



Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission

PUBLIC CONSULTATION REPORT
New Communications Equipment Framework
9 August 2024

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1.0 Abbreviations

ATM	Angkatan Tentera Malaysia
CA	Certifying Agency
CB	Certifying Body
CBRA	Cross Border Regulatory Agency
CBU	Completely Built Unit
CKD	Completely Knocked Down
CoA	Certificate of Approval
CoC	Certificate of Conformity
EMC	Electromagnetic
FAQ	Frequently Asked Question
GDPMD	Good Distribution Practice in Medical Device
ID	Identification Number
IMEI	International Mobile Equipment Identity
IoT	Internet of Things
IPv6	Internet Protocol version 6
ISP	Internet Service Provider
ITN	Information Technology/Networking
MCMC	Malaysian Communications and Multimedia Commission
MPC	Malaysia Productivity Corporation
MRA	Mutual Recognition Arrangement
NCEF	New Communications Equipment Framework
PIA	Permit Issuance Agency
PDRM	Polis Diraja Malaysia
PSTN	Public Switched Telephone Network
RFI	Request for Information
RIS	Regulatory Impact Statement
RMCD	Royal Malaysian Customs Department
SDoC	Supplier's Declaration of Conformity
SIRIM	SIRIM QAS International Sdn. Bhd.
SLA	Service Level Agreement
SLP	Self-Labeling Program
TSR 2000	Communications and Multimedia (Technical Standards) Regulations 2000
VIN	Vehicle Identification Number
WLAN	Wireless Local Area Network

2.0 Introduction

2.1 Public Consultation Exercise

2.1.1 The Malaysian Communications and Multimedia Commission (MCMC) is currently developing the New Communications Equipment Framework (NCEF). NCEF is an approval framework for communications equipment that is devised to address contemporary market needs and increase the competitiveness of the communications and multimedia industry, taking into account international best practices and benefits to the stakeholders.

2.1.2 MCMC has completed a Public Consultation exercise on the proposed NCEF, from 20 May 2024 to 21 June 2024. The objective of this Public Consultation was to seek views and comments from all stakeholders of the industry, interested parties and members of the public before finalising the new framework.

2.1.3 The Public Consultation paper asserted four (4) main gaps and challenges that was identified from the Strategic Review of the Certification Framework for Communications Equipment conducted in 2022.

2.1.4 In addressing these gaps and challenges, the end-to-end operating model of NCEF was developed with the demarcation of roles and responsibilities of each stakeholder as shown in Figure 1.

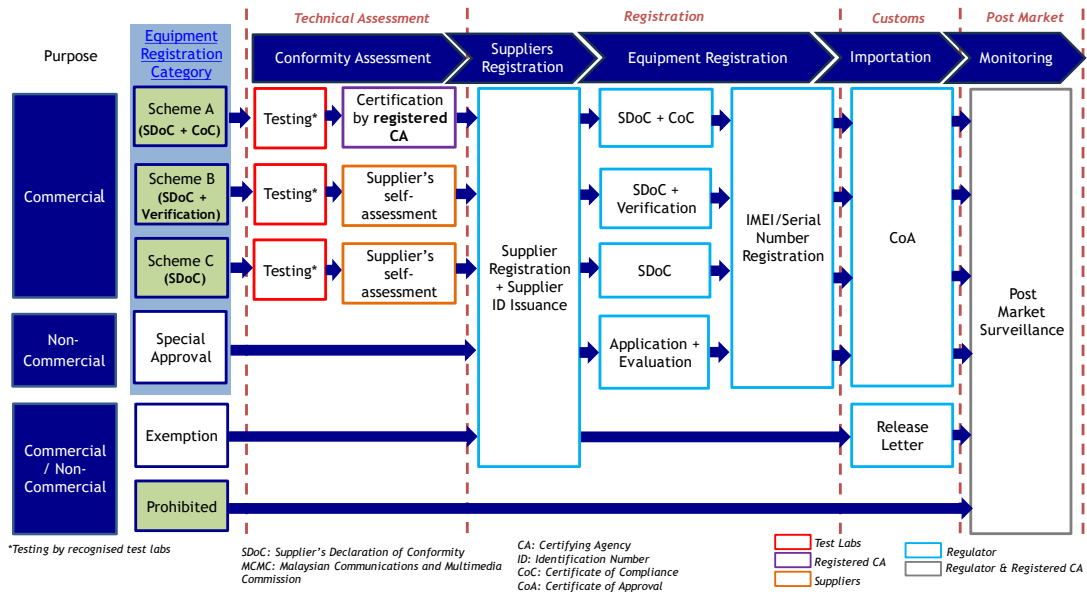


Figure 1: The proposed of New Communications Equipment Framework (NCEF)

