



## FEDERAL SUBSIDIARY LEGISLATION

### COMMUNICATIONS AND MULTIMEDIA (UNIVERSAL SERVICE PROVISION) REGULATIONS 2002 P.U.(A) 419/2002

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## FEDERAL SUBSIDIARY LEGISLATION

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## Preamble

IN exercise of the powers conferred by section 16 and subsections 202(2) and 204(2) of the Communications and Multimedia Act 1998 [Act 588], the Minister makes the following regulations:

## PART I PRELIMINARY

### 1. Citation and commencement.

(1) These regulations may be cited as the **Communications and Multimedia (Universal Service Provision) Regulations 2002**.

(2) These Regulations come into operation on 17 October 2002.

### 2. Interpretation.

In these Regulations, unless the context otherwise requires—

"minimum revenue threshold" means—

(a) up to 31 December 2003, a minimum amount of five hundred thousand ringgit; and

(b) from 1 January 2004, a minimum amount of two million ringgit;

[Ins. P.U.(A) 402/2003]

"individual access" means access to applications services by any person in a universal service target and for which such person would be responsible for all charges including rental;

[Ins. P.U.(A) 402/2003]

"collective access" means access to applications services by members of the community in a universal service target and for which the members of the community do not pay any rental or other charges other than call charges for telephony and Internet access service charge;

[Ins. P.U.(A) 402/2003]

"weightage factor" means a multiplication factor applied to revenue derived from a designated service for calculating the contribution to the USP Fund as specified in regulation 28;

[Am. P.U.(A) 402/2003]

"net revenue" means gross revenue less outpayment settlements to other licensees such as interconnect charges and in respect of international calls, payment to other foreign network facilities providers, foreign network service providers or foreign applications service providers;

[Ins. P.U.(A) 402/2003]

"weighted net revenue" means net revenue multiplied by the weightage factor;

[Subs. P.U.(A) 402/2003]

"gross revenue" means payments receivable by the licensee for the services provided to the customer less any discounts given;

[Ins. P.U.(A) 402/2003]; Am. P.U.(A)258/2008:2]

"national broadband penetration rate" means the percentage of the total number of broadband subscribers in Malaysia divided by the total population as projected based on the latest Malaysian Population and Housing Census conducted by the Statistics Department;

[Ins. P.U.(A)258/2008:2]

"national PSTN penetration rate" means the percentage of the total number of PSTN subscribers in Malaysia divided by the total population as projected based on the latest Population and Housing Census of Malaysia conducted by the Statistics Department;

*[Subs. P.U.(A) 402/2003; Am. P.U.(A)258/2008:2]*

"area" has the same meaning as the word "district" as defined in the National Land Code 1965 [Act 56/1965] and includes a combination of districts or part of a district;  
*[Am. P.U.(A)258/2008:2]*

"underserved area" means—

(a) in relation to PSTN services, any area where the penetration rate for PSTN subscribers in Malaysia is twenty per cent below the national PSTN penetration rate or where the PSTN services are not sufficiently available as provided under regulation 3A;

(b) in relation to broadband access services, any area where the penetration rate for broadband subscribers in Malaysia is below the national broadband penetration rate or where broadband access services are not sufficiently available as provided under regulation 3A; or

(c) in relation to public cellular services, any area with a population density of eighty persons per square kilometre or less or where public cellular services are not sufficiently available as provided under regulation 3A;

*[Ins. P.U.(A)258/2008:2]*

"net USP cost" means the loss incurred, if any, by a universal service provider from providing network facilities, network services or applications services to a universal service target in the course of implementing the universal service plan and is arrived at by applying the formula of avoidable cost less the revenue foregone and less any advance payment made pursuant to regulation 12 and 20A;

*[Ins. P.U.(A) 402/2003; [Ins. P.U.(A)258/2008:2]*

"underserved group within the community" means a group of people linked by similar characteristics from a socio-cultural or economic perspective, within a served area, who do not have collective and/or individual access.

*[Am. P.U.(A) 402/2003]*

"USP Fund" means the fund established under section 204 of the Act;

"international call" means an effective call made between two exchange lines connected through switching centres in Malaysia with any switching centres outside Malaysia;

"operator assisted call" means any call connected with an assistance in making a call whether the assistance of an applications service provider's operator or through automated means;

"national call" means an effective call between two exchange lines connected through switching centres which are not within the same charge district and not within the charge districts which are adjacent to each other;

"local call" means an effective call between two exchange lines which are—

(a) connected to the same switching centre;

(b) connected to switching centres within the same charge area; or

(c) connected to switching centres which are in adjacent charge areas;

"universal service provider " means a licensee designated pursuant to regulation 9, 10 or 36F;

*[Am. P.U.(A) 402/2003, Am. P.U.(A) 258/2008:2]*

"licensee" means any person who—

- (a) holds an individual licence; or
- (b) undertakes activities which are subject to a class licence,

but does not include any person who holds only a content applications service provider licence;  
*[Ins. P.U.(A) 402/2003]*

"cellular mobile access device" means an access device to access a radio network in one of the cellular bands;

"cellular mobile service" means a network service where—

- (a) an end-user can use a network service while moving continuously between places;
- (b) the cellular mobile access device used for or in relation to the supply of the network service is not in physical contact with any part of the network facility by means of which the network service is supplied; and
- (c) the network service is supplied by use of a network facility that has intercell hand-over functions;

"Internet access service" means an applications service whereby a person is able to access Internet services and applications;

*[Am. P.U.(A) 258/2008:2]*

"broadband access service" means Internet access delivery to the end user at a minimum speed as specified in paragraphs 5(2)(ba) and 36C(2)(c);

*[Ins. P.U.(A) 258/2008:2]*

"freephone service" means a service in which all call charges are borne by the party being called;

"call termination service to a foreign network facilities provider, foreign network services provider and/or foreign applications service provider" means a service in which a foreign network facilities provider, foreign network services provider and/or foreign applications service provider is allowed to terminate its outbound international calls destined for Malaysia through a licensee;

"international roaming service" means a service in which a person is able to use his cellular mobile access device to access a cellular mobile service in a country other than the country from which he subscribes the cellular mobile service;

"audiotext hosting service" means an applications service which enables a caller to dial a '600' short code or such other codes or numbers as may be decided by the Commission from time to time for the purposes of receiving a recorded message or interacting with a programme for the purposes of receiving information;

" basic telephony service " means an applications service for the delivery of voice or voice and data communications, and does not include Internet;

