



Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission

COMMUNICATIONS AND MULTIMEDIA ACT 1998

**COMMISSION DIRECTION ON PUBLIC CELLULAR BLOCKING SERVICE FOR CELLULAR
MOBILE ACCESS DEVICES UNDER REQUIRED APPLICATIONS SERVICES**

Direction No. 1 of 2013

In exercise of the powers conferred by section 51, 193(2) and 194 of the Communications and Multimedia Act 1998 [Act 588], the Commission issues the following direction:

Citation and Commencement

1. This direction may be cited as the **Commission Direction on Public Cellular Blocking Service for Cellular Mobile Access Devices under Required Applications Services, Direction No. 1 of 2013**.
2. This Direction shall come into operation on the date of registration of this Direction.

Interpretation

3. In this Direction, unless the context otherwise requires –

active end user means subscriber of a public cellular service, and for the purposes of calculating the PCBS Service Fee shall mean each active Mobile Subscriber Integrated Services Digital Network (MSISDN) number and for non MSISDN, each active number uniquely identifying a subscription of public cellular service, inclusive of suspended and barred numbers;

black list means a list of barred IMEIs or MAC address(es) provided by the MCEIR;

blocking instruction means an instruction from the MCEIR to block an active end user's cellular mobile access device;

blocking request means a request made to the MCEIR to block an active end user's cellular mobile access device;

cellular mobile access device means an access device to access public cellular services;

end user information means the active end user's name, National Registration Identity Card number or other identification document number, billing address, MSISDN number, IMEI number, Subscriber Identity Module (SIM) number, type of account subscription, International Mobile Subscriber Identity (IMSI) number, cellular mobile access device model and its related

information including MAC address (where applicable), and any other relevant information as notified by the Commission;

Equipment Identity Register (EIR) means a database employed by relevant licensees to distinguish between black, grey and white lists and to facilitate the blocking and unblocking of cellular mobile access devices;

grey list means a list of IMEIs or MAC address(es) other than black and white lists provided by the MCEIR;

International Mobile Equipment Identity (IMEI) means the serial number used to identify a cellular mobile access device;

Media Access Control address (MAC address) means a "built-in" hardware address of a device connected to a shared medium;

Malaysian Central Equipment Identity Register (MCEIR) means the central registry of all end user information which is connected to the EIRs of relevant licensees for the purposes of the PCBS;

PCBS Service Fee means the service fee payable by each relevant applications service provider to the Commission for the provision of the PCBS;

Public Cellular Blocking Service (PCBS) means the blocking and unblocking of reported lost, stolen or recovered cellular mobile access devices across all relevant licensees' networks;

public cellular services means an applications service involving a network of base stations or cells for the delivery of voice and data communications;

relevant applications service providers means applications service provider licence holders providing public cellular services as determined by the Minister under section 193(1) of the Act;

relevant licensees means the relevant network service providers and the relevant applications service providers;

relevant network service providers means all network service provider individual licence holders providing network services to the relevant applications service providers as determined by the Minister under section 193(1) of the Act;

unblocking instruction means an instruction from the MCEIR to unblock an active end user's cellular mobile access device;

unblocking request means a request made to the MCEIR to unblock an active end user's cellular mobile access device; and

white list means a list of permitted IMEIs or MAC address(es) provided by the MCEIR.

4. Any term used in this Direction shall, unless expressly defined herein or the context otherwise requires, have the same meaning as in the Act or the regulations made under it.

Licensees subject to this Direction

5. This Direction shall apply to the relevant licensees.

Relevant Licensees' Obligations

6. Each relevant network service provider shall :
 - (a) execute all acts necessary to prepare and/or facilitate the implementation of the PCBS within three (3) months from the date of this Direction, which includes but is not limited to the following:
 - (i) the installation of an EIR;
 - (ii) ensure integration and connectivity of the EIR at all times to the MCEIR for the transmission of blocking and unblocking requests; and
 - (iii) ensure the redundancy of the EIR and its connectivity to the MCEIR, in order to maintain continuous availability of the PCBS;
 - (b) ensure arrangements are in place to deal with the blocking requests of lost or stolen cellular mobile access devices and the unblocking requests for recovered cellular mobile access devices;
 - (c) ensure that all blocking or unblocking requests are updated to the MCEIR;
 - (d) ensure that all blocking and unblocking instructions from the MCEIR are updated to the EIR; and
 - (e) provide reports as required by the Commission.

7. Each relevant applications service provider shall:
 - (a) execute all acts necessary to prepare and/or facilitate the implementation of the PCBS within three (3) months from the date of this Direction;
 - (b) ensure arrangements are in place with the relevant network service provider(s) whose network is required for the provision of the PCBS;
 - (c) ensure that all blocking or unblocking requests are updated to the relevant network service provider's EIR;
 - (d) ensure that active end users are promptly able to obtain information relating to blocking or unblocking requests;
 - (e) ensure that all active end users will be able to report their lost, stolen or recovered cellular mobile access devices at all times;
 - (f) ensure that active end users who have made a blocking or unblocking request are promptly able to obtain the status of such requests; and
 - (g) provide reports as required by the Commission.