- 2.1.5 The public consultation paper referenced the Guideline for Registration of Communications Equipment (Guideline) for the following key elements to clarify the requirements and processes in NCEF:
- a) Conformity assessment: Testing of the equipment shall be conducted by recognised testing labs. Equipment under scheme A shall also be certified by a registered certifying agency (CA) such as SIRIM QAS International Sdn. Bhd. (SIRIM).
 - b) Supplier registration: Supplier who wishes to use, offer for sale, or sell communications equipment shall register with MCMC and comply with the registration conditions.
 - c) Equipment registration: All communications equipment for commercial or non-commercial purposes is required to be registered with MCMC under the following categories:
 - i. Scheme A: Supplier's declaration of conformity (SDoC) with certification;
 - ii. Scheme B: SDoC with verification;
 - iii. Scheme C: SDoC; and
 - iv. Special approval.
 - d) Exempted communications equipment: Communications equipment as listed under the category of exemption are exempted from the registration.
 - e) Prohibited communications equipment: Supplier shall not manufacture, import, let hire, sell or offer or possess for sale any prohibited communications equipment.
 - f) International Mobile Equipment Identity (IMEI) or serial number registration: Supplier is required to register IMEI or serial number for each unit of registered communications equipment with MCMC prior to the importation or placement in the market.
 - g) Importation: Pursuant to Customs (Prohibition of Import) Order 2023, the importation of communications equipment must be accompanied by a Certificate of Approval (CoA) or release letter issued by Cross Border Regulatory Agency (CBRA). Under the proposed NCEF, MCMC will be the CBRA responsible for the issuance of CoA or release letter.
 - h) Monitoring: Post market surveillance may be conducted by MCMC or registered CA to ensure registered communications equipment continues to comply with standards and regulatory requirements.

2.1.6 There were ten (10) questions in the Public Consultation paper, which were designed to gather detailed input from stakeholders on various aspects of the proposed framework and guideline. Thus, ensuring that the consultation process is thorough and able to identify key areas of concern and improvement.

2.2 Submission Received

2.2.1 MCMC received twenty (20) written submissions from the following organisations in Table 1:

No.	Organisation	Submission Date
1	Realme Malaysia (Realme)	31 May 2024
2	Apple Inc. USA (Apple)	14 June 2024
3	Siemens Healthcare Sdn. Bhd. (Siemens)	17 June 2024
4	Japan Electronics and Information Technology Industries Association (JEITA)	18 June 2024
5	Southeast Asea Infocomm and Consumer Electronic Technology Group (ICT Group)	19 June 2024
6	Astro	20 June 2024
7	Sony (Malaysia) Sdn. Bhd. (SOMAS)	20 June 2024
8	Canon Malaysia (Canon)	20 June 2024
9	Daikin Research and Development (R&D) Malaysia (Daikin)	20 June 2024
10	Maxis Broadband Sdn. Bhd. (Maxis)	20 June 2024
11	Abbot Medical (Malaysia) Sdn. Bhd. (Abbot)	20 June 2024
12	SIRIM QAS International Sdn. Bhd.	21 June 2024
13	Proxus Communications Sdn. Bhd. (Proxus)	21 June 2024
14	Huawei Technologies (Malaysia) Sdn. Bhd. (Huawei)	21 June 2024
15	MEASAT Satellite Systems Sdn Bhd (MEASAT)	21 June 2024
16	Malaysian Automotive Association (MAA)	21 June 2024
17	Roche Diagnostics Malaysia Sdn. Bhd. (Roche)	21 June 2024
18	Wideminds	21 June 2024
19	Wideminds and Clients	24 June 2024
20	Malaysia Medical Device Association (MMDA)	26 June 2024

Table 1: Submission of NCEF public consultation feedback

2.2.2 Late submissions past the official consultation period at 12 noon on Friday, 21 June 2024 were still accepted as these late submissions indicate strong industry interest and engagement on NCEF.

3.0 Feedback from the Public Consultation

3.1 Proposed New Communications Equipment Framework (NCEF)

Question 1:

MCMC seeks public views on the overview of the proposed NCEF.

i) View

3.1.1 Astro acknowledged the significance of scheme B and C inclusions. However, they were concerned about the SDoC being manipulated by irresponsible parties.

3.1.2 Huawei stated that the suppliers are required to pay fees for each existing product registered with SIRIM. Thus, for existing stakeholders who own more than 200 to 300 approval numbers from SIRIM, this will result in higher fees.

3.1.3 ICT Group and SOMAS welcomed the proposal on the communications equipment classification based on risks, promoting good regulatory practice, nurturing business friendly environment for the industries.

3.1.4 Maxis commented that the process flow is satisfactory.

3.1.5 MEASAT was keen to explore the new proposed framework and stated that the categorisation of equipment is a thoughtful approach to managing varying levels of risk. The centralisation of the registration processes under MCMC is likely to enhance efficiency and reduce potential bottlenecks in the registration and customs processes.

3.1.6 Proxus stated that they were very positive about the proposed NCEF except for IMEI or serial number registration under scheme B and C.

3.1.7 Realme was of the view that the addition of IMEI or serial number registration and CoA will lead to a longer certification cycle, which is not conducive to product importation and will also hinder cross-border trade.

