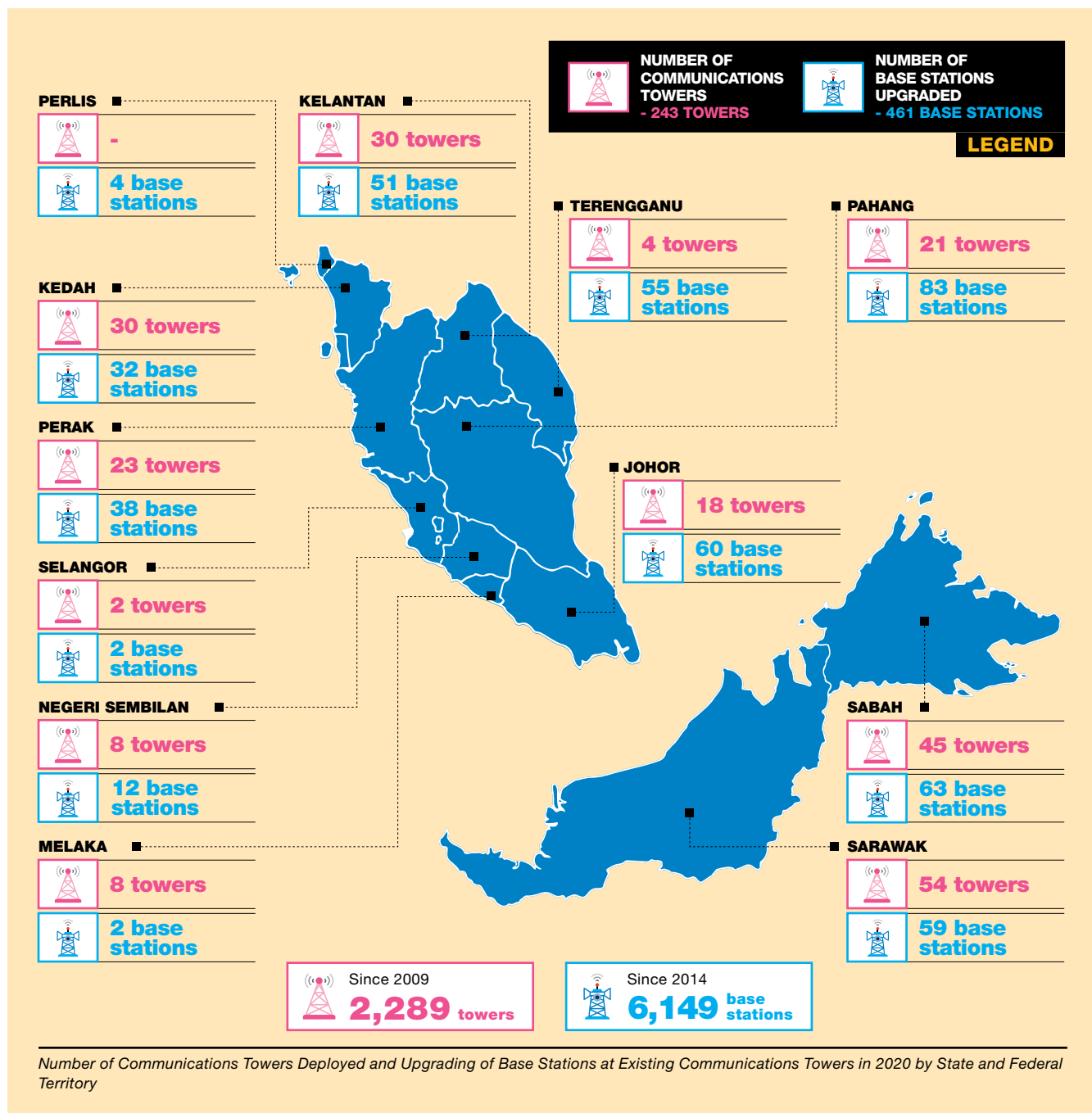
List of USP sites now operated commercially by FGV Prodata Systems Sdn Bhd

Communications Towers and Upgrading of Base Stations

In 2020, 243 communications towers for the provisioning of public cellular services were deployed nationwide under various initiatives which were fully funded by the USP Fund and awarded based on Regulation 5 and Regulation 36A, respectively, of the Communications and Multimedia (Universal Service Provision) Regulations 2002, which are under the stewardship of the Commission.

Meanwhile, 461 base stations at the existing towers were upgraded for the provisioning of 3G and 4G services by way of projects approved under the provisions for Major Contributors, under Regulation 36A of the Communications and Multimedia (Universal Service Provision) Regulations 2002.

The deployment of these new towers will address the issues of inadequate coverage and poor quality of public cellular services, especially in rural, remote and sparsely populated areas. Additionally, it will encourage the use of smart devices as well as online applications that require high capacity and high-speed broadband.

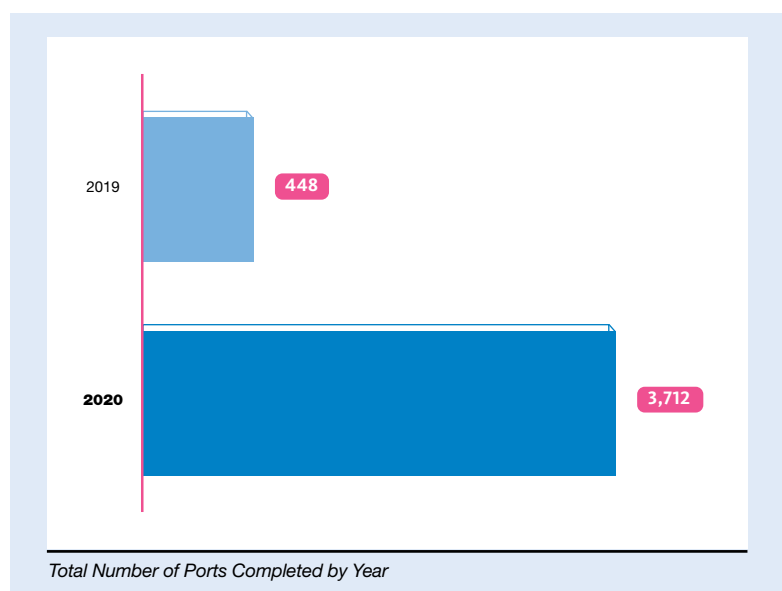
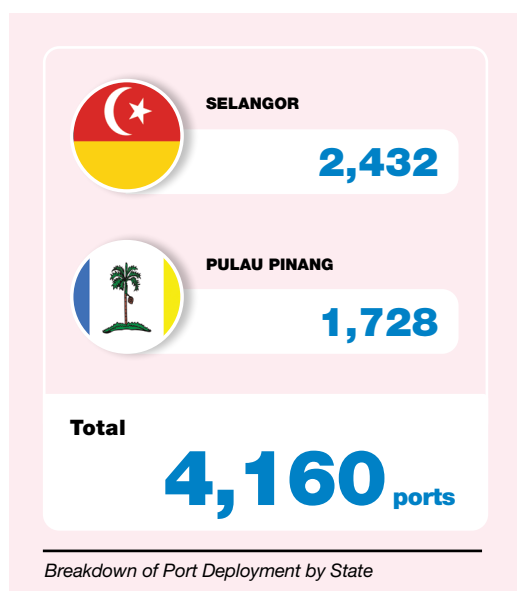


Fixed Broadband Deployment (Suburban and Urban Broadband)

A total of 4,160 ports have been deployed in Selangor and Pulau Pinang, with 3,712 ports deployed in 2020.



The breakdown of the port deployment by State is as follows:



Rural Broadband



The Rural Broadband (RBB) initiative was first awarded in 2014. Its implementation started in the year 2015 and the objective of the project was to increase national penetration rate by providing high-speed fixed broadband services at rural and suburban Universal Service Target (UST) areas nationwide.

The RBB initiative was fully funded by the Universal Service Provision Fund (USP Fund) with the designated service provider being Telekom Malaysia Berhad (TM). It involved upgrading the network infrastructure and fixed broadband services at 312 selected exchanges, at 119 districts and 243 *mukim* nationwide.

The RBB project was concluded in March 2020 with a total of 146,280 ports being completed nationwide. The table below shows the distribution of ports by state and Federal Territory.