*[Subs. P.U.(A) 258/2008:2]*

"public payphone service" -

*[Deleted by P.U.(A) 402/2003]*

"designated service" means any of the services listed in column (1) of Table C of the Schedule;  
*[Subs. P.U.(A) 402/2003]*

"individual access point " means a location in the relevant universal service target where individual access is to be provided under a universal service plan;

*[Ins. P.U.(A) 402/2003]*

"collective access point " means a location in the relevant universal service target where collective access is to be provided under a universal service plan;

*[Ins. P.U.(A) 402/2003]*

"ISDN" means Integrated Services Digital Network;

"PSTN" means Public Switched Telephone Network which is an applications service involving a public circuit switched voice grade interface for the delivery of voice and data communications;

"universal service plan" means a plan as specified under regulation 6 or 36C, as the case may be;

*[Am. P.U.(A)258/2008:2]*

"universal service target" means an underserved area and/or an underserved group within the community;

"contribution" means the amount payable by a licensee to the USP Fund under regulation 27;

"leased line" means any facility which connects two or more premises to an exchange without using a switch;

"rented payphone" means a telephone installed on a subscriber's premises which is rented from an applications service provider or owned by the subscriber for the purpose of transmission and reception of telecommunication messages for which the subscriber requires sums of money to be paid in the coin collecting box provided;

"IP telephony" means a public Internet Protocol telephony which is an applications service involving a multi-stage call set-up that involves a circuit switched to a packet switched interface.

## **PART II UNIVERSAL SERVICE PROVISION**

### **3. Universal service provision objectives.**

(1) The following are the objectives of the universal service provision:

(a) the installation of network facilities and the provision of network services; and

(b) the provision of applications services for—

(i) providing collective access to basic telephony service and Internet access service; and

(ii) providing individual access to basic telephony service and Internet access service;

*[Subs. P.U.(A) 258/2008: s.3]*

(2) In the event that the objectives specified in subregulation (1) cannot be met simultaneously in a universal service target, the order of priority for the provision of universal service shall be as follows:

(a) collective access shall have priority over individual access; and

(b) access to basic telephony services shall have priority over Internet access services.

(3) The Commission may combine any number of underserved areas or parts of an underserved area for the provision of network facilities, network services or applications services to meet the universal service provision objectives.

(4) For the purposes of subregulation 3(3), underserved area means any area where in the opinion of the Commission network facilities, network services, applications services, network facilities and network services, are not sufficiently available.

*[(3) & (4) Ins. P.U.(A) 258/2008: s.3]*

#### **Regulation 3A. Commission may decide.**

The Commission may decide whether or not PSTN services, broadband access services or public telephony cellular services are sufficiently available in an area based on any criteria as may be determined by the Commission.

*[Ins. P.U.(A) 258/2008: s.4]*

#### **4. Notification of universal service targets.**

(1) The Commission, subject to the approval of the Minister, shall identify the universal service targets, and shall, from time to time, publish a notification specifying the identified universal service targets and such other matters as the Commission considers relevant.

*[Subs. P.U.(A) 402/2003]*

(2) For the purpose of the notification under subregulation (1), the Commission may request any network facilities provider individual licensee, network service provider individual licensee and/or applications service provider class licensee to provide, within a specified time, such information or documents as the Commission may require.

*[Am. P.U.(A) 143/2005]*

(3) Any person who fails to comply with subregulation (2) commits an offence under these Regulations.

### **PART III SUBMISSION OF UNIVERSAL SERVICE PLAN AND DESIGNATION OF UNIVERSAL SERVICE PROVIDER**

#### **5. Invitation to submit draft of universal service plan.**

(1) Upon the publication of the notification under subregulation 4(1), the Commission may invite all licensees to register their interest to be a universal service provider in a particular universal service target.

(2) The invitation under subregulation (1) shall contain the following:

(a) specific information concerning the universal service target such as the priority of the universal service objectives, if any, and the demographics of the universal service target;

(b) the number of collective access points or individual access points required to be installed in the universal service target, relevant time frames and other particulars material to the universal service plan to be prepared in relation to that universal service target;

(ba) where applicable, the minimum speed for the broadband access services as may be determined by the Commission;

[Ins. P.U.(A) 258/2008: s.5]

(c) details of the cost components that may be claimed from the USP Fund;

(d) the procedures for registering the licensee's interest;

(e) the time frame for the licensee to register their interest;

(f) the procedures and other relevant information relating to the submission of the draft of the universal service plan;

(g) the time frame for the submission of the draft of the universal service plan to the Commission;

[Am. P.U.(A) 258/2008: s.5]

(ga) the particulars of the criteria of eligibility that the licensees must fulfil before being allowed to register their interest to be designated universal service providers in the universal service targets; and

[Ins. P.U.(A) 258/2008: s.5]

(h) such other matters as the Commission considers relevant.

[Subs. P.U.(A) 402/2003]

## **6. Obligation to submit draft of universal service plan.**

(1) Any licensees who have registered their interest with the Commission pursuant to the invitation under regulation 5 shall submit their draft of the universal service plans within the time frame specified in the invitation.

[Subs. P.U.(A) 402/2003]

(2) The draft of the universal service plan shall be submitted in writing together with the following information:

(a) the details of the locations within the universal service target to which the universal service plan applies to;

(b) a detailed description of the network facilities to be installed within the universal service target;

[Am. P.U.(A) 402/2003]

(c) a detailed description of the technology to be deployed in respect of the universal service target;

[Am. P.U.(A) 402/2003]

(d) the timetable for the provision of the applications services;

(e) the capital cost for the installation of the network facilities or the provision of network services and /or applications services within the universal service target;

(f) the estimates of the operating costs for the implementation of the universal service plan; if applicable; and

[Am. P.U.(A) 258/2008:s.6]

(fa) the arrangement for the sharing of network facilities and network services with other licensees, if any; and

[Ins. P.U.(A) 258/2008:s.6]

(g) any other information which the Commission may require.



(3) A licensee who fails to comply with this regulation commits an offence under these Regulations.

## **7. Matters for consideration for approving draft of universal service plan.**

(1) The Commission in deciding to approve the draft universal service plan under regulation 8 shall consider the following:

- (a) whether such draft universal plan covers matters requested under subregulation 6(2);
- (b) whether such draft universal service plan is efficient and economically practicable;
- (c) whether such draft universal service plan can be implemented progressively throughout that universal service target within such period as the Commission considers reasonable; and
- (d) such other matters as the Commission deems relevant.