- 3.1.8 Siemens was concerned on the double registration fee for scheme A.
- 3.1.9 Wideminds stated if the proposed NCEF has a shorter lead time and lower fees, this may result in a shorter time to market and lower cost.
- 3.1.10 Wideminds and Clients have acknowledged that shorter lead time and lower fees of NCEF will be helping the market, however they were concerned on the market surveillance. For example, Singapore has a very strong market surveillance team, stronger citizen culture, stronger penalty and law. Thus, Malaysia needs to strengthen the law and penalty, increase public awareness and market surveillance.

ii) Proposal

- 3.1.11 Abbot proposed to exempt medical devices of specific frequency (e.g. 402 - 405 MHz) from the requirement of NCEF.
- 3.1.12 Apple recommended that product registration be automatic and confidential after certification is obtained from CA.
- 3.1.13 Canon proposed that the registration is only for new products while everything else is to be converted from the current into the new framework to avoid lengthy process.
- 3.1.14 ICT Group recommended to classify wireless microphones under scheme C similar to Singapore and Australia.
- 3.1.15 MAA requested MCMC to consider SIRIM's current arrangement with automotive industry involving Completely Knocked Down (CKD) and Completely Built Unit (CBU) for NCEF.
- 3.1.16 Maxis requested explicit definitions for the terms 'high-risk', 'medium-risk', and 'low-risk' equipment to avoid any ambiguity. Maxis also suggested supplier commercial to be eligible to apply for special approval.
- 3.1.17 MEASAT recommended conducting a practical test of the new process to identify any unforeseen challenges and ensure that it meets the needs of all stakeholders effectively.
- 3.1.18 Realme suggested increasing the cycle of each step in the document, so that product certification would be very clear.

3.1.19 Siemens recommended a nominal registration fee to avoid financial burden.

iii) Inquiry

3.1.20 Abbot inquired about the definition for scheme A, B, and C for clarity.

3.1.21 Huawei inquired on the following:

- a) MCMC's specific expertise and resources to handle the responsibilities of product certification.
- b) MCMC's plan to address any potential challenges or gaps with stakeholders during the transition period especially if the previous process by SIRIM is found to be more efficient or easier for stakeholders.
- c) Development of the platform and whether the platform will be managed by MCMC or a third party for their data confidentiality.
- d) MCMC's training plan.
- e) Whether the fees will be according to product features similar to the current practice by SIRIM.

3.1.22 MMDA inquired about the turnaround time for each process under the new framework and list of registered or recognised CA.

3.1.23 Siemens inquired about the possibility of supplier registration to be done in parallel with product certification, equipment registration to be done by a registered supplier who is not a registered certificate holder and the total number of CA appointed as well as schedule of CA accreditation program.

iv) Feedback from Certifying Agency

3.1.24 SIRIM stated the following views in their feedback:

- a) Mentioned their significant role and 25 years of experience as a registered certifying agency for communications equipment to ensure product compliance, and consumer safety whilst delivering services seamlessly.
- b) SIRIM believed that the proposed operating model of NCEF is not the only way of achieving the expected benefits realised by adopting multiple CA landscape and Mutual Recognition Arrangement (MRA) Phase II.
- c) SIRIM has concern on the following:
 - Market surveillance and compliance including penalties and enforcement and certification of communications products.
 - Potential difficulties due to no avenue for standardised decision making.
 - No mechanism for clients to differentiate their products.

- Risk of incorrect declarations under the approval mechanism for scheme B and C.
- Falsification of test report, results and product specifications.
- Lack of verification will lead to potential misuse.
- Lack of resources to conduct thorough post market surveillance.

3.1.25 SIRIM proposed the following:

- a) Comprehensive thorough risk assessment including considerations of electrical safety and electromagnetic (EMC) compliance considering the usage environment and location of the communications equipment, particularly for hybrid products.
- b) Conduct third party audits to verify that suppliers are correctly using the relevant standards, testing report authentication and testing laboratory information verification (accreditation, etc.) for each of their products.
- c) Alternative definition for the roles of regulator, registered body and CA as well as realignment of roles.
- d) Criteria for the acceptance of equally potential CA entities by reviewing the rules and/or procedures to govern the appointments and operations of appointed CA by international organisations.
- e) Physical laboratory assessment be conducted before the laboratory registration is approved.

3.1.26 SIRIM inquired whether MCMC can provide details of what it considers to be a recognised laboratory.

3.2 Registration of Supplier, Principal and Consultant

Question 2:

MCMC seeks public views on the proposed registration of supplier and its obligations, principal and consultant.

i) View

3.2.1 Proxus agreed with the proposed supplier registration and obligations.

3.2.2 SOMAS welcomed a smooth transition and process to register to the new principal ID.

ii) Proposal

- 3.2.3 Apple, Astro and ICT Group proposed for existing registered principals or suppliers with SIRIM should not be required to be registered with MCMC again. MCMC should port over the same registration information so that the principals or suppliers' ID do not change.
- 3.2.4 Abbot, Huawei and Maxis suggested registered supplier commercial is allowed to carry out activities under supplier non-commercial.
- 3.2.5 Canon suggested shortening the process of registration and one-time payment for all registration.
- 3.2.6 JEITA proposed for the existing data on the supplier registration to be migrated from SIRIM to MCMC's platform via back-end so that the suppliers already registered would be exempted from the new registration process.
- 3.2.7 Siemens recommended providing breakdown of the registration fee for supplier commercial and supplier non-commercial.
- 3.2.8 SOMAS requested a year transition period to allow new products to cross over to new label format (with new ID) after the supplier successfully registered and has been issued with new principal ID.
- 3.2.9 Maxis proposed that supplier commercials should be permitted to use, offer for sale, or sell equipment under scheme A, B, or C.
- 3.2.10 Proxus proposed for the registration of Bluetooth and Internet of Things (IoT) modules for low power devices to be registered by the module manufacturer instead of multiple suppliers via a separate track and to classify this equipment under scheme C instead of scheme B.
- 3.2.11 Wideminds and Clients proposed to establish a system to qualify the consultant.

ii) Inquiry

- 3.2.12 Abbot inquired whether the supplier, principal or consultant registration will replace the HIDF in e-ComM system and whether principal can import equipment for sale.
- 3.2.13 Siemens inquired about the administrative change process such as office name and address change.