8. In the event a relevant applications service provider deploys an EIR, the obligations in paragraph 6 would be applicable to the said relevant applications service provider.

9. Each of the relevant licensees shall maintain an accurate, reliable and updated database of their active end users' information at all times.

Blocking Process

10. Each of the relevant licensees shall establish and implement an active end user verification process to ensure that the correct active end user's cellular mobile access device is blocked and to prevent fraudulent blocking of other cellular mobile access devices.
11. On completion of the active end user verification process, the relevant licensee shall ensure that the blocking request is transmitted to the MCEIR within sixty (60) minutes of the active end user reporting the lost or stolen cellular mobile access device. For the avoidance of doubt, a relevant licensee making a blocking request is not required to block the cellular mobile access device at this stage.
12. Upon receiving the blocking instruction from the MCEIR, all relevant licensees shall ensure that the relevant active end user's cellular mobile access device is blocked within thirty (30) minutes.
13. For the purposes of paragraph 12, each relevant licensee is required to retrieve blocking instructions from the MCEIR at a frequency of no less than once every five (5) minutes.

Unblocking Process

14. Upon receiving a request to unblock an active end user's cellular mobile access device, the relevant licensee shall carry out an active end user verification process to ensure that the correct active end user's cellular mobile access device is unblocked.
15. For the avoidance of doubt, an unblocking request must be made by the same relevant licensee that initiated the blocking request.
16. On completing the active end user verification process, the relevant licensee shall ensure that the unblocking request is transmitted to the MCEIR within sixty (60) minutes of the active end user making an unblocking request to the relevant licensee. For the avoidance of doubt, a relevant licensee making an unblocking request is not required to unblock the cellular mobile access device at this stage.
17. Upon receiving an unblocking instruction from the MCEIR, all relevant licensees shall ensure that the active end user's cellular mobile access device is unblocked within thirty (30) minutes.
18. For the purposes of paragraph 17, each relevant licensee is required to retrieve unblocking instructions from the MCEIR at a frequency of no less than once every five (5) minutes.

Duration of Blocking

19. For the avoidance of doubt, all relevant licensees are required to ensure that all blocked cellular mobile access devices shall remain blocked until such time as an unblocking instruction is made by the MCEIR.

Obligations to Provide End User Information

20. The relevant licensees shall transmit all active end users' information in their possession to the MCEIR no later than forty eight (48) hours from the date and time stated in the notification issued by the Commission.
21. Thereafter, the relevant licensees shall transmit any changes in the active end users' information to the MCEIR within five (5) minutes of such changes being recorded by the relevant licensees.

22. The relevant licensees shall transmit a new active end user's information to the MCEIR no later than twenty four (24) hours from the activation of the active end user's subscription to the public cellular services.

MCEIR

23. The MCEIR shall process all blocking and unblocking requests received from the relevant licensees and have the relevant instructions issued by the MCEIR to all relevant licensees within one hundred twenty (120) minutes from the time the requests are logged with the MCEIR.
24. The active end user's information stored in the MCEIR shall be used for purposes of the PCBS and for such other lawful purposes as deemed necessary by the Commission.

Operational Hours

25. The operational hours for the PCBS shall be for twenty four (24) hours a day.

Dispute Resolution

26. Disputes in relation to the implementation and operation of the PCBS between relevant licensees shall be resolved in accordance with the dispute resolution process and procedures as set out by the Commission.

Report of Number of Active End Users

27. Each relevant applications service provider shall provide the Commission with a report on the number of active end users on a monthly basis, which is to be submitted within five (5) working days of the following month.

PCBS Service Fee

28. The relevant applications service provider shall pay to the Commission a PCBS Service Fee of RM1.50 per annum for each active end user, which payment shall be made to the Commission monthly in advance upon this Direction coming into operation.
29. The monthly payment for each quarter shall be based on the number of active end users for the month immediately preceding the said quarter as reported by the relevant applications service providers.
30. Payment of the PCBS Service Fee shall be made by the relevant applications service providers to the Commission on or before the seventh (7th) day of each calendar month.
31. The Commission shall from time to time issue written notices to the relevant applications service providers on the payment of the PCBS Service Fee and such other related matters.
32. The PCBS shall be provided by the relevant licensees at no cost to the active end user.

Notice by the Commission

33. The Commission may issue written notices from time to time in relation to the PCBS.

Lawful Interception

34. This Direction shall also apply to lawful interception as provided for under the Act and/or any other written law of Malaysia.
35. In conducting lawful interception pursuant to paragraph 34, the relevant licensees shall comply with the *European Technical Standards Institute Technical Specification 101 331 v1.3.1 (2009-10)* [ETSI TS 101 331 v1.3.1 Lawful Interception (LI): Requirements of Law Enforcement Agencies] and any updates or revisions thereof.

Inspection and Audit

36. The Commission may from time to time inspect and/or audit the relevant records and systems of the relevant licensees to ensure the compliance with this Direction.

Variation

37. The Commission may at any time modify, vary or revoke this Direction.

Made: 30th APRIL 2013



DATO' MOHAMED SHARIL TARMIZI
Chairman

Malaysian Communications and Multimedia Commission