(2) The Commission may, at any time before approving the draft universal service plan, request the licensee to provide such further information or other documents within the time specified in the request or any extension of time granted by the Commission.

(3) The Commission shall take into consideration such further information or other documents provided by the licensee before approving the draft universal service plan.

(4) A licensee who fails to comply with subregulation (2) commits an offence under these Regulations.

## **8. Approval of draft of universal service plan.**

(1) The Commission shall consider the draft of the universal service plan submitted and may, after consideration—

- (a) approve any draft of the universal service plan with amendment;
- (b) approve any draft of the universal service plan without amendment; or
- (c) reject any draft of the universal service plan.

*[Subs. P.U.(A) 402/2003]*

(1A) For the purpose of subregulation (1), the Commission may, by notice in writing, consult the licensee for further information including any changes to the draft of the universal service plan.

*[Ins. P.U.(A) 402/2003]*

(2) The approved draft of the universal service plan under paragraph 1(a) or (b) shall constitute an approved universal service plan for the purpose of implementation of universal service provision under Part IV of these Regulations.

## **9. Notification of approval of draft of universal service plan and designation of universal service provider.**

(1) If the Commission approves the draft of the universal service plan in accordance with subregulation 8 (1), the Commission shall notify the licensee in writing of its decision and shall designate the licensee as the designated universal service provider for the universal service target.

(2) The notification and designation under subregulation (1) shall include the following:

- (a) the commencement date for the implementation of the approved universal service plan;
- (b) the approved universal service plan including the costs and expenses which would be paid from the USP Fund; and
- (c) such other matters as the Commission considers relevant.

#### **10. Mandatory designation of universal service provider by Commission.**

(1) In the event that—

- (a) no licensee registers its interest pursuant to the invitation for a particular universal service target;
- (b) no draft of the universal service plan is submitted within the time stipulated although licensees have registered their interest pursuant to the invitation for a particular universal service target; or
- (c) the Commission rejects all drafts of the universal service plans pursuant to paragraph 8(1)(c),

the Commission shall have the absolute discretion to designate, by giving a notice in writing, any licensee that in the Commission's opinion is appropriate as the designated universal service provider for that universal service target.

(2) The Commission shall consider the needs of the universal service target, the scope of the licence and experience of the licensee before deciding on the appropriate licensee as the designated universal service provider.

(3) Any licensees designated under subregulation (1) shall submit to the Commission a draft of the universal service plan in accordance with subregulation 6(2) within ninety days from the date of such designation.

(4) A designated licensee who fails to comply with subregulation (3) commits an offence under these Regulations.

*[Subs. P.U.(A) 402/2003]*

### **PART IV IMPLEMENTATION OF UNIVERSAL SERVICE PLAN**

#### **11. Obligations of a designated universal service provider.**

(1) Subject to regulations 14 and 15, a designated universal service provider shall comply with the approved universal service plan.

(2) A designated universal service provider who fails to comply with subregulation (1) commits an offence under these Regulations.

#### **12. Advance payment.**

(1) The Commission may make an advance payment to the designated universal service provider towards the capital cost of implementation of the universal service provision.

(2) The advance payment referred to in subregulation (1) may be payable in instalments.

(3) Notwithstanding any payment made under subregulation (1), the designated universal service providers shall comply with regulation 20.

*[Ins. P.U.(A) 258/2008: s.7]*

### **13. Progress report.**

The designated universal service provider shall, from time to time or upon request by the Commission, submit a report on the progress of the implementation of the approved universal service plan.

*[Subs. P.U.(A) 402/2003]*

### **14. Application for variation of an approved universal service plan.**

(1) A designated universal service provider may apply to the Commission to vary the approved universal service plan and shall for this purpose submit to the Commission a draft variation of the plan.

(2) The Commission may—

- (a) approve the variation plan with or without any amendment; or
- (b) refuse to approve the variation plan.

(3) The Commission may, before giving its decision in writing for approving or refusing the variation plan under subregulation (2), consult the designated universal service provider.

(4) If the Commission approves the variation, the varied universal service plan shall become the approved universal service plan from the date as specified by the Commission in the decision.

### **15. Commission may vary an approved universal service plan.**

(1) Notwithstanding regulation 14, the Commission may, by giving the designated universal service provider a written notice, require the said provider to vary the approved universal service plan in accordance with the terms set out in the notice by submitting to the Commission a draft variation to the approved universal service plan.

(2) The Commission may, by notice in writing consult the designated universal service provider before finalising the variation to the approved universal service plan under subregulation (1).

(3) The varied universal service plan referred to under subregulation (2) shall be deemed to be the approved universal service plan from the date as set out in the written notice.

### **16. Revocation of designation of designated universal service provider.**

(1) The Commission may, revoke the designation of the designated universal service provider in any of the following circumstances:

- (a) the designated universal service provider has failed to comply with the approved universal service plan;
- (b) a receiver or liquidator has been appointed for the designated universal service provider;

(c) a petition for the winding up of the designated universal service provider has been presented against the universal service provider in a court of competent jurisdiction or a resolution for its voluntary winding up has been passed;

(d) the designated universal service provider ceases to carry on its business; or

(e) the revocation is in the public interest.

(2) Before revoking the designation of a designated universal service provider, the Commission shall notify the designated universal service provider in writing of its intention.

(3) The designated universal service provider shall within thirty days from the date of issuance of the written notice provide a written submission to the Commission stating the reasons why the designation should not be revoked.

(4) The Commission shall consider the submission made by the designated universal service provider before revoking the designation.

(5) The revocation of designation of the designated universal service provider shall take effect on the expiry of fourteen days from the date on which the notice of revocation is served on the designated universal service provider.

(6) If the designation of a designated universal service provider is revoked under subregulation (1)—

(a) the designated universal service provider shall, unless otherwise authorized by the Commission, cease to implement the approved universal service plan from the date the revocation takes effect;

*[Am. P.U.(A) 258/2008: s.8]*

(aa) the designated universal service provider shall not remove any infrastructure and installations in the universal service target unless otherwise notified by the Commission under subregulation 7A; and

*[Ins.P.U.(A) 258/2008: s.8]*

(b) the revocation shall not prejudice or affect the rights of the Commission to recover any money paid to the designated universal service provider or obtain any remedy arising from or in relation to any non-compliance of the approved universal service plan.

(7) Upon revocation of the designation of the designated universal service provider under subregulation (1), the Commission may designate another licensee as the new designated universal service provider to complete the approved universal service plan.