- 3.2.14 Huawei asked whether they are required to register both principal and supplier since they also own third party brand.
- 3.2.15 Wideminds and Clients inquired whether supplier needs to provide any proof of authorisation to sell principal's brand product as per current practice by SIRIM and Indonesia. Also, if there are any conditions to register as consultant to ensure integrity and understanding of the requirements.
- 3.2.16 MAA inquired whether a company registered with MCMC as a supplier can appoint a consultant and to confirm the purpose and necessity to have a consultant ID.
- 3.2.17 MMDA inquired how to address the registration of products or suppliers where not all products are owned by the importer and registration information of supplier is not visible to be able to reference the parts imported by non-approved supplier.

iv) Feedback from Certifying Agency

- 3.2.18 SIRIM has concerns on the following:
- a) Possibility that the authorisation letter for the registration of supplier could be readily manipulated by the supplier.
 - b) High fees charged by consultant to their clients.
 - c) Falsification and tampering of product specifications by suppliers or consultants.
- 3.2.19 SIRIM proposed that data integration between SIRIM and MCMC is the optimal choice which will reduce disruption allowing MCMC to concentrate on its primary regulatory responsibilities on policy and enforcement activities without having to deal with the extra work of handling registration and operation processes.
- 3.2.20 SIRIM inquired on how MCMC is able to manage the following:
- a) Supplier's appointment by the correct principal.
 - b) Fee and requirements for consultant's registration.
 - c) Penalties in the event the consultant violates certain terms and conditions.
 - d) Assurance that equipment brands do not breach the Trade Descriptions Act 2011 (Act 730).

3.3 Registration of Communications Equipment

Question 3:

MCMC seeks public views on the proposed registration of communications equipment under scheme A, B, C and special approval.

i) View

- 3.3.1 ICT Group welcomed the introduction of the new SDoC schemes for streamlining the conformity assessment procedure of medium risk and low risk communications equipment.
- 3.3.2 MEASAT stated that the special approval process for non-commercial use is also well-defined and believed that the proposed framework provides a robust structure for the registration of communication equipment.
- 3.3.3 Proxus agreed with the proposed registration and schemes.

ii) Proposal

- 3.3.4 Apple proposed principals or suppliers to be allowed the flexibility to choose scheme A for all products under MCMC scope.
- 3.3.5 MEASAT suggested including a provision for expedited review of special approval applications in urgent cases and availability of detailed Frequently Asked Questions (FAQs) and training sessions for suppliers to navigate the registration process effectively.
- 3.3.6 Abbot proposed the following:
- a) Removal of SDoC and photos from the document requirements for scheme A.
 - b) Exemption of medical device from scheme A and inclusion of active medical implant only for 402 – 405 MHz in scheme B.
 - c) Scheme B registration will be verified by MCMC thus, SDoC should only be applicable for scheme C registration.
 - d) Addition of SDoC after uploading documents before payment of registration fee.
 - e) Renewal should not need another CoC as there are no changes during renewal.
 - f) Modification for certain wordings and additional clause for administrative changes.

- g) Improvement of table Classification of Communications Equipment in Annex B of the Guideline to clearly highlight which technical code is applicable to which category.
 - h) Inclusion of SDoC in online system similar to current type approval application in e-ComM system.
- 3.3.7 JEITA and SOMAS stated that radio equipment with the same technical code is considered to have the same level of risk. Hence, they proposed to integrate scheme B and C into scheme C only.
- 3.3.8 Siemens proposed the following:
 - a) Medical devices (hybrid product) should not be scheme A since communications equipment module integrated in the medical devices are already certified with SIRIM.
 - b) Shorter approval timeline and to specify details such as duration and quantity for special approval.
 - c) List down the documents required and provide evaluation timeline for major modification.
 - d) Provide the option for the applicant to decide labelling method at a later stage to accommodate any change prior to importation.
- 3.3.9 ICT Group proposed the following:
 - a) Accept the existing CoC for both new and renewal applications provided there are no changes to the technical standard and no modifications for the existing certified product.
 - b) Include Public Switched Telephone Network (PSTN) technical code SKMM MTSFB TC T001:2013 in Annex B of the Guideline.
 - c) SDoC re-signing is not required during renewal unless there is major modification on the registered equipment.
- 3.3.10 Astro suggested adopting the existing 24-hour processing timeline for special approval given that certain equipment is required for ad-hoc and urgent purposes.
- 3.3.11 SOMAS proposed more detailed submission requirements such as test report condition for scheme A for better clarity.
- 3.3.12 Canon suggested having one scheme to avoid confusion and wrong registration and reduce processing time.
- 3.3.13 Maxis proposed the option of allowing larger quantities for special approval in cases of urgent project.

