

MENTERI TENAGA, KOMUNIKASI DAN MULTIMEDIA, MALAYSIA
MINISTER OF ENERGY, COMMUNICATIONS AND MULTIMEDIA.

COMMUNICATIONS AND MULTIMEDIA ACT 1998

**MINISTERIAL DETERMINATION ON THE GUIDELINES ON CLOSED
CONTENT APPLICATIONS SERVICE**

DETERMINATION No. 3 of 2003

IN exercise of the powers conferred by section 10 and subsection 207(1) of the Communications and Multimedia Act 1998 [the Act], the Minister makes the following determination:

CITATION AND COMMENCEMENT

1. This determination may be cited as "Ministerial Determination On The Guidelines On Closed Content Applications Services 2003" and shall come into operation on the date of registration of this Determination.

OBJECTIVES

2. This determination provides a definition of Closed Content Application Services for the purpose of administering the Act and replaces the definition of "closed content applications service" in section 207(2) of the Act.

INTERPRETATION

3. Unless the context otherwise requires any term used in this determination shall have the same meaning as that contained in the Act, including subsidiary legislation and statutory instruments made under it.

DEFINITION OF CLOSED CONTENT APPLICATIONS SERVICE

4. Closed Content Applications Services are services that are provided to a closed group of people and are not accessible by the general public. They therefore do not have any significant impact on the general public and it is not the intention of the Act to subject them to the social regulation provisions contained in Part IX of the Act.

A closed content applications service is therefore defined as:-

- (a) a content applications service confined to a single dwelling; or
- (b) a content applications service provided only to the employees or officers of a group of companies.

For the purposes of this paragraph:

"single dwelling" means a non-commercial residential unit. For avoidance of doubt, each residential unit in an apartment block shall be considered a separate dwelling.

"group of companies" means

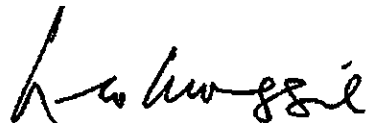
- (i) a company incorporated under the Companies Act 1965 (the "first company") and its holding, subsidiary and related companies; and
- (ii) such other companies linked by shareholding to the first company, as is decided by the Communications and Multimedia Commission as being within the group, upon application in writing to the Commission by the first company.

AMENDMENTS

5. This determination may be amended from time to time in accordance with the provisions of the Act.

Made : 17 July 2003

[KTKM(S) 110/186/2-19 (14)]



DATUK AMAR LEO MOGGIE
Minister of Energy, Communications and Multimedia