(7A) The designated universal service provider revoked under subregulation (1) shall, in accordance with a written notification issued by the Commission, remove the infrastructure and installations from the universal service target or deliver the infrastructure and installations in the universal service target to another designated universal service provider, as the case may be.

(7B) Any designated universal service provider who fails to comply with paragraphs 6(a) and 6(aa) and subregulation (7A) commits an offence under these Regulations.

*[Ins.P.U.(A) 258/2008: s.8]*

(8) The designated universal service provider revoked under subregulation (1), shall not be paid any cost and expenses incurred as set out in the approved universal service plan unless the designated universal service provider has reimbursed the Commission—

(a) overpaid monies under regulation 21A;

(b) any payments due under paragraph 6(b);

(c) all costs incurred in restoring services in the universal service target; and

(d) any other costs duly incurred by the Commission.

*[Subs. P.U.(A) 258/2008: s.8]*

#### **17. Requirement to provide information to new designated universal service provider.**

The Commission may, by notice in writing, require the designated universal service provider whose designation has been revoked under subregulation 16(1), to submit to the Commission any information which in the opinion of the Commission is necessary for the implementation of the relevant approved universal service plan by the new designated universal service provider.

#### **18. Compliance with quality of service standards.**

A designated universal service provider shall comply with the quality of service standards as provided in any mandatory standards or consumer codes registered under the Act, which are relevant to the activities of the designated universal service provision.

### **PART V COSTING OF UNIVERSAL SERVICE PROVISION**

#### **19. General principle.**

(1) The Commission shall pay the designated universal service provider from the USP Fund the net USP cost incurred in implementing the approved universal service plan in a universal service target.

*[Am. P.U.(A) 402/2003]*

(2) The net USP cost incurred in implementing the approved universal service plan in a universal service target is computed as avoidable cost as specified in column (1) of Table A of the Schedule less revenue foregone as specified in column (2) of Table A of the Schedule and less any payment made pursuant to regulations 12 and 20A.

*[Am. P.U.(A) 402/2003, Am.P.U.(A) 258/2008: s.9]*

(2A) Where the Commission specifies in the invitation under subregulation 5(2) that only network facilities and network services shall be provided, the payment shall be computed as avoidable cost as specified in Table AA of the Schedule less any payment made under regulation 12.

*[Ins.P.U.(A) 258/2008: s.9]*

(3) The Commission shall issue such guidelines to clarify the components of avoidable cost and revenue foregone as specified in Table A of the Schedule and any matters related to them from time to time.

(4) The guidelines issued under subregulation (3) shall be published by the Commission in the manner it deems appropriate.

(5) For the purpose of these Regulations—

*[Am. P.U.(A) 402/2003]*

(a) avoidable cost means the cost that a designated universal service provider would avoid if it had not been required to provide services in a universal service target; and

(b) revenue foregone means the revenue that a designated universal service provider would forego if it had not been required to provide services in a universal service target.

(6) A universal service target shall be removed from the list of universal service targets when –

(a) there is no net USP cost to be claimed for that universal service target by a designated universal service provider for three consecutive years; or

(b) the area is no longer an underserved area as defined in regulation 2.

*[Subs.P.U.(A) 258/2008: s.9]*

## **20. Claim for payment.**

(1) Notwithstanding any payments made under regulation 12 or 20A, the designated universal service provider shall, not later than 31 March of every calendar year, submit a written claim to the Commission for the cost of universal service provision in a particular universal service target for the previous calendar year.

*[Subs. P.U.(A) 258/2008: s.10]*

(2) A claim under subregulation (1) shall include—

(a) the designated universal service provider's avoidable cost and revenue foregone for the previous calendar year; and

(b) details of how the avoidable cost and revenue foregone have been worked out.

(3) The claim under subregulation (1) shall be accompanied by a declaration of an external licensed auditor appointed by the designated universal service provider to certify that—

(a) he has been given sufficient access to the designated universal service provider's records to enable him to audit the claim;

(b) he has audited the claim;

(c) to the best of his knowledge and belief, the claim is properly drawn up in accordance with the applicable accounting standards in Malaysia and gives a true and fair view of the claim; and

(d) such other information as he thinks fit.

(4) Any universal service provider who fails to comply with subregulation (1) commits an offence under these Regulations.

*[(4) Ins. P.U.(A) 258/2008: s.10]*

## **20A. Payment of capital costs or operating and maintenance expenses.**

(1) The Commission may make quarterly payments to the designated universal service provider for capital costs or the operating and maintenance expenses of the universal service provision provided that the designated universal service provider submits its written application for—

(a) the first quarter ending on 31 March on or before 30 April of the same calendar year;

(b) the second quarter ending on 30 June on or before 31 July of the same calendar year;

(c) the third quarter ending on 30 September on or before 31 October of the same calendar year;  
or

(d) the fourth quarter ending on 31 December on or before 31 January of the subsequent calendar year.

(2) Notwithstanding any application or payment made under subregulation (1), a designated universal service provider shall comply with regulation 20.

*[Ins. P.U.(A) 258/2008: s.11]*

## **21. Overstatement of claim.**

(1) If the Commission finds that a designated universal service provider has overstated its claim in respect of the cost incurred in implementing the approved universal service plan in a universal service target for a calendar year, the Commission may, by a written notice to the designated universal service provider—

(a) state the Commission's findings; and

(b) request the designated universal service provider to explain in writing the overstatement within a specified period of time.

(2) If explanation under paragraph 1(b) is not provided by the designated universal service provider within the time specified in the request or any extension of time granted by the Commission, the Commission may make a decision on the claim of and the decision of the Commission shall be final.

(3) The Commission shall, before making a decision under subregulation (2), consider the following:

(a) the explanation provided by the designated universal service provider, if any;

(b) whether the designated universal service provider acted in good faith; and

(c) such other matters as the Commission may deem relevant.

(4) If the Commission decides that the designated universal service provider has overstated its claim for a calendar year, the Commission shall have the right to estimate the designated universal service provider's claim for that calendar year and the estimation of the Commission shall be final.

(5) Notwithstanding subregulations (2) and (4), a designated universal service provider who intentionally overstates a claim or makes a claim for which the cost is not incurred in implementing the approved universal service plan in a universal service target commits an offence under these Regulations.