- 3.3.14 Huawei recommended the following:
- a) One approver for end-to-end registration for scheme A (either CA or MCMC) to avoid another submission for registration of communications equipment to MCMC.
 - b) Timeline for special approval for equipment complying with class assignment or technical codes to be between one (1) to two (2) days as per current practice with SIRIM.
- 3.3.15 Roche proposed to include hybrid medical devices with short-range transmission functionalities like Bluetooth and Wireless Local Area Network (WLAN) under scheme B.
- 3.3.16 Wideminds suggested Bluetooth earpiece or headset in scheme C.
- 3.3.17 Wideminds and Clients suggested including additional information on power adaptor, safety and EMC (including immunity) in SDoC form.
- 3.3.18 MAA requested a sample letter of SDoC to be provided as a reference.
- 3.3.19 MMDA proposed medical devices to be moved to the exemption list and to provide decision flow chart to help importers to know which scheme their product falls under.

iii) Inquiry

- 3.3.20 Siemens inquired about the following:
- a) Validity period for special approval.
 - b) Definition of authorised officer in SDoC form.
 - c) Renewal and approval timeline as well as validity period CoC under CA.
 - d) Consideration for equipment granted with special approval to be converted for sales purpose.
 - e) Confirmation of minor and major modification list.
- 3.3.21 Huawei inquired about the following:
- a) Definition of supplier self-assessment during the technical assessment process.
 - b) Requirement to renew the CoC with CA under scheme A after its expiry.
 - c) Parallel product registration similar to the current model provided by SIRIM.
 - d) Definition of the recognised laboratory whether it is referring to the laboratory accredited in e-ComM system.
 - e) Possibility to convert communications equipment registered under special approval into commercial use under scheme A, B or C.

iv) Feedback from Certifying Agency

3.3.22 SIRIM has concerns on the following:

- a) Verification and issuance of special approval certificate is too long compared to SIRIM's present process, which takes 24-hour.
- b) Detection of frequencies for Wi-Fi equipment.
- c) Verification issues.
- d) Redundancy of documentation under scheme A.
- e) Additional requirements for communication products.

3.3.23 SIRIM proposed the following:

- a) Evaluate and certify the 5 to 6 GHz Wi-Fi equipment under scheme A to prevent equipment operation outside the allowable range.
- b) Assessment of test report should be based on the result or evidence from MCMC recognised test laboratory.
- c) Inclusion of additional requirements for communications products such as power adaptor details, safety and health requirements, EMC including immunity.
- d) Effective communication and transparency between regulators and the public.
- e) Flexibility for suppliers to register their product under scheme A whenever required and requested.
- f) Maintain the current Self-Labeling Program (SLP) by SIRIM for the issuance of MCMC label.
- g) SIRIM to carry out conformity assessment activities since their role as government Certification Body (CB) should encompass all aspects under scheme A, B, and C.
- h) Leveraging existing e-ComM system to meet the requirements of the three (3) approval schemes of NCEF.
- i) MCMC to oversee the application for registration certificate in order to establish a centralised approval database.
- j) Revised mechanism for scheme A, B and C.
- k) Reclassification of communications equipment in scheme B and C.

3.3.24 SIRIM inquired on the following:

- a) Genuine CoC for scheme A.
- b) Validity period of scheme A, B and C.
- c) Which scheme caters for hybrid category.
- d) Verification of the registered product if there is modification made by the suppliers.

3.4 Exempted Communications Equipment

Question 4:

MCMC seeks public views on the proposed exemption of communications equipment from registration.

i) View

3.4.1 Astro welcomed the proposed exemption recommended by MCMC, however they have concerns about the turnaround time for MCMC to provide response to the enquiries regarding exempted equipment.

3.4.2 SOMAS, Proxus and Maxis understood the list of equipment categories under exemption.

ii) Proposal

3.4.3 MEASAT proposed all the respective fees listed in Annex C of the Guideline should not exceed the existing fees applicable in the current framework.

3.4.4 Abbot proposed the following:

- a) Removal of the requirements for pro-forma invoice, delivery order and validity period of release letter since devices are already exempted.
- b) Issuance of release letter by product and not per shipment, and to be within 24-hour.
- c) Inclusion of company's own use in the criteria and increase the quantity not more than twenty (20) for mobile phone, laptop and wearables.

3.4.5 ICT Group proposed to exempt facsimile since it is a stable, mature and unchanged technology.

3.4.6 Maxis proposed the following:

- a) Provide extra guidelines to simplify the process of importation of exempted products.
- b) Amend the Customs Tariff Code to reflect under the column 'Import License' (IL) to show 'Not Applicable' (NA).
- c) A statement that a release letter from Royal Malaysian Customs Department (RMCD) is not needed for equipment under exempted category in NCEF.