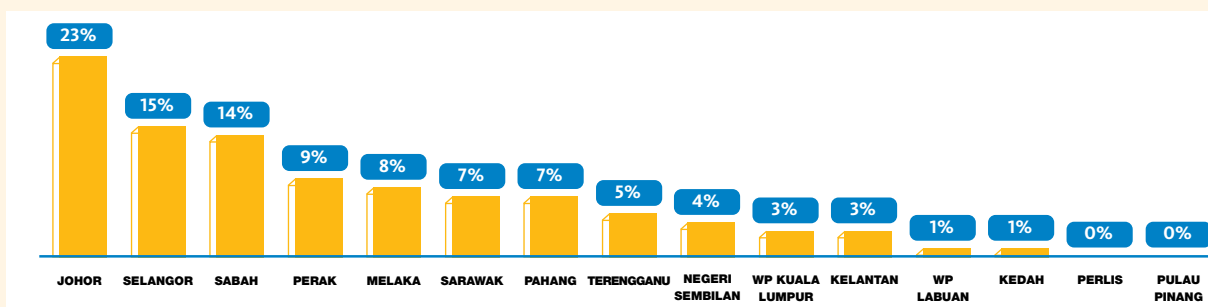

















Figure 1: Breakdown of RBB Port Implementation by Percentage

 PERLIS No. of Ports 64 No. of Exchanges 2	 KEDAH No. of Ports 1,744 No. of Exchanges 15	 PULAU PINANG No. of Ports 32 No. of Exchanges *	 PERAK No. of Ports 13,196 No. of Exchanges 37
 SELANGOR No. of Ports 22,511 No. of Exchanges 37	 NEGERI SEMBILAN No. of Ports 5,973 No. of Exchanges 21	 MELAKA No. of Ports 11,865 No. of Exchanges 23	 JOHOR No. of Ports 32,988 No. of Exchanges 48
 PAHANG No. of Ports 9,644 No. of Exchanges 40	 TERENGGANU No. of Ports 7,372 No. of Exchanges 20	 KELANTAN No. of Ports 4,040 No. of Exchanges 12	 SABAH No. of Ports 20,396 No. of Exchanges 36
 SARAWAK No. of Ports 10,317 No. of Exchanges 16	 WILAYAH PERSEKUTUAN KUALA LUMPUR No. of Ports 4,288 No. of Exchanges 3	 WILAYAH PERSEKUTUAN LABUAN No. of Ports 1,850 No. of Exchanges 2	

* Connected from Parit Buntar Exchange, Perak

Distribution of Ports by State and Federal Territory

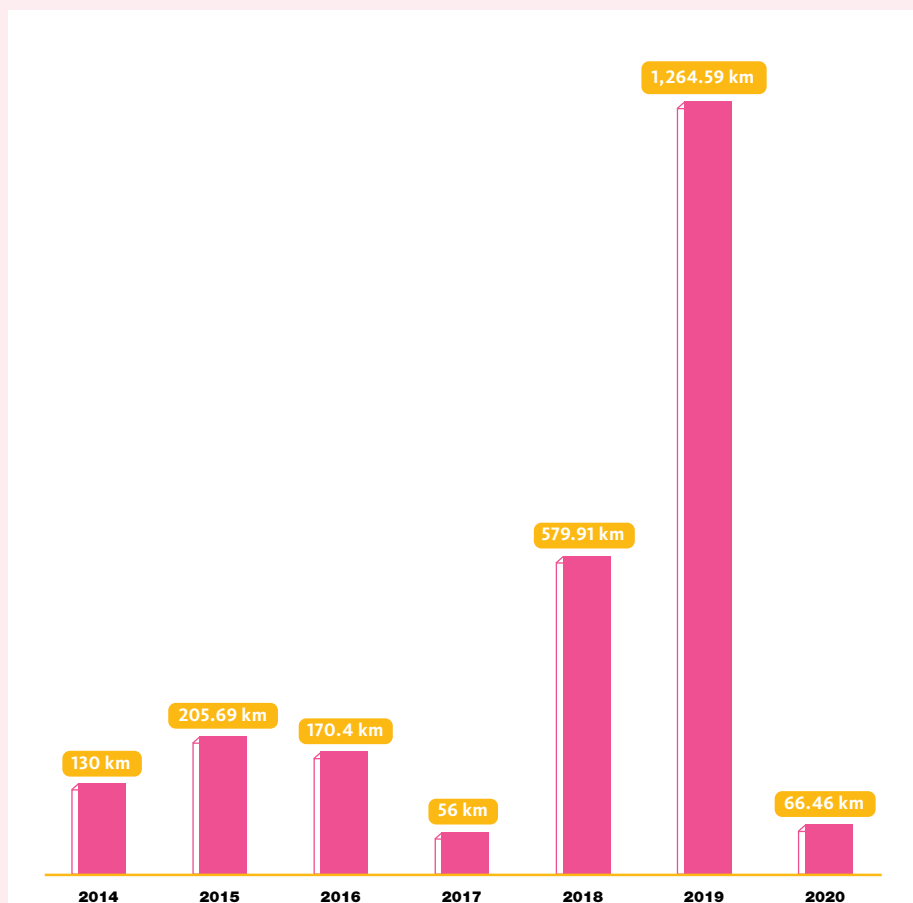
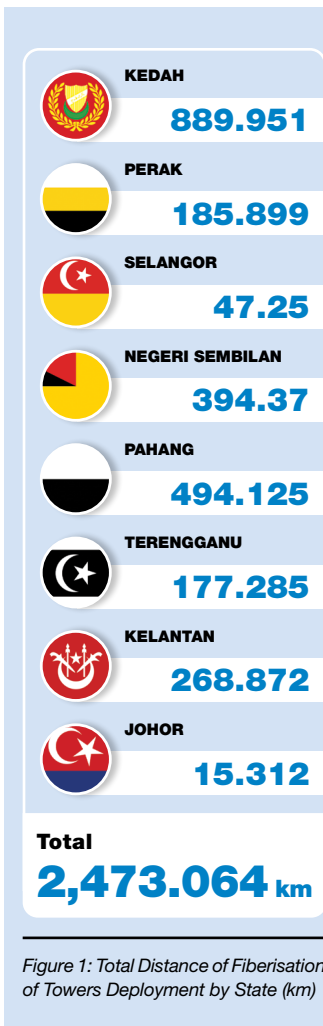
Fiberisation of Towers



This initiative was first implemented in 2014, with the objective of fiberising mobile communications towers in Malaysia.

This initiative will improve mobile communications services in terms of service quality and speed, particularly in rural areas. Since 2014, a total of 2,473.06 kilometres of fibre has been deployed to fiberise communications towers, with 66.46 kilometres of fibre deployed in 2020.

Figures 1 below shows the implementation of the nationwide fibre optic network expansion project by states and Figure 2 shows the implementation of the fibre optic network expansion on a yearly basis.



Smart Devices with Internet Packages



Through this initiative, selected smart devices were offered to eligible users at a lower price than the recommended retail price, along with free internet subscription for a year. This initiative was targeted at rural areas and low-income groups with the objective of encouraging these target groups to upgrade their existing mobile devices to smart devices so they could use the internet and mobile applications in their daily lives.



As at 31 December 2020, a total of 2,512,342 smart devices have been distributed nationwide. Of these, 14,010 smart devices were activated in 2020. The number of smart devices distributed by State and Federal Territory are as follows:

STATE/FEDERAL TERRITORY	TOTAL DISTRIBUTION (UNITS)
Perlis	58,762
Kedah	141,490
Pulau Pinang	121,003
Perak	190,168
Selangor	285,969
Negeri Sembilan	115,086
Melaka	88,305
Johor	216,457
Pahang	174,626
Terengganu	132,908
Kelantan	115,928
Sabah	361,705
Sarawak	311,054
Wilayah Persekutuan Kuala Lumpur	121,696
Wilayah Persekutuan Labuan	77,024
Wilayah Persekutuan Putrajaya	161
Total	2,512,342

Number of Smart Devices Distributed by State and Federal Territory

NUMBER OF SMART DEVICES DISTRIBUTED BY DESIGNATED UNIVERSAL SERVICE PROVIDERS

CELCOM MOBILE SDN BHD

351,142 units

CELCOM NETWORKS SDN BHD

166,419 units

DIGI TELECOMMUNICATIONS SDN BHD

978,806 units

TELEKOM MALAYSIA BERHAD

53,548 units

U MOBILE SDN BHD

22,274 units

MAXIS MOBILE SERVICES SDN BHD

880,153 units

MAXIS BROADBAND SDN BHD

60,000 units

Total

2,512,342 units

Community Internet Centres (Pusat Internet Komuniti)

The Community Internet Centre or Pusat Internet Komuniti (PIK) is one of the projects implemented by the Malaysian Communications and Multimedia Commission as part of its Universal Service Provision (USP) initiatives.

The implementation of the PIK is targeted at underserved areas and for underserved groups. This includes providing collective internet access in rural and remote areas as well as to communities residing in low-cost housing in urban areas.

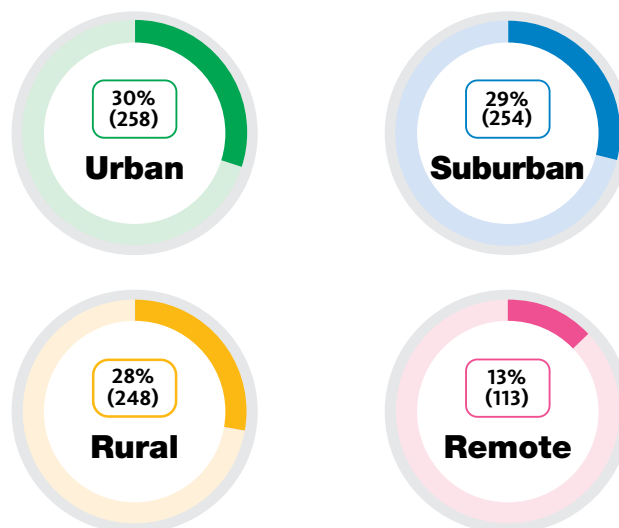


Figure 1: Distribution of PIK Location Nationwide

Over the years, these PIK have offered various human capital development programmes related to Information and Communications Technology (ICT), entrepreneurship and multimedia and awareness programmes, as part of a collective effort to improve the socio-economic and human capital upskilling of rural communities while attempting to bridge the digital divide between urban and rural communities.