## **21A. Obligation to refund.**

(1) The Commission may issue a written notice to any designated universal service provider who has received any payment under regulation 12 or 20a, or both, which amount exceeds the cost incurred in implementing the approved universal service plan in a universal service target for a calendar year to refund to the Commission the monies paid in excess on or before any date specified in such notice.

(2) A designated universal service provider who fails to comply with the written notice issued by the Commission under subregulation (1) commits an offence under these Regulations.

*[Ins. P.U.(A) 258/2008:s.12]*

## **22. No payment due unless claim is made.**

(1) If no claim is made on or before 31 March in any calendar year under regulation 20, no payment is due or payable to the designated universal service provider in respect of the implementation of the approved universal service plan in the previous calendar year.

(2) Notwithstanding subregulation (1), the Commission may, subject to a written application by the designated universal service provider to be made on or before 28 February of such year, extend the date for the submission of the claim.

**23. Commission to verify claim for payment.**

(1) The Commission shall verify any claim by a designated universal service provider before payment is made from the USP Fund under regulation 24.

(2) The Commission may, at any time, for the purposes of verifying a claim under subregulation (1), request the designated universal service provider to provide any further information or other documents within the time specified in the request or any extension of time granted by the Commission.

(3) The Commission shall take into consideration such further information or other documents provided by the designated universal service provider in verifying the claim.

(4) If such further information or other documents required under subregulation (2) is not provided by the designated universal service provider within the time specified in the request or any extension of time granted by the Commission, the Commission may make a decision on the claim and the decision of the Commission shall be final.

**24. Payment of claim.**

(1) Payment for the cost incurred in implementing the approved universal service plan in a universal service target shall be made upon a duly verified claim under regulation 23 less any payment made under regulations 12 and 20A not later than thirty days from the date the verification is completed by the Commission.

[Am. P.U.(A) 258/2008: s.13]

(2) Notwithstanding subregulation (1), the Commission may in its absolute discretion makes interim payment of any amount claimed pending the verification of the claim.

**PART VI  
USP FUND**

**25. Payment to the USP Fund.**

The following moneys shall be paid to the USP Fund:

(a) contributions paid under regulation 27;

[Am. P.U.(A) 258/2008: s.14]

(b) interest and/or profit received from the deposit of the USP Fund with any licensed financial institutions; and

[Am. P.U.(A) 258/2008: s.14]

(c) refund of monies paid in excess received under regulation 21A.

[Ins.P.U.(A) 258/2008: s.14]

**26. Payment out of the USP Fund.**

The USP Fund shall be expended for the following purposes:



(a) making payments under regulations 12, 20A, 24 and 36J;

*[Subs.P.U.(A) 258/2008: s.15]*

(b) refunding any overpaid contribution under regulation 34.

## **27. Contribution.**

(1) All licensees shall contribute to the USP Fund except for those licensees whose total net revenue for the previous calendar year derived from the designated services is less than the minimum revenue threshold.

*[Subs. P.U.(A) 402/2003]*

(2) A licensee who is required to make contribution under subregulation (1) shall contribute six per cent of its weighted net revenue annually to the USP Fund, unless the Commission with the approval of the Minister, by notice in writing, decides to reduce the contribution to the USP Fund.

*[Subs. P.U.(A) 402/2003]*

(2A) For the purpose of reducing the contribution to the USP Fund, the Commission may make an assessment from time to time of the USP Fund required to fulfill the universal service objectives by taking into consideration the economic performance of the industry, the amount of moneys available in the USP Fund and such other matters as the Commission deems fit and necessary.

*[Ins. P.U.(A) 402/2003]*

(3) The payment of the contribution referred to in subregulation (1) shall be made in—

(a) one lump sum payment, not later than thirty days from the date of notification of acceptance of return under subregulation 31(1); or

(b) two equal instalments—

- (i) the first instalment, not later than thirty days from the date of notification of acceptance of return under subregulation 31(1); and
- (ii) the second instalment, not later than six months from the date of the notification of acceptance of return under subregulation 31(1).

(4) The weighted net revenue is derived in accordance with the calculation as specified in Table B of the Schedule.

(5) A licensee who fails to make payment of the contribution in accordance with this regulation, commits an offence under these Regulations.

## **28. Weightage factor for designated services.**

The weightage factor for the designated services—

(a) up to 31 December 2003, shall be as specified in column (2) of Table C; and

(b) from 1 January 2004, shall be as specified in column (3) of Table C.

*[Subs. P.U.(A) 402/2003]*

## **29. Obligation to submit return of net revenue from designated services.**

(1) All licensees shall submit to the Commission not later than 30 June of each year—

*[Am. P.U.(A) 258/2008: s.16]*

(a) a certified true copy of their audited accounts for the financial year ending in the previous calendar year; and

- (b) a certified true copy of their respective return of net revenue (referred to as "return" in these Regulations) derived from designated services and non-designated services of the previous calendar year,

in a form specified in Table B of the Schedule.

*[Subs. P.U.(A) 402/2003]*

(2) Where the licensee's financial year ends on a day other than on 31 December, the licensee shall—

- (a) state its financial year;

*[Am. P.U.(A) 258/2008: s. 16]*

- (b) provide a certified true copy of its audited accounts for the previous financial year and the unaudited interim accounts for the period after the end of its financial year up to 31 December; and

*[Am. P.U.(A) 258/2008: s. 16]*

- (c) make a declaration certifying that to the best of the licensee's knowledge and belief, the return gives a true and fair view of the state of affairs of the income, expenditure and cash flow of the licensee for the period ending on 31 December of the previous year.

*[Ins.P.U.(A) 258/2008: s. 16]*

(3) The return under subregulation (1) shall be accompanied by—

- (a) a declaration of a licensed external auditor appointed by the licensee to certify that—

- (i) he has been given sufficient access to the licensee's records to enable him to audit the return;
- (ii) he has audited the return; and
- (iii) to the best of his knowledge and belief, the return is properly drawn up in accordance with applicable accounting standards in Malaysia and gives a true and fair view of the state of affairs of income, expenditure and cash flow of the licensee for the period ending on 31 December of the previous year; and

- (b) such other information as the licensed external auditor referred to in paragraph (a) thinks fit.

*[Subs.P.U.(A) 258/2008: s. 16]*

(4) Notwithstanding paragraph 33(1)(a), a licensee who fails to comply with this regulation commits an offence under these Regulations.

### **30. Verification of return of net revenue by Commission.**

(1) The Commission may verify the licensee's return of net revenue for the purpose of calculating the amount of contribution under regulation 27.