- 3.4.7 Huawei proposed revising the list of exempted equipment by adding more products and providing clear descriptions so that suppliers can apply as per current practice.
- 3.4.8 Wideminds and Clients proposed the following:
- a) Include Internet Protocol version 6 (IPv6) requirement to all products that connect directly to Internet Service Provider (ISP).
 - b) Include manufacturer license requirement.
 - c) Include equipment that are brought in person for own use under class assignment.
- 3.4.9 MMDA proposed to add medical and related healthcare devices to the exempted communications equipment list.

iii) Inquiry

- 3.4.10 MEASAT sought clarification on any action needs to be undertaken by supplier if the imported equipment falls under exemption category or an action is only required if the RMCD requires a release letter for the importation of the equipment.
- 3.4.11 Siemens inquired about the possibility to utilise the same release letter for all shipments of the same equipment or validity period for the release letter to be used.
- 3.4.12 Wideminds and Clients inquired if there is any voluntary certification requirement for equipment purchased by *Angkatan Tentera Malaysia (ATM)* or *Polis Diraja Malaysia (PDRM)*.

iv) Feedback from Certifying Agency

- 3.4.13 SIRIM proposed the following:
- a) Amend the IPv6 requirement so that it applies to all communications products.
 - b) Monitor quantity of exempted products such as phone, laptop, wearable, etc. that is brought in for personal use.
 - c) Conduct comprehensive verification to ensure that there are no false declarations or misinterpretations of the product specifications under exempted communications equipment.
- 3.4.14 SIRIM inquired on the following:
- a) Validity period of the release letter.

- b) Quantity control of the product for importation under exempted category.
- c) Specific tariff code under exempted product.
- d) Multiple or one-time application per shipment for the release letter.

3.5 Prohibited Communications Equipment

Question 5:

MCMC seeks public views on the proposed prohibition of communications equipment.

i) View

- 3.5.1 MEASAT supported the prohibition of communications equipment that does not meet regulatory standards or poses potential risks to network security or safety.
- 3.5.2 SOMAS, ICT Group, Proxus and Wideminds and Clients understood the list of equipment categories under prohibited.
- 3.5.3 Astro supported MCMC's proposal on the prohibited communications equipment in ensuring safety risks, avoiding frequency interference or equipment being used for illegal activities.

ii) Proposal

- 3.5.4 MEASAT proposed to include an appeal process for suppliers who believe their equipment has been unfairly prohibited based on additional evidence or compliance with updated standards.

iii) Inquiry

- 3.5.5 Abbot sought clarification on whether prohibited list supersedes the list in eTAC/DOC/01-1.1: Certification Requirements for Compliance Approval (Type Approval) on Communication, Multimedia and Hybrid Equipment.
- 3.5.6 Huawei inquired whether it is permissible to use prohibited equipment for trials and proof of concept in certain projects.

iv) Feedback from Certifying Agency

- 3.5.7 SIRIM proposed the following:
 - a) Detailed specification for the list of prohibited equipment on top of the criteria.

- b) Clearly state the prohibition of any equipment originating from Israel in the guideline.

3.6 Labelling

Question 6:

MCMC seeks public views on the proposed implementation of labelling for communications equipment.

i) View

- 3.6.1 Astro, Proxus and Maxis stated that they support the proposed implementation of labelling for communications equipment by MCMC.

ii) Proposal

- 3.6.2 Apple, ICT Group, Abbot, SOMAS, Maxis, Huawei, MAA, MMDA, Wideminds and Clients proposed to maintain the labelling ID using the current SLP.
- 3.6.3 Apple, Daikin, JEITA, ICT Group, SOMAS, Canon, MAA, Huawei, Wideminds and Clients proposed to maintain the current size of label.
- 3.6.4 Apple, Siemens, ICT Group, SOMAS, Huawei, suggested to maintain current color options of the label background.
- 3.6.5 Apple recommended to allow new e-label technologies like QR code so that e-labelling can be extended to products without displays which is much more environmentally friendly.
- 3.6.6 Siemens suggested to provide raw file for new label.
- 3.6.7 Astro commented that the new requirement should be applicable to newly registered equipment only.
- 3.6.8 Proxus proposed that no fee should be imposed for the MCMC labels as the labels are printed and affixed by the supplier.
- 3.6.9 MMDA suggested that no label is needed for registered medical devices as they are already labelled with medical device registration.

iii) **Feedback from Certifying Agency**

3.6.10 SIRIM did not provide any feedback for Question 6 and refer to response made in Question 7 for this part.

3.7 **Registration of IMEI or Serial Number**

Question 7:

MCMC seeks public views on the proposed implementation of IMEI and serial number registration.

i) **View**

3.7.1 Apple stated they have no comments if it is the same as the current process.

3.7.2 Astro, ICT Group, Maxis, Proxus, SOMAS, Wideminds and Clients understood the requirement for registering IMEI or serial number prior to importation or placement in the market.

ii) **Proposal**

3.7.3 Daikin proposed to simplify the registration by removing IMEI and serial number registration similar as other countries.

3.7.4 Abbot also recommended the same as Daikin with additional option to exempt medical device since there is already Good Distribution Practice in Medical Device (GDPMD)'s requirement which ensures traceability.

3.7.5 Canon suggested that cost of labels should be further reduced as there are many more new models and this may also encourage more industries to adhere to the requirements.

3.7.6 Proxus proposed to exempt the registration of serial numbers for registration under scheme B and C in line with the framework in other ASEAN countries.

3.7.7 Roche recommended to enable use of the batch code or lot number in circumstances where the IMEI or serial number is not available for the purpose of self-labeling since all medical devices are required to be labeled with either the batch code or lot numbers or serial numbers for traceability purposes based on Malaysia Medical Device labeling requirements (Medical Device Guidance Document: MDA/GD/0026, 6th ed.).