As at 31 December 2020, a total of 873 PIKs are fully operational nationwide. The distribution of the total number of PIKs by State and Federal Territory is shown in Figure 2.



Figure 2: Distribution of the Total Number of PIKs by State and Federal Territory

Community Internet Centres (Pusat Internet Komuniti)

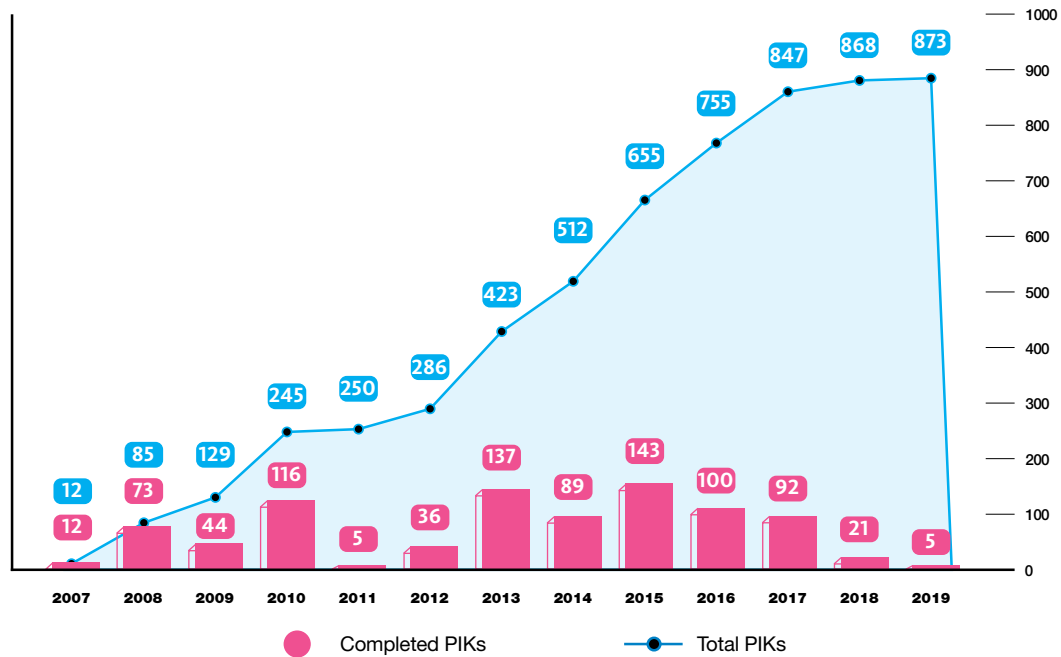


Figure 3: Number of PIKs Completed by Year

Figure 4 shows the Designated Universal Service Providers that have been appointed to set up and operate the PIKs nationwide.

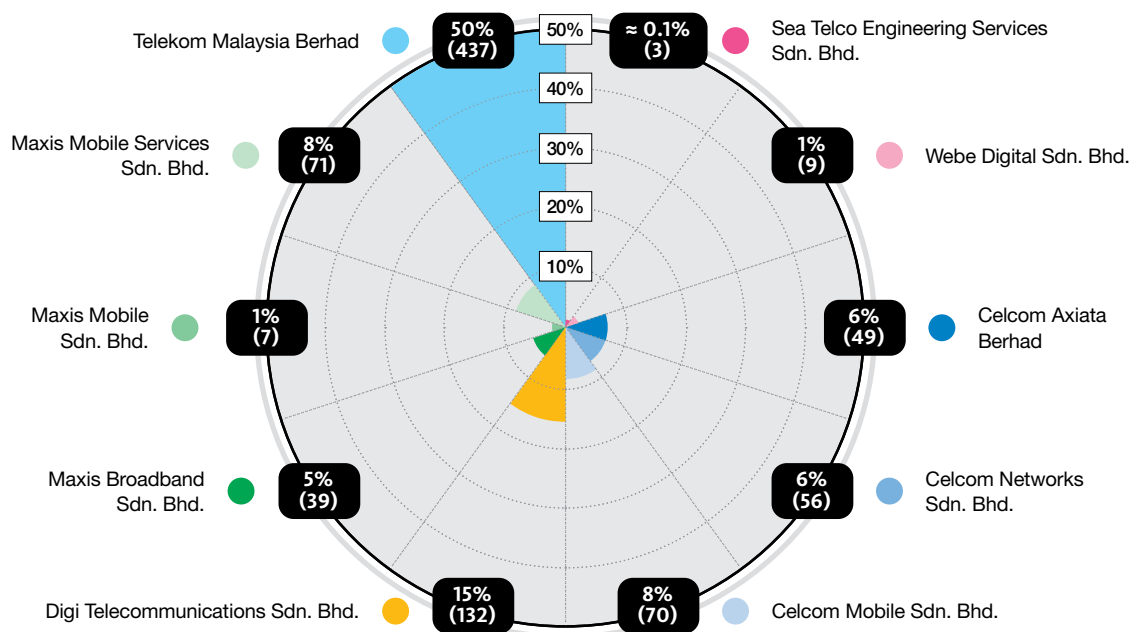


Figure 4: Breakdown of Universal Service Providers Designated to Set Up and Operate PIKs Nationwide

Community WiFi Hotspots

The Community WiFi Hotspots initiative undertaken by the Commission under its Universal Service Provision programme provides free hotspot wireless internet access at selected locations that are within a three-kilometre radius of the PIKs, by using a hub and spoke approach. The WiFi coverage for each spoke is up to 250 meters and the internet speed for each hub and spoke is up to 4Mbps.

As of 2020, there are 743 Community WiFi hotspots established nationwide. The total distribution of Community WiFi hotspots by State and Federal Territory is as shown in Table 1.

TOTAL COMMUNITY WIFI HOTSPOTS















	KEDAH	58
	PERAK	15
	SELANGOR	39
	NEGERI SEMBILAN	28
	MELAKA	26
	JOHOR	44
	PAHANG	77
	TERENGGANU	54
	KELANTAN	87
	SABAH	172
	SARAWAK	119
	WILAYAH PERSEKUTUAN KUALA LUMPUR	6
	WILAYAH PERSEKUTUAN PUTRAJAYA	12
	WILAYAH PERSEKUTUAN LABUAN	6
Total		743 hotspots

Table 1: Distribution of Community WiFi Hotspots According to State and Federal Territory



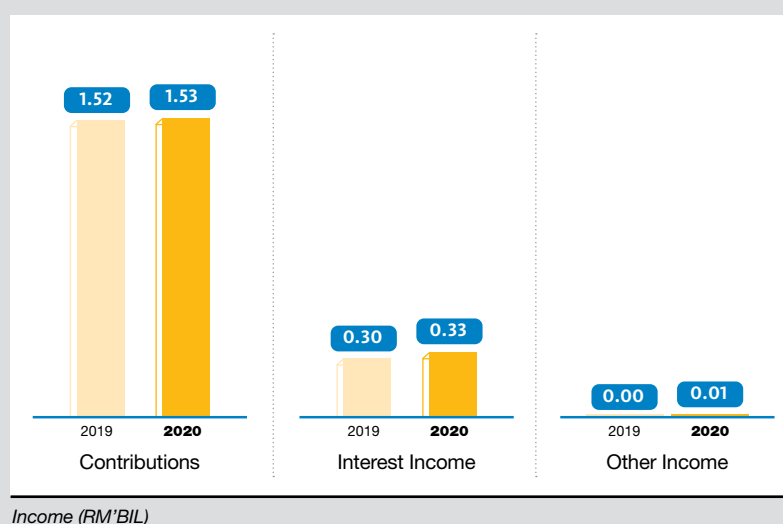
USP Fund

The COVID-19 pandemic which started as a health crisis in early of 2020 had quickly evolved into a global economic crisis. It has led to an increment flow in digital technologies usage due to people adjusting to a new normal centred on digitalisation and Internet connectivity, especially during the nationwide Movement Control Orders (MCO). Our digital activities have increased, leading to new demands on existing connectivity. The fixed and mobile networks that enable our digital lifestyles have proven critical during this crisis no longer depended upon by certain segments of the society, but by everyone.

On 29 August 2020, a national plan, Jalinan Digital Negara Plan (JENDELA) was launched by the YAB Prime Minister in efforts to strengthen the level of connectivity, quality of communication services and coverage especially in the rural and underserved areas.

The Universal Service Provision Fund (USP Fund), established under section 204 of the Communications and Multimedia Act 1998, is under the stewardship of the Commission and aims to bridge the digital divide by providing telecommunications and digital communication services to areas that lack telecommunications access. The USP fund addresses the digital divide through the expansion of 4G coverage and improving both fixed and mobile broadband quality, all the while laying the foundation for the coming 5G network.

As per the USP Regulation, it is mandatory for telecommunications services companies recording a net revenue of more than RM2 million for the year of assessment to contribute 6% of its weighted revenue to the USP Fund.