(2) The Commission may, at any time, for the purposes of verifying the return under subregulation (1), request the licensee to provide such further information or other documents within the time specified in the request, or any extension of time granted by the Commission.

(3) The Commission shall take into consideration such further information or other documents provided by the licensee in verifying the return.

(4) If such further information or other documents required under subregulation (2) is not provided by the licensee within the time specified in the request or any extension of time granted by the Commission, the Commission may make a decision on the return and the decision of the Commission shall be final.

### **31. Notification of acceptance of return of net revenue.**

(1) Upon verification and acceptance of the return, the Commission shall notify the licensee in writing of the acceptance and the amount of contribution required to be paid, if any, by the licensee.

(2) If upon verification the Commission does not accept the return, the Commission shall notify the licensee in writing of the refusal and request the licensee to submit a fresh return within the time specified in the request.

(3) On receipt of the fresh return under subregulation (2), the Commission may proceed to verify the return in the manner as prescribed in regulation 30 and either—

(a) accept the return and notify the licensee of the amount of contribution required to be paid; or

(b) refuse to accept the return, in such case the Commission shall notify the licensee and regulation 33 shall apply.

(4) The notification under subregulation (1) and paragraph (3)(a) shall specify—

(a) the date the contribution is due; and

(b) whether the payment of contribution is to be made in one lump sum or two equal instalments.

### **32. Understating weighted net revenue.**

(1) If the Commission finds that a licensee has understated its weighted net revenue for a calendar year, the Commission may by a written notice to the licensee—

(a) state the Commission's findings; and

(b) request the licensee to explain in writing the understatement of the weighted net revenue within the time specified in the notice.

(2) If the explanation under paragraph (1)(b) is not provided by the licensee within the time specified or any extension of time granted by the Commission, the Commission may make a decision on the weighted net revenue and the decision of the Commission shall be final.

(3) The Commission shall before making a decision under subregulation (2), consider the following:

(a) the explanation provided by the licensee, if any;

(b) whether the licensee acted in good faith; and

(c) such other matters as the Commission may deem relevant.

(4) If the Commission decides that the licensee has understated its weighted net revenue for a calendar year, the Commission shall have the right to estimate the contribution of the licensee in accordance with regulation 33.

(5) Notwithstanding subregulations (2) and (4), a licensee who intentionally understates its weighted net revenue shall be guilty of an offence under these Regulations.

### **33. Right of Commission to estimate licensee's contribution.**

(1) Where a licensee—

(a) fails to submit the return under regulation 29;

(b) fails to submit a fresh return upon request by the Commission under subregulation 31(2); or

(c) understates weighted net revenue under subregulation 32(4),

the Commission shall have the right to estimate the licensee's contribution for that calendar year based on the information that is available to the Commission and the decision of the Commission shall be final.

(2) Upon estimation under subregulation (1), the Commission shall notify the licensee in writing of the estimated contribution payable and shall specify—

(a) the date the contribution is due; and

(b) whether the payment of contribution is to be made in one lump sum or two equal instalments.

### **34. Refund of overpayment of contribution.**

(1) If the Commission discovers that there has been an overpayment of the contribution to the USP Fund by the licensee, the Commission shall refund such overpayment without interest to the licensee within thirty days from the date of the overpayment being discovered by the Commission.

(2) Notwithstanding subregulation (1), a licensee may notify the Commission in writing, as soon as possible, of any overpayment of contribution to the USP Fund and such overpayment shall be refunded by the Commission without interest to the licensee within thirty days from the date of the overpayment being verified by the Commission.

### **35. Right of Commission to recover shortfall in contribution.**

(1) If the Commission discovers that there has been a shortfall in the contribution paid by a licensee to the USP Fund, the Commission shall, as soon as possible, notify the licensee in writing of the shortfall and request the licensee to pay the shortfall.

(2) The licensee shall pay the shortfall in contribution under subregulation (1) without any interest not later than thirty days from the date of the notification by the Commission.

(3) A licensee who fails to comply with subregulation (2) commits an offence under these Regulations.

### **36. Annual report and statement of accounts.**

(1) The Commission shall maintain proper accounts of the USP Fund and as soon as practicable after the end of each financial year of the Commission, cause to be prepared for that financial year an annual report and statement of accounts of the USP Fund which shall include a balance sheet and a statement of income and expenditure.

(2) The Commission shall cause the statement of accounts prepared under subregulation (1) to be audited by independent auditors appointed by the Commission.

(3) The Commission shall monitor all universal service provision activities under these Regulations and report to the Minister at the end of each financial year.

(4) The annual report and statement of accounts prepared under subregulation (1) shall be in such form

as specified by the Commission and shall contain such information relating to the proceedings and policies of the Commission and any other matters as the Minister may, from time to time, specify.

(5) The Commission shall publish the annual report and statement of accounts, in the manner it deems appropriate, as soon as practicable following the date on which the Commission conveys the report and statement to the Minister.

## **PART VIA MAJOR CONTRIBUTOR**

### **36A. Major contributor.**

For purposes of this Part, major contributor means any licensee whose contribution to the USP Fund in the previous calendar year under regulation 27 exceeds twenty million ringgit or any other amount as may be determined by the Minister.

*[Ins. P.U.(A) 258/2008: s.17]*

### **36B. Rate of contribution to be utilised towards provision of universal service provider.**

(1) Any major contributor may be allowed to utilise up to fifty per cent, or any percentage as may be determined by the Minister, of its contribution in a particular calendar year for the purpose of funding its capital costs for the provision of universal service.

(2) No payment for operating and maintenance expenses shall be made for the provision of universal service under this Part.

*[Ins. P.U.(A) 258/2008:s.17]*

### **36C. Obligation of major contributor to submit draft of universal service plan.**

(1) Any major contributor who intends to utilise the contribution as provided under regulation 36B shall submit its draft of the universal service plan on or before 30 September of each calendar year.

(2) The draft of the universal service plan under subregulation 36C (1) shall be submitted in writing together with the following information:

- (a) the details of the locations within the universal service target to which the universal service plan applies to;
- (b) a detailed description of the network facilities, network services and applications services to be provided within the universal service target;
- (c) where applicable, the minimum speed for the broadband access services as may be determined by the Commission;
- (d) a detailed description of the technology to be deployed in respect of the universal service target;
- (e) the timetable for the implementation of the universal service plan;
- (f) the capital cost for the installation of the network facilities or the provision of network services or applications services within the universal service target;
- (g) the arrangements for the sharing of network facilities and network services with other licensees, if any; and

(h) any other information which the Commission may require.