3.7.8 MAA suggested that there is no need to register IMEI or serial number for automotive manufacturers or assemblers and to allow the registration of Vehicle Identification Number (VIN) / chassis number as serial number as one of the options.

iii) Feedback from Certifying Agency

3.7.9 SIRIM has concerns on the following:

- a) Shifting IMEI and serial number from SIRIM's efficient and stabilised model to the MCMC's will seriously disrupt industry players.
- b) Unnecessary costs to industry players and manufacturers due to changes of system and process.
- c) Current process of IMEI and serial number registration has been integrated with control mechanism for effectiveness and complete cycle of certification, labelling, registration, validation and CoA.
- d) Request for Information (RFI) module is currently implemented in ensuring applicants are consistent in completing full cycles of certification, labelling, IMEI and serial number registration and CoA requirements. Ignoring this process or mechanism will cause NCEF to trail behind.

3.7.10 SIRIM proposed the following:

- a) Maintain the labelling activities by SIRIM.
- b) SIRIM as a government-owned company acts as the registered body on behalf of MCMC to execute conformity assessment process under scheme A, B, and C for commercial applications.
- c) MCMC to increase and focus on the public awareness of the MCMC logo and registration of IMEI and serial number.

3.8 Importation

Question 8:

MCMC seeks public views on the proposed implementation of CoA issuance.

i) View

3.8.1 Astro, Proxus and Maxis agreed with the proposed implementation of CoA as this process is the same as the existing e-ComM system.

3.8.2 MMDA was concerned on the turnaround time as delays in the issuance will result in delays in custom clearance.

ii) Proposal

- 3.8.3 Abbot stated that there is a need of a route for re-importation or exemption, for cases where communications equipment was purchased locally in Malaysia (already have MCMC mark), then sent overseas for repair and reimported by a company who is not a supplier or principal.
- 3.8.4 Realme, ICT Group and SOMAS were concerned on the shortening of CoA cycle and suggested that it would be better if the expiry date was longer.
- 3.8.5 Canon recommended to combine applying label and CoA applications together or the information from SLP is transferred over to e-Permit to continue the application process for permits.
- 3.8.6 Maxis proposed a consolidation of the registration for scheme A, B, and C into a single registration process for efficiency and simplicity. This would streamline the process and reduce administrative burdens.
- 3.8.7 Huawei suggested that MCMC's release letter is one-time off or with one-year validity and unlimited quantity. Furthermore, Huawei proposed to only use the release letter upon customs clearance instead of applying the CoA for every shipment. This is a similar concept applied by Suruhanjaya Tenaga under consignment batch application.
- 3.8.8 MAA proposed to grant blanket approval in case of application of importation permit instead of every shipment approval and proposed CoA under MCMC is valid if there is no design change.

iii) Inquiry

- 3.8.9 Siemens inquired whether CoA is valid for one shipment or all shipments to be delivered within three (3) months.
- 3.8.10 MAA inquired about MCMC as CBRA for communications equipment.

iv) Feedback from Certifying Agency

- 3.8.11 SIRIM stated that the RFI module implemented by them is a crucial aspect of CoA issuance, where it acts as the integrated approach of control mechanisms, ensuring applicants are consistent in completing full cycles of certification, labelling, IMEI and serial number registration, and CoA requirements.

3.8.12 Additionally, the RFI response from applicants should be handled by the technical officer for certification, who can leverage their specialized knowledge and technical capacities on the product.

3.8.13 SIRIM proposed to maintain the CoA and release letter issuance at SIRIM as the designated CBRA or Permit Issuance Agency (PIA).

3.9 **Timeline for Implementation**

Question 9:

MCMC seeks public views on the proposed timeline for implementation.

i) View

3.9.1 Apple was of the view that the timeline is acceptable if it is the same as the current process.

3.9.2 Astro and Maxis agreed with the proposed timeline implementation whereby the NCEF would be tentatively implemented in 2026.

3.9.3 Proxus stated that MCMC will review the current process with SIRIM during the transition for the implementation of the NCEF as Malaysia is already behind Singapore, Thailand, Brunei and Vietnam.

3.9.4 Wideminds and Clients commented that the stability of the system is also one of the concerns since the timeline provided are quite short.

ii) Proposal

3.9.5 Abbot commented that the implementation date shall be at least eighteen (18) to twenty-four (24) months after the publication of the NCEF and there is an impact to costing as well since it became a two-step process for scheme A products.

3.9.6 ICT Group, Canon and SOMAS recommended that timeline provided should be on a monthly or quarterly for each year for better clarity.

3.9.7 MAA suggested that the lead time be calculated from the date of finalising the decision on compliance mark "Supplier ID" or "Principal ID" in case of communications equipment applicable to automotive and proposed a longer lead time of two (2) years for new communications equipment and four (4) years for existing certified communications equipment from the gazette date.

3.9.8 MMDA also requested for a minimum of one-year pilot phase to sort out any implementation issues before mandatory implementation.

iii) Inquiry

3.9.9 Huawei inquired whether MCMC will undertake another public consultation upon the approval of the proposed amendments to the Communications and Multimedia (Technical Standards) Regulations 2000 (TSR 2000) to gain stakeholder's insight.