INCOME

For the year ending 31 December 2020, USP Fund generated a total income of RM1.83 billion. It comprised contribution by the licensees amounting to RM1.52 billion, interest income of RM0.30 billion and other income of RM0.01 billion. The marginal decrease in total income (as compared to 2019) was mainly due to the drop in interest income attributed to lower interest rates in line with the reduction of 1.0% in Overnight Policy Rates (OPR) set by *Bank Negara Malaysia* (BNM) to assist the economy recovery.

EXPENDITURE

The main expenditure of the USP Fund is attributed to claims by the Designated Universal Service Providers (DUSPs) which relates to cost of USP projects, comprising both capital and operating expenditures. A total amount of RM0.88 billion was recognised as expense for claims made by DUSPs for the implementation of USP projects as compared to RM1.72 billion in 2019. The decrease of RM0.84 billion or 49% was attributed to the reduction in claims made by DUSPs. They are mostly affected by the various challenges brought about by the implementation of MCO in 2020.

SURPLUS AFTER TAX, REPRESENTING TOTAL RECOGNISED GAINS

The USP Fund recorded a surplus after tax, representing total recognised gains of RM0.68 billion in 2020, an increase of RM0.58 billion as compared to 2019. This was mainly due to the reduction in claims made by DUSPs during the year.

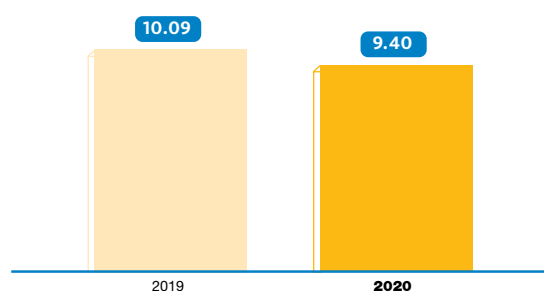
USP Fund



Assets



Liabilities



Accumulated Funds

Statement of Financial Position (RM'BIL)

ASSETS

For the year 2020, there was a marginal increase in total assets, RM10.69 billion as compared to RM10.64 billion in 2019. The main components of total assets are Other Investments amounting to RM9.43 billion, Contributions and Other Receivables of RM0.79 billion and Cash and Cash Equivalents of RM0.47 billion. The Commission maintained a robust collection procedure to minimise credit risk. This had resulted in a significant reduction in Contributions and Other Receivables by RM0.85 billion or 52% from RM1.64 billion to RM0.79 billion at end of 2020.

LIABILITIES

The total liabilities of RM0.61 billion were mainly for USP Project Claims payable which has reduced significantly by RM0.71 billion or 59% from RM1.20 billion in 2019 to RM0.49 billion as at end of 2020. This was due to the implementation of system enhancement and process improvement during the year which enable the USP project claims to be disbursed expeditiously.

ACCUMULATED FUNDS

The Accumulated Funds as at end of 2020 stood at RM10.09 billion, an increase of RM0.69 billion or 7% as compared to 2019 mainly due to the surplus after tax of RM0.68 billion. The USP's project funding requirements are continually being monitored to ensure sufficient availability of funds for the implementation of on-going projects and future projects initiatives under the JENDELA program. A total of RM9.05 billion has been committed in 2020, RM4.42 billion for on-going projects and the balance of RM4.63 billion for JENDELA Phase 1 project.



JENDELA is a comprehensive digital infrastructure plan towards greater digital connectivity for Malaysia.

The implementation of projects under the JENDELA is phased to cover the period starting from 2020 until 2025. A total of RM7.40 billion to be funded via the USP Fund have been identified for JENDELA Phase 1. This includes 1,661 new sites nationwide to be deployed to enhance the nationwide coverage of 4G with estimated allocation of RM4.63 billion being committed in 2020, paving way to accelerate the 5G roll out which, is targeted in Q4 2021.

Statement by the Commission Members

of the Malaysian Communications and Multimedia Commission

We, Dr. Fadhlullah Suhaimi bin Abdul Malek and Chew Liong Kim, being two of the Commission Members of the Malaysian Communications and Multimedia Commission, do hereby state that in the opinion of the Commission Members, the financial statements set out on pages 28 to 55 are drawn up in accordance with Malaysian Financial Reporting Standards and International Financial Reporting Standards so as to give a true and fair view of the financial position of the Fund as of 31 December 2020 and of its income and expenditure and cash flows for the financial year then ended.

Signed in accordance with a resolution by the Commission Members of the Malaysian Communications and Multimedia Commission:



Dr. Fadhlullah Suhaimi bin Abdul Malek



Chew Liong Kim

Cyberjaya, Selangor
01 April 2021

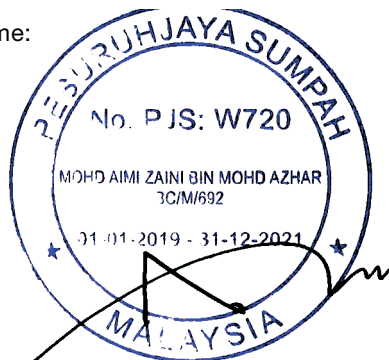
Statutory Declaration

I, Nor Fadhilah Mohd Ali, the officer primarily responsible for the financial management of Universal Service Provision Fund, do solemnly and sincerely declare that the financial statements set out on pages 28 to 55 are, to the best of my knowledge and belief, correct and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1960.

Subscribed and solemnly declared by the above named at Putrajaya, Wilayah Persekutuan on 07 April 2021.



Before me:



AIMI ZAINURITHA & CO
Peguambela & Peguamcara
No. 22A, Tingkat 1,
Jalan Diplomatik, Presint 15,
62050 Wilayah Persekutuan Putrajaya
Tel: +6010-225 8885
Email: aimizaico@gmail.com

07 APR 2021

Independent Auditors' Report

to the Commission Members of Malaysian Communications and Multimedia Commission

Report on the audit of the financial statements

Opinion

We have audited the financial statements of Universal Service Provision Fund ("the Fund"), which comprise the statement of financial position as at 31 December 2020 of the Fund, and statement of income and expenditure and recognised gains and losses and statement of cash flows of the Fund for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, as set out on pages 28 to 55.

In our opinion, the accompanying financial statements give a true and fair view of the financial position of the Fund as at 31 December 2020, and of its financial performance and cash flows for the year then ended in accordance with the Malaysian Financial Reporting Standards and International Financial Reporting Standards.

Basis of opinion

We conducted our audit in accordance with approved standards on auditing in Malaysia and International Standards on Auditing. Our responsibilities under those standards are further described in the Auditors' responsibilities for the audit of the financial statements section of our report. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence and other ethical responsibilities

We are independent of the Fund in accordance with the By-Laws (on Professional Ethics, Conduct and Practice) of the Malaysian Institute of Accountants ("By-Laws") and the International Ethics Standards Board for Accountants' Code of Ethics for Professional Accountants ("IESBA Code"), and we have fulfilled our other ethical responsibilities in accordance with the By-Laws and the IESBA Code.

Information other than the financial statements and auditors' report thereon

The Commission Members of the Malaysian Communications and Multimedia Commission ("the Commission") is responsible for the other information. The other information comprises the annual report, but does not include the financial statements of the Fund and our auditors' report thereon. We expect the annual report to be made available to us after the date of the auditors' report.

Independent Auditors' Report

to the Commission Members of Malaysian Communications and Multimedia Commission

Information other than the financial statements and auditors' report thereon (contd.)

Our opinion on the financial statements of the Fund does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements of the Fund, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements of the Fund or our knowledge obtained in the audit or otherwise appears to be materially misstated.

When we read the annual report, if we conclude that there is a material misstatement therein, we are required to communicate the matter to the Commission and take appropriate action.

Responsibilities of the Commission for the financial statements

The Commission Members are responsible for the preparation of financial statements of the Fund that give a true and fair view in accordance with the Malaysian Financial Reporting Standards and International Financial Reporting Standards. The Commission Members are also responsible for such internal control as the Commission Members determine is necessary to enable the preparation of financial statements of the Fund that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements of the Fund, the Commission Members are responsible for assessing the Fund's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Commission either intend to liquidate the Fund or to cease operations, or have no realistic alternative but to do so.

Independent Auditors' Report

to the Commission Members of Malaysian Communications and Multimedia Commission

Auditors' responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements of the Fund as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with approved standards on auditing in Malaysia and International Standards on Auditing will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with approved standards on auditing in Malaysia and International Standards on Auditing, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements of the Fund, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Commission.
- Conclude on the appropriateness of the Commission's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Fund's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements of the Fund or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Fund to cease to continue as a going concern.

Independent Auditors' Report

to the Commission Members of Malaysian Communications and Multimedia Commission

Auditors' responsibilities for the audit of the financial statements (contd.)

- Evaluate the overall presentation, structure and content of the financial statements of the Fund, including the disclosures, and whether the financial statements of the Fund represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Commission regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Other matters

This report is made solely to the Commission, as a body, in accordance with Regulation 36(2) of the Communications and Multimedia (Universal Service Provision) Regulations 2002 in Malaysia and for no other purpose. We do not assume responsibility to any other person for the content of this report.



