

**“General Compliance
Provisions in
the CMA 1998”**

Seminar on Personal Data Protection Act

10 May 2011

Pursuant to the :

Communications and Multimedia Act 1998 (CMA)

Postal Services Act 1991 (PSA)

Digital Signature Act 1997 (DSA)

Industry developer and regulator for the converged communications and multimedia sector which covers

- Telecoms, broadcasters and ISPs
- Postal and courier services
- Digital certification authorities

Fundamental Principles of CMA 1998

- National Policy Objectives
- Transparency
- Principle of Self Regulation
- Technology neutrality
- **Consumer protection**

Main Parts under the CMA

- Licensing
- Economic Regulation
- Technical Regulation
- **Consumer Protection**
- Social Regulation



Penetration Rates



Licenses Issued - 2010

Licence Type		Number of licences
Individual	Network Facilities Provider	97
	Network Service Provider	103
	Content Application Service Provider	31
Class	Application Service Provider	388
	Network Facilities Provider	26
	Network Service Provider	28
	Content Application Service Provider	22
Total		695



- **In principle, effective competition should promote quality of services**
 - **Consumers have choices**
 - **Service providers meet requirements and expectations**
 - **Licenses to ensure consumer data are secured and protected**
 - **Protecting personal information is a corporate responsibility**



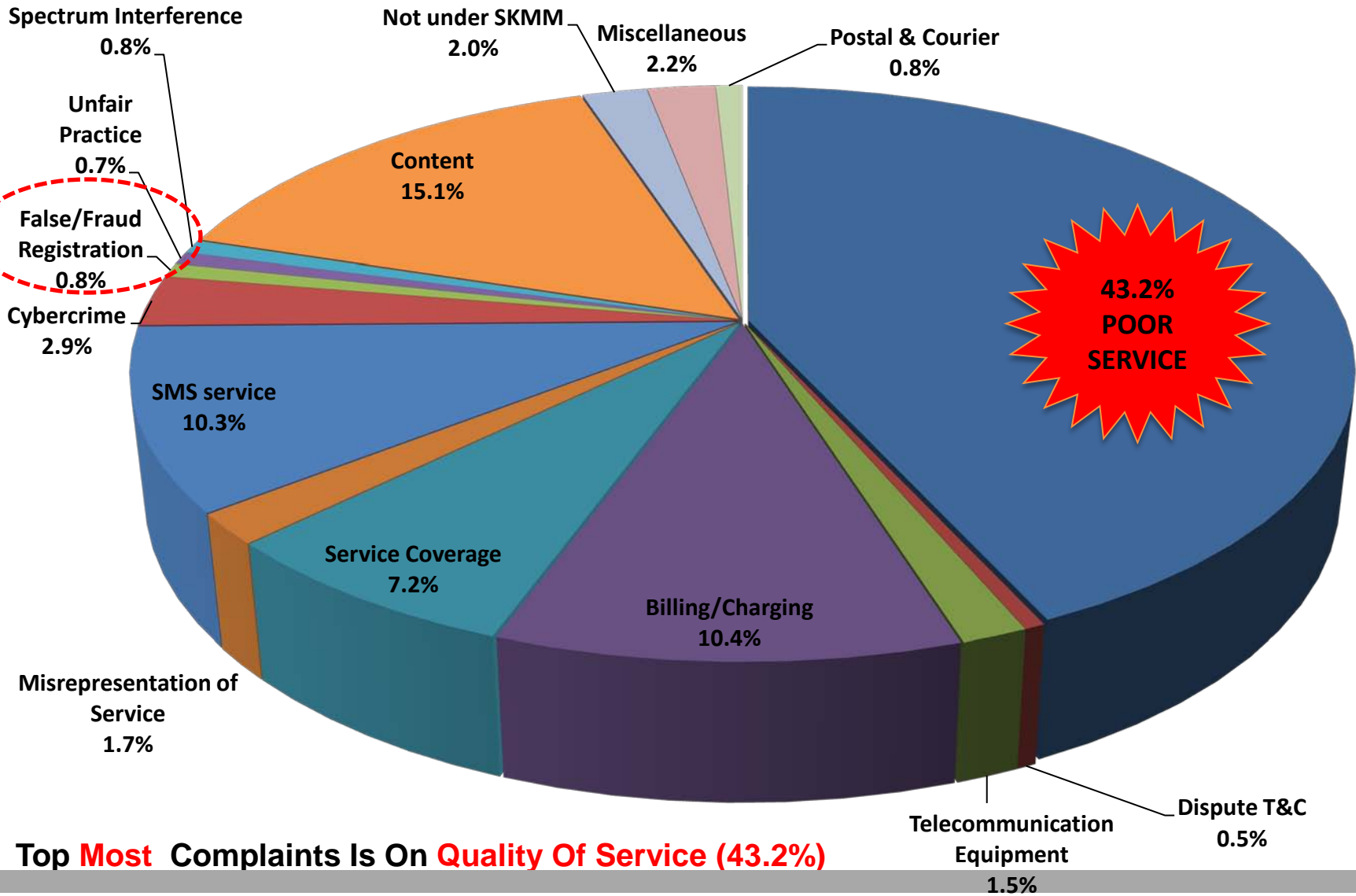
Quality



Service



Value



Top Most Complaints Is On Quality Of Service (43.2%)

Complaint Handling

Acknowledgement of Complaint

- 24 working hours

Action Taken To Resolve Complaint

- Non Complex Complaint - 3 working days
- Complex Complaint – 15 working days

Target Achievement:

20% complaints resolved within 3 working days
90% complaints resolved within 15 working days

Consumer Issues

No	Issues	Causes
1	Data/GPRS charges & customer claimed did not use	<ul style="list-style-type: none">• Auto connection issue resulting customer being charged for unused mobile data service
2	Customer pay more than subscribed package fee due to unable to keep track usage	<ul style="list-style-type: none">• unbilled amount inaccurate/insufficient details• no usage tracking mechanism• no notification to alert customer i.e. reaching quota for mobile internet package
3	Subscription/package	<ul style="list-style-type: none">• Package details/features not explained/clear to customer. Commitment fee only covers calls within same operator
4	Line not barred after exceeding credit limit	<ul style="list-style-type: none">• Conditions not informed to the customer i.e. while roaming, data usage
5	False/fraud registration	<ul style="list-style-type: none">• Identity theft• Dealer misconduct
6	Rebate/Refund	<ul style="list-style-type: none">• Delay in refunding deposit after service termination/return within cooling off period

Education, Awareness & Empowerment

1. **Credit limit – To inform customer about the credit limit policy/ conditions**
2. **Fair Usage Policy – To state upfront the condition i.e. quota, throttle speed**
3. **Roaming – To state the terms & conditions, bill shock alert**
4. **False registration – Encourage customer to check/verify numbers registered under their name**
5. **Redress Centres - Service providers, CFM,CMCF & SKMM**

Standard Licence Condition 13:

13.1 The licensee shall take all reasonable steps to ensure that its employee, agents, consultants or third party suppliers who are engaged in the licensee's business or who have access to the licensee's customer information do not disclose information about a customer of a licensee which has been acquired in the course on the licensee's business without prior consent of that customer

General Consumer Code: Protection of Personal Information

Principles :

- Data must be accurate and lawfully obtained
- Data collected are for limited purpose
- Not transferable without consent
- Data must be secured
- Data protection policy must be made available
- Customer has choice of how data is used
- Appropriate measures to be taken to ensure data reliability, protection from loss, misuse or alteration