(3) In the event a major contributor fails to submit the draft of the universal service plan in accordance with subregulations (1) and (2), this Part shall cease to be applicable in respect of its contribution under regulation 36B.

*[Ins. P.U.(A) 258/2008: s.17]*

### **36D. Matters for consideration for approving draft of universal service plan**

(1) The Commission shall consider the following before approving the draft of the universal service plan under regulation 36E:

- (a) whether such draft of the universal service plan covers matters requested under subregulation 36C(2);
- (b) whether such draft of the universal service plan is efficient and economically practicable;
- (c) whether such draft of the universal service plan can be implemented progressively throughout that universal service target within such period as the Commission considers reasonable;
- (d) whether such draft of the universal service plan will contribute towards meeting the objectives of universal service provision; and
- (e) such other matters as the Commission deems relevant.

(2) The Commission may, at any time before approving the draft of the universal service plan, request the major contributor to provide such further information or other documents within the time specified in the request or any extension of time granted by the Commission.

(3) The Commission shall take into consideration such further information or other documents provided by the major contributor before approving the draft of the universal service plan.

*[Ins. P.U.(A) 258/2008: s.17]*

### **36E. Power of the Commission over draft of universal service plan.**

(1) The Commission after taking into consideration the draft of the universal service plan submitted by any major contributor, may—

- (a) approve the draft of the universal service plan without amendments;
- (b) approve the draft of the universal service plan with amendments; or
- (c) reject the draft of the universal service plan.

(2) For the purpose of considering the draft of the universal service plan under subregulation (1)(a) or (b), the Commission may, by notice in writing, direct the major contributor to provide any further information and to make any changes to the draft of the universal service plan.

(3) The approved draft of the universal service plan under paragraph (1)(a) or (1)(b) shall constitute an approved universal service plan for the purpose of the implementation of universal service provision.

*[Ins. P.U.(A) 258/2008: s.17]*

**36F. Notification of approval of universal service plan and designation of major contributor as universal service provider.**

(1) If the Commission approves the draft of the universal service plan in accordance with paragraph 36E(1)(a) or (b), the Commission shall notify the major contributor in writing of its decision and shall designate the licensee as the designated universal service provider for the universal service target.

(2) The notification and designation under subregulation (1) shall include the following:

- (a) the commencement date for the implementation of the approved universal service plan;
- (b) the approved universal service plan including the costs and expenses which would be paid from the USP Fund;
- (c) the schedule for payment and the timeline for completion of the deliverables;
- (d) the completion date for the implementation of the approved universal service plan;
- (e) the final date for the submission of claims; and
- (f) such other matters as the Commission considers relevant.

*[Ins. P.U.(A) 258/2008: s.17]*

**36G. Utilisation of contribution of major contributor.**

If any universal service plan approved under regulation 36E does not fully utilise the contribution specified under subregulation 36B(1), any surplus of the contribution not utilised shall be used for the implementation of the approved universal service plans under regulation 8.

*[Ins. P.U.(A) 258/2008: s.17]*

**36H. Separate account for implementation of universal service plan.**

The Commission may require the major contributor to maintain a separate account for the implementation of the universal service plan.

*[Ins. P.U.(A) 258/2008: s.17]*

**36 I. Claims for payment by major contributor.**

(1) The designated universal service provider shall submit a written claim to the Commission for the capital cost of universal service provision in a particular universal service target for the implementation of universal service.

(2) A claim for payment under subregulation (1) shall be in accordance with the provisions of payment in the approved universal service plan and shall be accompanied by any such document which the Commission may require.

(3) If no claim is made on or before the final date for the submission of claims as stipulated in the notification under subregulation 36F(2), no payment shall be due or payable to the designated universal service provider in respect of the implementation of the approved universal service plan.

*[Ins. P.U.(A) 258/2008: s.17]*

**36J. Commission to verify claim for payment.**

(1) The Commission shall verify any claim made by a designated universal service provider before payment is made from the USP Fund.

(2) The Commission may, at any time, for the purposes of verifying a claim under subregulation (1), request the designated universal service provider to provide any further information or other documents within the time specified in the request or any extension of time granted by the Commission.

(3) The Commission shall take into consideration such further information or other documents provided by the designated universal service provider in verifying the claim.

(4) If such further information or other documents required under subregulation (2) is not provided by the designated universal service provider within the time specified in the request or any extension of time granted by the Commission, the Commission may verify the claim and the verification of the Commission shall be final.

*[Ins. P.U.(A) 258/2008: s.17]*

### **36K. Payment of claim to major contributors**

(1) Payment for the capital costs incurred in implementing the approved universal service plan pursuant to regulation 36E in a universal service target shall be made upon a duly verified claim under regulation 36J not later than thirty days from the date the verification is completed by the Commission.

(2) Notwithstanding subregulation (1), the Commission may, in its absolute discretion, make interim payment of any amount claimed pending the verification of the claim.

*[Ins. P.U.(A) 258/2008: s.17]*

### **36L. Overstatement of claim.**

(1) If the Commission finds that a designated universal service provider has overstated its claim in respect of the cost incurred in implementing the approved universal service plan in a universal service target for a calendar year, the Commission may, by a written notice to the designated universal service provider—

(a) state the Commission's findings; and

(b) request the designated universal service provider to explain in writing the overstatement within a specified period of time.

(2) If the explanation as requested under paragraph (1)(b) is not provided by the designated universal service provider within the time specified in the request or any extension of time granted by the Commission, the Commission may make a decision on the claim of and the decision of the Commission shall be final.

(3) The Commission shall, before making a decision under subregulation (2), consider the following:

(a) the explanation provided by the designated universal service provider, if any;

(b) whether the designated universal service provider acted in good faith; and

(c) such other matters as the Commission may deem relevant.

(4) If the Commission decides that the designated universal service provider has overstated its claim for a calendar year, the Commission shall have the right to estimate the designated universal service provider's claim for that calendar year and the estimation of the Commission shall be final.

(5) Notwithstanding subregulations (2) and (4), a designated universal service provider who intentionally overstates a claim or makes a claim for which the cost is not incurred in implementing the approved universal service plan in a universal service target commits an offence under these Regulations.

*[Ins. P.U.(A) 258/2008: s.17]*



**36M. Non-application.**

Regulation 12 and Part V shall not be applicable to this Part.