Ernst & Young PLT

202006000003 (LLP0022760-LCA) & AF 0039
Chartered Accountants



Ong Chee Wai

No. 02857/07/2022 J
Chartered Accountant

Kuala Lumpur, Malaysia
1 April 2021

Statement of Financial Position

As at 31 December 2020

	Note	2020 RM'000	2019 RM'000
Assets			
Non-current asset			
Deferred tax asset	3	3,540	3,489
Current assets			
Other investments	4	9,433,971	8,459,677
Contributions and other receivables	5	784,360	1,639,128
Cash and cash equivalents	6	471,257	533,441
		10,689,588	10,632,246
Total assets		10,693,128	10,635,735
Current liabilities			
Other payables	7	488,124	1,195,857
Tax payable		117,527	35,226
		605,651	1,231,083
Represented by:			
Accumulated funds	8	10,087,477	9,404,652
Total liabilities and accumulated funds		10,693,128	10,635,735

The accompanying notes form an integral part of the financial statements.

Statement of Income and Expenditure and Recognised Gains and Losses

For the year ended 31 December 2020

	Note	2020 RM'000	2019 RM'000
Income			
Contributions	10	1,520,256	1,532,042
Interest income		298,255	333,905
Other income		9,113	178
Reversal of allowance for expected credit loss	5	329	7,538
		1,827,953	1,873,663
Expenditure			
Claims by USP service providers	11	(877,409)	(1,721,717)
Allowance for expected credit loss	5	(510)	(4,232)
Other expenses		(2)	(3)
		(877,921)	(1,725,952)
Surplus before tax		950,032	147,711
Tax expense	12	(267,207)	(40,353)
Surplus after tax, representing total recognised gains		682,825	107,358

The accompanying notes form an integral part of the financial statements.

Statement of Cash Flows

For the year ended 31 December 2020

	Note	2020 RM'000	2019 RM'000
Cash flows from operating activities			
Surplus before tax		950,032	147,711
Adjustments for:			
Reversal of allowance for expected credit loss		(329)	(7,538)
Allowance for expected credit loss		510	4,232
Interest income		(298,255)	(333,905)
Operating surplus/(deficit) before changes in working capital		651,958	(189,500)
Changes in working capital:			
Contributions and other receivables		854,587	369,771
Other payables		(707,733)	534,273
Cash generated from operations		798,812	714,544
Tax (paid)/recovered		(184,957)	26,695
Net cash generated from operating activities		613,855	741,239
Cash flows from investing activities			
Interest received		324,063	317,802
Placement in other investments		(1,000,102)	(647,349)
Net cash used in investing activities		(676,039)	(329,547)
Net (decrease)/increase in cash and cash equivalents		(62,184)	411,692
Cash and cash equivalents at 1 January		533,441	121,749
Cash and cash equivalents at 31 December	6	471,257	533,441

The accompanying notes form an integral part of the financial statements.

Notes to the Financial Statements

For the year ended 31 December 2020

1. CORPORATE INFORMATION

The principal activities of the Universal Service Provision Fund ("the Fund") are to promote the widespread availability and usage of network services and/or application services throughout Malaysia by encouraging the installation of network facilities and the provision for network service and/or applications services in underserved areas or for underserved groups within the community.

The Fund was established under Section 204 of the Communications and Multimedia Act 1998 and is regulated by the Communications and Multimedia (Universal Service Provision) Regulations 2002 ("USP Regulations"). The Fund commenced its operations in September 2002. The Fund is managed by the Commission Members and other key management personnel of the Malaysian Communications and Multimedia Commission ("the Commission") in accordance to the aforesaid regulations.

The address of the principal place of business is as follows:

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

These financial statements were authorised for issue by the Commission Members on 1 April 2021.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

2.1 Basis of preparation

The financial statements of the Fund have been prepared in accordance with Malaysian Financial Reporting Standards ("MFRSs"). The financial statements also comply with the International Financial Reporting Standards as issued by the International Accounting Standards Board.

The financial statements have been prepared on the historical cost basis except as disclosed in the accounting policies below. The financial statements are presented in Ringgit Malaysia ("RM") and all values are rounded to the nearest thousand ("RM'000") except when otherwise indicated.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.2 Changes in accounting policies

On 1 January 2020, the Fund adopted the following new and amended MFRSs mandatory for annual financial periods beginning on or after the dates stated below:

Description	Effective for annual periods beginning on or after
Amendments to MFRS 7, MFRS 9 and MFRS 139 Interest Rate Benchmark Reform	1 January 2020
Amendments to MFRS 101: Presentation of Financial Statements – Definition of Material	1 January 2020
Amendments to MFRS 108: Accounting Policies, Change in Accounting Estimates and Errors – Definition of Material	1 January 2020
Revised Conceptual Framework for Financial Reporting (the Conceptual Framework)	1 January 2020

The adoption of the standards above have no material impact on the financial statements in the period of initial application.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.3 Standards issued but not yet effective

The standards that are issued but not yet effective up to the date of issuance of the Fund's financial statements are disclosed below. The Fund intends to adopt these standards, if applicable, when they become effective.

Description	Effective for annual periods beginning on or after
Interest Rate Benchmark Reform – Phase 2 (Amendments to MFRS 9, MFRS 139 and MFRS 7)	1 January 2021
Amendments to Annual Improvements to MFRS Standards 2018-2020	1 January 2022
MFRS 9 Financial Instruments – Fees in the '10 per cent' test for derecognition of financial liabilities	1 January 2022
Property, Plant and Equipment – Proceeds before Intended Use (Amendments to MFRS 116 Property, Plant and Equipment)	1 January 2022
Onerous Contracts – Cost of Fulfilling a Contract (Amendments to MFRS 137 Provisions, Contingent Liabilities and Contingent Assets)	1 January 2022
Classification of Liabilities as Current or Non-current (Amendments to MFRS 101 Presentation of Financial Statements)	1 January 2023

The Commission expects that the adoption of the above standards will have no material impact on the financial statements in the period of initial application.

2.4 Income taxes

(a) Current income tax

Current tax assets and liabilities are measured at the amounts expected to be recovered from or paid to the tax authorities. The tax rates and tax laws used to compute the amounts are those that are enacted or substantively enacted, at the reporting date in the countries where the Fund operates and generates taxable income.

Current taxes are recognised in profit or loss except to the extent that the tax relates to items recognised outside profit or loss, either in other comprehensive income or directly in equity.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.4 Income taxes (contd.)

(b) Deferred tax

Deferred tax is provided using the liability method on temporary differences at the reporting date between the tax bases of assets and liabilities and their carrying amounts for financial reporting purposes.

Deferred tax liabilities are recognised for all taxable temporary differences, except:

- where the deferred tax liability arises from the initial recognition of goodwill or of an asset or liability in a transaction that is not a business combination and, at the time of the transaction, affects neither the accounting profit nor taxable profit or loss; and
- in respect of taxable temporary differences associated with investments in subsidiaries, associates and interests in joint controlled entities, where the timing of the reversal of the temporary differences can be controlled and it is probable that the temporary differences will not reverse in the foreseeable future.

Deferred tax assets are recognised for all deductible temporary differences, carry forward of unused tax credits and unused tax losses, to the extent that it is probable that taxable profit will be available against which the deductible temporary differences, and the carry forward of unused tax credits and unused tax losses can be utilised except:

- where the deferred tax asset relating to the deductible temporary difference arises from the initial recognition of an asset or liability in a transaction that is not a business combination and, at the time of the transaction, affects neither the accounting profit nor taxable profit or loss; and
- in respect of deductible temporary differences associated with investments in subsidiaries, associates and interests in joint ventures, deferred tax assets are recognised only to the extent that it is probable that the temporary differences will reverse in the foreseeable future and taxable profit will be available against which the temporary differences can be utilised.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.4 Income taxes (contd.)

(b) Deferred tax (contd.)

The carrying amounts of deferred tax assets is reviewed at each reporting date and reduced to the extent that it is no longer probable that sufficient taxable profit will be available to allow all or part of the deferred tax asset to be utilised. Unrecognised deferred tax assets are reassessed at each reporting date and are recognised to the extent that it has become probable that future taxable profit will allow the deferred tax assets to be utilised.

Deferred tax assets and liabilities are measured at the tax rates that are expected to apply to the year when the asset is realised or the liability is settled, based on tax rates and tax laws that have been enacted or substantively enacted at the reporting date.

Deferred tax relating to items recognised outside profit or loss is recognised outside profit or loss. Deferred tax items are recognised in correlation to the underlying transaction either in other comprehensive income or directly in equity and deferred tax arising from a business combination is adjusted against goodwill on acquisition.

Deferred tax assets and deferred tax liabilities are offset, if a legally enforceable right exists to set off current tax assets against current tax liabilities and the deferred taxes relate to the same taxable entity and the same tax authority.

2.5 Recognition of income

(a) Contributions from licensees

Contributions are recognised on the accrual basis on the licensees' annual Return of Net Revenue ("RONR") stated at 6% on weighted net revenue of the prior calendar year. Licensees whose net revenue is below RM2 million in the previous calendar year are not required to contribute.

Potential contributions from licensees who did not submit their annual RONR are recognised based on preceding year's RONR. If either of these is not available, revenue is not recognised due to the material uncertainty relating to the amount of contributions payable by the said licensees.

(b) Interest income

Interest income is recognised as it accrues using the effective interest method in the statement of income and expenditure.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.6 Claims by service providers

Claims are recognised as liabilities when the Fund has a present obligation as a result of a past event and it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation, and a reliable estimate of the amount can be made.