3.9.10 Wideminds and Clients inquired about the transition period and how fast the system can be transferred from SIRIM.

iv) Feedback from Certifying Agency

3.9.11 SIRIM has concerns about MCMC rushing with the proposed implementation timeline.

3.9.12 SIRIM proposed the following:

- a) MCMC to hold a series of awareness programs prior to implementation to ensure all industry players from various sectors understand their obligations and accountability.
- b) SDoC implementation should be carried out phase by phase so that any potential risk can be managed effectively.
- c) Full implementation of SDoC should occur only after all potential risks have been adequately mitigated and successfully addressed.

3.10 Transitional Arrangement

Question 10:

MCMC seeks public views on the proposed transitional arrangement.

i) View

3.10.1 Apple was of the view that the timeline is acceptable if it is the same as the current process.

3.10.2 Daikin stated that it is inequitable to revoke existing CoC which is supposed to be valid for another one (1) to five (5) years merely to implement NCEF.

3.10.3 JEITA commented that it is not clear how maintenance parts and service parts should be treated after the implementation of NCEF.

ii) Proposal

3.10.4 Daikin strongly proposed to extend the grace period until the existing CoCs' expiry and valid CoCs should be brought forward from e-ComM system to the new platform.

3.10.5 Abbot proposed to allow continued usage of the current certificate issued by SIRIM so that the industry has more time and resources to register the equipment under the new framework.

3.10.6 JEITA proposed the following:

- a) Exempt of service parts for the models certified before the enforcement date.
- b) Extend enforcement date to one year later from publication the new framework.
- c) Exempt existing models that are already certified or applied for certification before the enforcement date from the new framework (new registration and labelling requirements).

3.10.7 Siemens suggested that the use of MCMC Supplier ID for existing model already certified under the current framework to be carried out within 6 months from the date of registration of the communications equipment.

3.10.8 ICT Group and SOMAS proposed to extend the transition period from six (6) months to one (1) year from the publication on the gazette and exempt new registration and new labelling requirements for the importation of existing models already certified before the enforcement date of the new framework.

3.10.9 Astro proposed transitional arrangement be carried out in phases to avoid confusion in the industry. It may start with a pilot stage where MCMC could select a company or industry to try the new implementation system.

3.10.10 Canon proposed the following:

- a) Extend grace period.
- b) Ensure new system can cater to the huge volume that will be input by many industries at one go.
- c) Possible to break up implementation for different industries to use the new portal in stages.

- 3.10.11 Maxis proposed all equipment already certified whether deployed or still in storage, to retain the existing SLP ID and no need for re-registration and re-certification of existing equipment with SLP ID obtained before the effective date.
- 3.10.12 Proxus proposed the following:
- a) Remove registration of IMEI or serial number for scheme B and C especially for Wireless Local Area Network (WLAN) and Bluetooth equipment (excluding gateway).
 - b) Replace current process of SLP before application of import permit by application of import permit only.
 - c) Renewal of existing CoC should not be tied to serial number registration for equipment under scheme B and C.
- 3.10.13 Huawei proposed the following:
- a) System integration for existing products certified under the current framework.
 - b) Accept the existing CoC and Information Technology/Networking (ITN) file number until expiry.
 - c) Additional training during implementation of this new framework especially for applicants to recognise the product new platform interface category and scheme efficiently.
- 3.10.14 Wideminds and Clients suggested that the transitional arrangement should have a longer grace period of at least one (1) year as normally the standard for most of ASEAN countries and implementation of scheme to be carried out in phases according to product category.
- 3.10.15 MAA recommended to allow new communications equipment to run smoothly first (with no operational issue) before the implementation starts on existing certified communication equipment and proposed four (4) years as the transitional period for existing certified communications equipment.
- 3.10.16 MMDA proposed to auto register in MCMC's new platform for existing supplier and product that are certified under current framework.

iii) Inquiry

- 3.10.17 MEASAT sought clarification on whether existing equipment approvals issued by SIRIM will remain valid post full implementation or if re-registration with MCMC is required.

iv) Feedback from Certifying Agency

- 3.10.18 SIRIM was of the view that the proposed transitional arrangements might not be adequate for the industry player to accommodate considering the extensive changes introduced by the NCEF.
- 3.10.19 SIRIM proposed the following:
- a) The transitional arrangement should address the requirements for scheme A, B and C to be implemented phase by phase according to product category.
 - b) MCMC should consider conducting pilot test at SIRIM to mitigate the risk before full implementation.
 - c) Existing equipment that has been type approved within SIRIM database should be automatically registered with MCMC through e-ComM system.
 - d) Certified communications equipment which are listed under scheme B and C should be offered the option to maintain registration under scheme A or convert it to scheme B or C in accordance with NCEF requirements.

4.0 Way Forward

- 4.1.1 MCMC acknowledges that the implementation of the proposed NCEF will bring about significant changes to the current framework and involve multiple stakeholders. Therefore, MCMC values the views and feedback from the industry, interested parties and members of the public on the proposed NCEF.
- 4.1.2 MCMC intends to assess and evaluate feedback received from the Public Consultation exercise when finalising the proposed NCEF.
- 4.1.3 The feedback from the Public Consultation will also be incorporated into the Regulatory Impact Statement (RIS) report which is required to be submitted to the Malaysia Productivity Corporation (MPC) for amendments of TSR 2000.