A present obligation arise when a complete set of claims documentation is received and the progress of the projects have been verified by the Commission. Claims are reviewed at each reporting date and adjusted to reflect the current best estimate.

2.7 Financial assets

Initial recognition

Financial assets are classified, at initial recognition, as subsequently measured at amortised cost, fair value through other comprehensive income ("OCI") or fair value through profit or loss.

The classification of financial assets at initial recognition depends on the financial asset's contractual cash flow characteristics and the Fund's business model for managing them. With the exception of contributions receivables that do not contain a significant financing component or for which the Fund has applied the practical expedient, the Fund initially measures a financial asset at its fair value plus, in the case of a financial asset not at fair value through profit or loss, directly attributable transaction costs. Contributions receivables that do not contain a significant financing component or for which the Fund has applied the practical expedient are measured at the transaction price determined under MFRS 15. Please refer to the accounting policies stated in Note 2.5(a).

Purchases or sales of financial assets that require delivery of assets within a time frame established by regulation or convention in the market place (regular way trades) are recognised on the trade date, i.e., the date that the Fund commits to purchase or sell the asset.

In order for a financial asset to be classified and measured at amortised cost or fair value through OCI, it needs to give rise to cash flows that are 'solely payments of principal and interest ("SPPI")' on the principal amount outstanding. This assessment is referred to as the SPPI test and is performed at the instrument level.

The Fund's business model for managing financial assets refers to how it manages its financial assets in order to generate cash flows. The business model determines whether cash flows will result from collecting contractual cash flows, selling the financial assets, or both.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.7 Financial assets (contd.)

Subsequent measurement

For purposes of subsequent measurement, financial assets are classified in four categories:

- (i) Financial assets at amortised cost (debt instrument);
- (ii) Financial assets at fair value through OCI with recycling of cumulative gains and losses (debt instruments);
- (iii) Financial assets designated at fair value through OCI with no recycling of cumulative gains and losses upon derecognition (equity instruments); or
- (iv) Financial assets at fair value through profit or loss.

The Fund categorises its financial assets based on the following:

(i) Financial assets at amortised cost

The Fund measures financial assets at amortised cost if both of the following conditions are met:

- (i) The financial asset is held within a business model with the objective to hold financial assets in order to collect contractual cash flows; and
- (ii) The contractual terms of the financial asset give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Financial assets at amortised cost are subsequently measured using the effective interest rate ("EIR") method and are subject to impairment. Gains and losses are recognised in profit or loss when the asset is derecognised, modified or impaired.

The Fund's contributions and other receivables are categorised as financial assets at amortised cost.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.7 Financial assets (contd.)

Subsequent measurement (contd.)

(ii) Financial assets at fair value through profit or loss

Financial assets at fair value through profit or loss include financial assets held for trading, financial assets designated upon initial recognition at fair value through profit or loss, or financial assets mandatorily required to be measured at fair value. Financial assets are classified as held for trading if they are acquired for the purpose of selling or repurchasing in the near term. Financial assets with cash flows that are not solely payments of principal and interest are classified and measured at fair value through profit or loss, irrespective of the business model. Notwithstanding the criteria for debt instruments to be classified at amortised cost or at fair value through OCI, as described above, debt instruments may be designated at fair value through profit or loss on initial recognition if doing so eliminates, or significantly reduces, an accounting mismatch.

The Fund's other investments are categorised as financial assets at fair value through profit or loss.

Derecognition

A financial asset (or, where applicable, a part of a financial asset or part of a group of similar financial assets) is primarily derecognised (i.e., removed from the Fund's statement of financial position) when:

- (i) The rights to receive cash flows from the asset have expired; or
- (ii) The Fund has transferred its rights to receive cash flows from the asset or has assumed an obligation to pay the received cash flows in full without material delay to a third party under a 'pass-through' arrangement; and either (a) the Fund has transferred substantially all the risks and rewards of the asset, or (b) the Fund has neither transferred nor retained substantially all the risks and rewards of the asset, but has transferred control of the asset.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.7 Financial assets (contd.)

Derecognition (contd.)

When the Fund has transferred its rights to receive cash flows from an asset or has entered into a pass-through arrangement, it evaluates if, and to what extent, it has retained the risks and rewards of ownership. When it has neither transferred nor retained substantially all of the risks and rewards of the asset, nor transferred control of the asset, the Fund continues to recognise the transferred asset to the extent of its continuing involvement. In that case, the Fund also recognises an associated liability. The transferred asset and the associated liability are measured on a basis that reflects the rights and obligations that the Fund has retained.

2.8 Financial liabilities

Initial recognition

Financial liabilities are classified according to the substance of the contractual arrangements entered into and the definitions of a financial liability.

Financial liabilities are recognised in the statement of financial position when, and only when, the Fund becomes a party to the contractual provisions of the financial instrument. The Fund's financial liabilities are classified as subsequently measured at amortised cost. The Fund has not designated any financial liabilities as at fair value through profit or loss.

Subsequent measurement

Other payables are recognised initially at fair value plus directly attributable transaction costs and subsequently measured at amortised cost using the effective interest rate method.

Derecognition

A financial liability is derecognised when the obligation under the liability is extinguished. When an existing financial liability is replaced by another from the same lender on substantially different terms, or the terms of an existing liability are substantially modified, such an exchange or modification is treated as a derecognition of the original liability and the recognition of a new liability, and the difference in the respective carrying amounts is recognised in profit or loss.

2.9 Cash and cash equivalents

Cash and cash equivalents consist of cash on hand, balances and deposits with banks and are measured as financial assets at amortised cost in accordance with policy Note 2.7.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.10 Impairment of financial assets

The Fund recognises an allowance for expected credit loss ("ECL") for all debt instruments not held at fair value through profit or loss. ECL is based on the difference between the contractual cash flows due in accordance with the contract and all the cash flows that the Fund expects to receive.

ECL is recognised in two stages. For credit exposures for which there has not been a significant increase in credit risk since initial recognition, ECL is provided for credit losses that result from default events that are possible within the next 12-months (a 12-month ECL). For those credit exposures for which there has been a significant increase in credit risk since initial recognition, a loss allowance is required for credit losses expected over the remaining life of the exposure, irrespective of the timing of the default (a lifetime ECL).

For contributions receivables, the Fund applies a simplified approach in calculating ECL. Therefore, the Fund does not track changes in credit risk, but instead recognises a loss allowance based on lifetime ECL at each reporting date. The Fund has established a provision matrix that is based on its historical credit loss experience, adjusted for forward-looking factors specific to the debtors and the economic environment.

A financial asset is written off when there is no reasonable expectation of recovering the contractual cash flows.

2.11 Fair value measurement

Fair value of an asset or a liability is determined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. The measurement assumes that the transaction to sell the asset or transfer the liability takes place either in the principal market or in the absence of a principal market, in the most advantageous market.

For non-financial asset, the fair value measurement takes into account a market participant's ability to generate economic benefits by using the asset in its highest and best use or by selling it to another market participant that would use the asset in its highest and best use.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.11 Fair value measurement (contd.)

When measuring the fair value of an asset or a liability, the Commission uses observable market data as far as possible. Fair value is categorised into different levels in a fair value hierarchy based on the input used in the valuation technique as follows:

Level 1: Quoted prices (unadjusted) in active markets for identical assets or liabilities that the Fund can access at the measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Unobservable inputs for the asset or liability.

The Fund recognises transfers between levels of the fair value hierarchy as at the date of the event or change in circumstances that caused the transfers.

2.12 Current and non-current classification

The Fund presents assets and liabilities in statements of financial position based on current and non-current classification.

An asset is classified as current when it is:

- expected to be realised or intended to be sold or consumed in normal operating cycle;
- held primarily for the purpose of trading;
- expected to be realised within 12 months after the reporting period; or
- cash and cash equivalents unless restricted from being exchanged or used to settle a liability for at least 12 months after the reporting period.

All other assets are classified as non-current.

A liability is classified as current when:

- it is expected to be settled in normal operating cycle;
- it is held primarily for the purpose of trading;
- it is due to be settled within 12 months after the reporting period; or
- there is no unconditional right to defer the settlement of the liability for at least 12 months after the reporting period.

All other liabilities are classified as non-current.

Deferred tax assets and liabilities are classified as non-current assets and liabilities, respectively.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.13 Significant accounting judgements and estimates

The preparation of the Fund's financial statements requires the Commission to make judgements, estimates and assumptions that affect the reported amounts of revenues, expenses, assets and liabilities at the reporting date. However, uncertainty about these assumptions and estimates could result in outcomes that could require a material adjustment to the carrying amount of the asset or liability affected in the future.

(a) Critical judgements made in applying accounting policies

There were no critical judgements made in applying the accounting policies of the Fund which may have significant effects on the amounts recognised in the financial statements.

(b) Key sources of estimation uncertainty

The key assumptions concerning the future and other key sources of estimation uncertainty at the reporting date, that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are discussed below:

(i) Income taxes

Significant estimation is involved in determining the provision for income taxes. There are certain transactions and computations for which the ultimate tax determination is uncertain during the ordinary course of business. The Fund recognises liabilities for expected tax issues based on estimates of whether additional taxes will be due. Where the final tax outcome of these matters is different from the amounts that were initially recognised, such differences will impact the income tax and deferred tax provisions in the period in which such determination is made.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.13 Significant accounting judgements and estimates (contd.)

(b) Key sources of estimation uncertainty (contd.)

(ii) Deferred taxation

Deferred tax assets are recognised for all deductible temporary differences to the extent that it is probable that taxable profit will be available against which the deductible temporary differences can be utilised. Significant management judgement is required to determine the amount of deferred tax assets that can be recognised, based upon the likely timing and level of future taxable profits together with future tax planning strategies. Further details are disclosed in Note 3.

(iii) Provision for ECL for contributions receivables

The Fund uses a provision matrix to calculate ECL for contributions receivables. The provision rates are based on days past due for groupings of various licensee segments that have similar loss patterns.

The provision matrix is initially based on the Fund's historical observed default rates. The Fund will calibrate the matrix to adjust the historical credit loss experience with forward-looking information. For instance, if forecast economic conditions are expected to deteriorate over the next year which can lead to an increased number of defaults, the historical default rates are adjusted. At every reporting date, the historical observed default rates are updated and changes in the forward-looking estimates are analysed.

The assessment of the correlation between historical observed default rates, forecast economic conditions and ECL is a significant estimate. The amounts of ECL are sensitive to changes in circumstances and of forecast economic conditions. The Fund's historical credit loss experience and forecast of economic conditions may also not be representative of customer's actual default in the future.

However, the Fund concluded that customers' ECL does not have high correlation with forecast economic factors.

The information about the ECL on the Fund's contributions receivables is disclosed in Note 5.

Notes to the Financial Statements

For the year ended 31 December 2020

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)

2.13 Significant accounting judgements and estimates (contd.)

(b) Key sources of estimation uncertainty (contd.)

(iv) Unbilled receivables

Unbilled receivables primarily relate to rights to consideration for contributions to be made by licensees but have yet to be notified at the reporting date. The rights to consideration for contributions are based on the USP Regulations, where the Fund has a right to estimate the contribution for a particular calendar year based on the information that is available and the decision of the Fund shall be final if the RONR and related documentations are not submitted within the stipulated deadline.

Contributions are recognised on an accrual basis on the licensees' annual RONR stated at 6% on weighted net revenue of the prior calendar year. As such, the amount of unbilled receivables will be based on the latest RONR reports received from the licensees.

3. DEFERRED TAX ASSET

	2020 RM'000	2019 RM'000
At beginning of year	3,489	7,420
Recognised in income statement (Note 12)	51	(3,931)
At end of year	3,540	3,489

Deferred tax assets arose solely from temporary differences from allowance for ECL of contributions and other receivables.

Notes to the Financial Statements

For the year ended 31 December 2020

4. OTHER INVESTMENTS

	2020 RM'000	2019 RM'000
These comprise term deposits with:		
- licensed banks	9,433,971	8,459,677

Short term deposits with licensed banks are made with maturities ranging from 3 to 12 months (2019: 3 to 12 months). The deposits bore weighted average interest rate of 2.62% (2019: 3.86%).

5. CONTRIBUTIONS AND OTHER RECEIVABLES

	2020 RM'000	2019 RM'000
Contributions receivables	789,435	1,182,288
Less: allowance for ECL (Note b)	(15,145)	(14,964)
	774,290	1,167,324
Unbilled receivables (Note a)	10,070	471,804
Total contribution and other receivables	784,360	1,639,128
Add: Cash and cash equivalents (Note 6)	471,257	533,441
Total financial assets at amortised cost	1,255,617	2,172,569

(a) Unbilled receivables

Unbilled receivables primarily relate to rights to consideration for contributions to be made by licensees but have yet to be notified at the reporting date.

(b) Provision for ECL

	2020 RM'000	2019 RM'000
At 1 January	14,964	26,500
Additions during the year	510	4,232
Reversal during the year	(329)	(7,538)
Write off during the year	-	(8,230)
At 31 December	15,145	14,964

Notes to the Financial Statements

For the year ended 31 December 2020

5. CONTRIBUTIONS AND OTHER RECEIVABLES (CONTD.)

(b) Provision for ECL (contd.)

An impairment analysis is performed at each reporting date using a provision matrix to measure ECL. The provision rates are based on days past due for groupings of various licensee segments with similar loss patterns. The calculation reflects the probability-weighted outcome, the time value of money and reasonable and supportable information that is available at the reporting date about past events, current conditions and forecasts of future economic conditions. Generally, receivables are provided for if past due for more than one year and are not subject to enforcement activity.

Set out below is the information of the credit risk exposure on the Fund's receivables using a provision matrix:

31 December 2020

	Average ECL rate %	Gross carrying amount RM'000	Provision for ECL RM'000
1 to 30 days	4%	24,922	885
31 to 60 days	0.5%	174,292	822
61 to 90 days	1%	213,105	1,359
91 to 120 days	1%	348,272	2,030
121 to 365 days	5%	19,705	910
More than 365 days	100%	9,139	9,139
		789,435	15,145

31 December 2019

	Average ECL rate %	Gross carrying amount RM'000	Provision for ECL RM'000
1 to 30 days	5%	21,814	1,168
31 to 60 days	0%	344,283	-
61 to 90 days	2%	125,409	2,573
91 to 120 days	0.5%	261,146	1,268
121 to 365 days	1%	422,673	2,992
More than 365 days	100%	6,963	6,963
		1,182,288	14,964

Notes to the Financial Statements

For the year ended 31 December 2020

6. CASH AND CASH EQUIVALENTS

	2020 RM'000	2019 RM'000
Cash at bank	4,166	451,765
Deposits with licensed banks	467,091	81,676
Total cash and cash equivalents	471,257	533,441

Deposits with licensed banks are made for maturity periods between one day and 3 months depending on the immediate cash requirements of the Fund with weighted average interest rate of 1.70% (2019: 3.12%).

As at the reporting date, the Fund's cash at bank balances was placed under a sweep arrangement in the name of the Commission on behalf of the Fund.

Information on financial risks of cash and cash equivalents are disclosed in Note 14.

7. OTHER PAYABLES

	2020 RM'000	2019 RM'000
Accrued USP claims	488,074	1,195,857
Sundry payables	50	-
Total other payables, representing total financial liabilities at amortised cost	488,124	1,195,857

8. ACCUMULATED FUNDS

	2020 RM'000	2019 RM'000
As at 1 January	9,404,652	9,297,294
Surplus after tax	682,825	107,358
As at 31 December	10,087,477	9,404,652

Payment out of the USP Fund is governed by the Communications and Multimedia (Universal Service Provision) Regulations 2002. The USP Fund shall be expended for advances for USP projects, claims from designated universal service providers and refunding any overpaid contribution.

Notes to the Financial Statements

For the year ended 31 December 2020

9. AUDIT FEE

Audit fee of RM80,000 (2019: RM80,000) is borne by the Commission.

10. CONTRIBUTIONS

Contributions represent funds received from licensees who are required to contribute to the Fund as stipulated in the licence granted by the Malaysian Communications and Multimedia Commission.

There are no disaggregated information to be presented as the Fund only has one source of revenue. Contributions are recognised at a point in time.

Information relating to contributions receivables balances arising from contracts with licensees is disclosed in Note 5.

11. CLAIMS BY SERVICE PROVIDERS

These relates to cost of USP projects, comprising both capital and operating expenditures. The cost is recognised as an expense when the Fund has verified the progress of the projects and are satisfied with the completeness of claims documentation received from the USP service providers.

12. TAX EXPENSE

	2020 RM'000	2019 RM'000
Income tax expense		
- Current year	263,374	35,226
- Under provision in prior years	3,884	1,196
	267,258	36,422
Deferred tax expense (Note 3)		
- Origination and reversal of temporary differences	(51)	3,931
Total tax expense	267,207	40,353

The Fund's chargeable income is taxed at scaled rates that are applicable to individuals. The first RM1 million is taxed at rates determined by the tax authority for each year of assessment. Chargeable income beyond RM1 million is taxed at the statutory tax rate of 28% (2019: 28%).

Notes to the Financial Statements

For the year ended 31 December 2020

12. TAX EXPENSE (CONTD.)

A reconciliation of income tax expense applicable to surplus before tax at the statutory income tax rate to the income tax expense at the effective income tax rate of the Fund is as follows:

	2020 RM'000	2019 RM'000
Surplus before tax	950,032	147,711
Tax on first RM1,000,000	239	239
Remaining tax at statutory tax rate of 28%	265,728	41,079
Income not subject to tax	(2,644)	(2,161)
Under provision of income tax in prior years	3,884	1,196
Total tax expense	267,207	40,353

13. COMMITMENT

	2020 RM'000	2019 RM'000
Costs for the implementation of the Universal Service Provision:		
Approved but not awarded	4,630,000	290,289
Awarded but not provided for	4,416,982	3,385,142
	9,046,982	3,675,431

14. FINANCIAL INSTRUMENTS

(a) Financial risk management objectives and policies

The Fund is exposed to financial risks arising from its operations and the use of financial instruments. The key financial risks include interest rate risk (both fair value and cash flow), liquidity risk and credit risk.

The Commission reviews and agrees policies and procedures for the management of these risks, which are executed by the Chairman. The audit committee provides independent oversight to the effectiveness of the risk management process.

Notes to the Financial Statements

For the year ended 31 December 2020

14. FINANCIAL INSTRUMENTS (CONTD.)

(b) Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of the Fund's financial instruments will fluctuate because of changes in market interest rates.

The Fund's exposure to interest rate risk arises primarily from deposits with licensed banks and financial institutions.

Interest on financial instruments subject to floating interest rates is contractually repriced at intervals of less than 7 days (2019: less than 7 days). The other financial instruments of the Fund that are not subject to floating interest rates will not be subject to interest rate risks.

(c) Liquidity risk

Liquidity risk is the risk that the Fund will not be able to meet its project requirements as they fall due. The Fund's exposure to liquidity risk arises principally from its other payables.

The Fund maintains sufficient levels of cash and cash equivalents to ensure, as far as possible, that it will be able to meet its liabilities when they fall due.

The Fund's liabilities are all payable within one year after the financial year end.

(d) Credit risk

Credit risk is the risk of a financial loss to the Fund if a service provider or counterparty to a financial instrument fails to meet its contractual obligations. The Fund's exposure to credit risk arises principally from its contributions and other receivables and deposits placed with licensed banks.

Contributions and other receivables

As at the reporting date, the maximum credit exposure on receivables is limited to the carrying amount of the receivables less provision for expected credit loss.

The Commission has taken reasonable steps to ensure that receivables that are neither past due nor impaired are stated at their realisable values.

Details of expected credit loss in relation to receivables are disclosed in Note 5.

Notes to the Financial Statements

For the year ended 31 December 2020

14. FINANCIAL INSTRUMENTS (CONTD.)

(d) Credit risk (contd.)

Contributions and other receivables (contd.)

The Fund's credit period with its licensees is generally for a period of 30 days (2019: 30 days), except for licensees who wish to contribute in two installments, where the credit period for the second installment is generally for a period of 180 days (2019: 180 days). The Fund seeks to maintain strict control over its outstanding contributions and has procedures in place to minimize credit risk. Overdue balances are reviewed regularly by senior management. Any outstanding contribution having significant balances past due more than 365 days, which are deemed to have a higher credit risk, will be monitored individually.

Deposits placed with licensed banks

Risk management objectives, policies and processes for managing the risk

Deposits are allowed to be placed only with licensed financial institutions.

Exposure to credit risk, credit quality and collateral

As at the end of the reporting period, the Fund has only placed deposits with domestic licensed banks. The maximum exposure to credit risk arising from deposits placed with licensed banks is represented by the carrying amounts in the statement of financial position.

(e) Fair value of financial instruments

The carrying amounts of cash and cash equivalents, contributions and other receivables and other payables reasonably approximate their fair values due to the relatively short term nature of these financial instruments.

Notes to the Financial Statements

For the year ended 31 December 2020

15. RELATED PARTIES

Identity of related parties

For the purposes of these financial statements, parties are considered to be related to the Fund if the Fund has the ability, directly or indirectly, to control or to jointly control the party or exercise significant influence over the party in making financial and operating decisions, or vice versa, or where the Fund and the party are subject to common control. Related parties may be individuals or other entities.

Related parties also include key management personnel defined as those persons having authority and responsibility for planning, directing and controlling the activities of the Fund either directly or indirectly. Key management personnel include all the Members of the Commission and senior management of the Commission.

The Government of Malaysia ("GOM") including those entities controlled, jointly controlled or under significant influence by the GOM are considered as related parties of the Commission. All the transactions processed by the Commission for the GOM-related entities are conducted in the ordinary course of business.

There are no related party transactions during the current and prior financial year other than as disclosed elsewhere in the financial statements.

16. TRANSACTIONS WITH KEY MANAGEMENT PERSONNEL

There are no transactions with key management personnel in the current and prior financial year. The remuneration of key management personnel are paid by the Commission.

17. FUND MANAGEMENT POLICY

The primary objective of the Fund's fund management is to ensure that it is able to meet its project requirements as and when they fall due and to achieve its operational objectives.

The Fund manages its accumulated funds by budgeting its funding needs ahead and adjust its expenditures as required. The Fund continuously monitors its budget against actual results and identify efficiencies in its operations.

No changes were made in the objectives, policies or processes during the years ended 31 December 2020 and 2019.

Notes to the Financial Statements

For the year ended 31 December 2020

18. LEGAL PROCEEDINGS

(a) Naza Communications Sdn Bhd

Naza Communications Sdn Bhd ("Naza"), the designated universal service provider ("DUSP") for the Time 3 Extension Phase 2 (Part 2) Project ("T3EPH2 Project") issued a letter dated 19 April 2019 demanding for payment in the amount of RM46,841,000, claimed to be outstanding payment for the operations and maintenance ("O&M") undertaken for the T3EPH2 Project.

The approved cost for the T3EPH2 Project was initially RM91,125,902.00 and later varied on 30 November 2017 to RM117,738,225.78 (additional amount of RM26,612,323.78 claimed to be the O&M that was not included in the initial approved cost).

Naza has also not complied with the approved universal service plan and the user department had been working on the revocation of Naza's designation as the DUSP since 2018.

Noting the non-compliance on part of Naza, the Commission had revoked Naza's designation as the DUSP which was effective on 19 July 2019.

The Commission had issued a notice to Naza pursuant to subregulation 16(7A) of the USP Regulations to deliver and/or transfer the infrastructure and/or installations in the USTs to Maxis whereby Naza is required to fulfil the requirements specified by the Commission in the notice.

Pursuant to the revocation, the Commission had initiated the process to drawdown the performance bond ("PB") submitted by Naza for the T3EPH2 Project. A letter dated 4 November 2019 to Bank of China (Malaysia) Berhad ("Bank of China") had been issued for the purpose to drawdown the PB.

A. Injunction application

Pursuant to an ex-parte application dated 8 November 2019, Naza had sought to obtain an Injunction Order (inter parte) from the High Court against the Commission to prevent the Commission from making any drawdown on the PB in the sum of RM9,112,590.20 that was submitted by Naza in the form of an irrevocable bank guarantee for the T3EPH2 Project.

During the inter-parte hearing of the injunction application on 11 February 2020, the injunction application filed by Naza was dismissed by the High Court with cost of RM5,000.00 payable to the Commission.

Notes to the Financial Statements

For the year ended 31 December 2020

18. LEGAL PROCEEDINGS (CONTD.)

(a) Naza Communications Sdn Bhd (contd.)

A. Injunction application (contd.)

Solicitor of the Fund had issued a letter dated 21 February 2020 to Naza's solicitors for the payment of the cost awarded by the High Court in the amount of RM5,000.00 together with the allocator in the amount of RM200.00.

Following the dismissal of the injunction application by the High Court, the Commission had issued a letter dated 21 February 2020 to Bank of China to release the performance bond in the amount of RM9,112,590.20 to the Commission. The said amount had been credited to the Commission's USP Fund on 25 February 2020.

B. Civil suit

Naza has filed a civil suit against the Commission through Writ of Summons dated 8 November 2019 and Statement of Claim dated 26 November 2019 ("Suit").

In the Suit, Naza claimed for the followings:

- (i) the Commission to pay to Naza the sum of RM17,267,111.54 for works done and completed under the T3EPH2 Project;
- (ii) a declaration that the Notification of Approval issued by the Commission for the T3EPH2 Project was terminated wrongfully and without reasonable cause and the Commission to pay the loss of profit to Naza in the sum of RM34,775,365.12;
- (iii) a declaration that the bank guarantee submitted for the T3EPH2 Project for the sum of RM9,112,590.20 is no longer in force; and
- (iv) injunction order restraining the Commission to drawdown the bank guarantee for the T3EPH2 Project in the amount of RM9,112,590.20 (Note: the injunction application has been dismissed by the High Court on 11 February 2020).

In response to the filing of the Suit, the Commission had filed in the Statement of Defence and Counterclaim on 11 December 2019 to answer to Naza's allegations and claims.

Notes to the Financial Statements

For the year ended 31 December 2020

18. LEGAL PROCEEDINGS (CONTD.)

(a) Naza Communications Sdn Bhd (contd.)

B. Civil suit (contd.)

Under the counterclaim, the Commission had claimed the following reliefs against Naza:

- (i) a declaration that the revocation of Naza's designation as a DUSP vide the Notice of Revocation of Designation as Designated Universal Service Provider for the Provision and Implementation of the T3EPH2 Project dated 5 July 2019 was lawful and validly issued;
- (ii) damages to be assessed pursuant to subregulation 16(8) of the USP Regulations;
- (iii) liquidated damages in the sum of RM11,773,822.50; and
- (iv) general damages.

Naza responded to the same by filing the Reply to the Defence and Defence to the Counterclaim on 30 December 2019. The Commission then subsequently filed the Reply to the Defence to the Counterclaim on 13 January 2020. The High Court has fixed the trial of the Suit on 2, 3, 4, 9, 10 and 11 November 2020.

Naza then proposed to explore an amicable settlement in relation to the Suit via letter dated 16 April 2020.

Upon due consideration, the Commission agreed for both parties to withdraw their respective claims and counterclaims, with no liberty to file afresh and with no order as to cost.

The parties had filed in the respective Notice of Discontinue dated 6 November 2020 at the High Court and the matter is now closed.



Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission

UNIVERSAL SERVICE PROVISION