*[Ins. P.U.(A) 258/2008: s.17]*

**PART VII  
GENERAL**

**37. Register of universal service provision.**

(1) The Commission shall maintain a register of universal service provision which shall include, but not limited to the following:

- (a) non-confidential summaries of the approved universal service plans;
- (b) designated universal service providers;
- (c) universal service target;
- (d) a list of licensees contributing to the USP Fund; and
- (e) any other matters that the Commission deems fit.

(2) Any person may inspect the register and make a copy of or take extracts from the register upon making a payment of one ringgit per page to the Commission.

**38. Extension of time.**

Notwithstanding anything contained in these Regulations, where a time period is specified under these Regulations or in any request by the Commission for an act to be done or a condition to be fulfilled, the person affected may request for an extension of time in writing and the Commission may grant such extension of time as it deems fit.

**39. General Penalty.**

Any person who commits an offence under these Regulations shall on conviction be liable to a fine not exceeding three hundred thousand ringgit or to imprisonment for a term not exceeding three years or to both.

## SCHEDULE

**Table A (Regulation 19)**  
**CALCULATION OF NET COST OF UNIVERSAL SERVICE PROVISION**

<i>Avoidable cost</i>		<i>Less revenue foregone</i>		<i>Net universal service provision cost</i>
(1)		(2)		(3)
<i>Item</i>	<i>RM</i>	<i>Item</i>	<i>RM</i>	<i>RM</i>
<p>1. Annualised incremental cost of capital depreciated over the operational lifetime of the following equipment used for providing service in the universal service target:</p> <ul style="list-style-type: none"> <li>• Switching</li> <li>• Access</li> <li>• End-user</li> <li>• Links</li> <li>• Civil infrastructure</li> <li>• Other capital expenditure</li> <li>• Minor capital expenditure</li> </ul> <p>• Expenditure for creating Internet portals and/or websites for centres providing collective access to Internet services</p>		<p>1. Annual revenue derived from the universal service target:</p> <ul style="list-style-type: none"> <li>• Connection fee</li> <li>• Rental on exchange line</li> <li>• Call charges (including Internet dail-up)</li> <li>• Interconnection costs received from other network facilities and/or network service provider</li> <li>• Call revenues derived from calls terminating at the universal service target</li> <li>• Other services (additional services)</li> <li>• Revenue from the provision of collective access.</li> </ul> <p><i>[Subs. P.U.(A) 258/2008: s.18]</i></p>		
<p>2. Plus annual operating and maintenance expenses incurred for providing services in the universal service target:</p> <ul style="list-style-type: none"> <li>• Network and service maintenance</li> <li>• Civil infrastructure leases</li> <li>• Interconnection payment to other network facilities provider and/or network service provider</li> <li>• Service payment to other</li> </ul>		<p>2. Plus annual revenue derived from other sources including:</p> <ul style="list-style-type: none"> <li>• Revenues from services to other licensees and customers (Government agencies, etc.)</li> <li>• Revenues from sharing of infrastructure with other licensees (mast, sites, buildings, etc.)</li> </ul>		

<p>network facilities provider and/or network service provider</p> <ul style="list-style-type: none"> <li>•Spectrum fee</li> <li>•Operator assistance services (operator 's calls, emergency calls, directory calls)</li> <li>•Customer care and billing</li> <li>•Bad debt provision</li> <li>•Vandalism &amp; Fraud</li> <li>• Audit fees for the submission of claims</li> <li>• Information Communications and Technology enrichment training</li> <li>• Awareness, promotion and marketing</li> </ul> <p>Maintenance and management of Internet portal and/or website and the centres providing collective access to Internet services</p> <ul style="list-style-type: none"> <li>• Hosting of Internet portal</li> <li>• End user equipment (if required by the Commission)</li> </ul> <p><i>[Ins. P.U.(A)382/2010]</i></p>				
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**SCHEDULE**  
**Table AA (Regulation 19(2)(a))**  
**CALCULATION OF NET COST OF UNIVERSAL SERVICE PROVISION**

Avoidable Cost	
Item	RM
1. Capital cost of the following equipment and services used for providing service in the universal service target: <ul style="list-style-type: none"> <li>• Switching</li> <li>• Access</li> <li>• Links</li> </ul>	

Avoidable Cost	
Item	RM
<ul style="list-style-type: none"> <li>• Civil infrastructure</li> <li>• Other capital expenditure</li> <li>• Minor capital expenditure</li> </ul>	

*[Ins. P.U.(A) 258/2008: s.18]*

**SCHEDULE**  
**Table B (Regulation 29)**  
RETURN OF NET REVENUE FORM FOR CALENDAR YEAR 20.....

Licensee:

Category of license:

Financial year:

No.	Designated services (please specify)	Gross revenue (RM)	Less payment to other network facilities provider or network services provider individual licensee (RM)	Net revenue (RM)	Weightage factor	Weighted net revenue (RM)
	(1)	(a) (2)	(b) (3)	(c) = (a) - (b) (4)	(d) (5)	(e) = (c) x (d) (6)
1.	Total					
2.	Non designated services (please specify)					
3.	Grand total					

[Subs. P.U. (A) 402/2003]

**SCHEDULE**  
**Table C (Regulation 28 and 29)**  
**DESIGNATED SERVICES AND WEIGHTAGE FACTOR**

<i>Designated services</i> (1)	<i>Weightage factor</i>	
	<i>(2)</i> <i>Up to 31 December</i> <i>2003</i>	<i>(3)</i> <i>From 1 January</i> <i>2004</i>
<b>Regulated under the Communications and Multimedia (Rates) Rules 2002</b>		
Local call	0	0
National call	1	0
Rental on exchange lines (residential and business)	0	0
Operator assisted calls	1	0
Directory assistance service	0	0
Connection service	0	0
Reconnection service	0	0
Internet access communications charge	0	0
Internet access charge	0	0
Audiotext hosting service	1	0
<b>Not regulated under the Communications and Multimedia (Rates) Rules 2002</b>		
International call	1	1
Call termination service provided to foreign network facilities provider, foreign network services provider or foreign applications service provider	1	1
Freephone service	1	1
ISDN	1	1
Cellular mobile service	0.5	1
International roaming service	0.5	1
IP telephony	1	1
Leased lines	1	1
Such other activities subject to an individual or class licence	0	1

*[Subs. P.U.(A) 402/2003]*

### LIST OF AMENDMENTS

<i>Amending law</i>	<i>Short title</i>	<i>In force from</i>
P.U.(A) 402/2003	The Communications and Multimedia (Universal Service Provision) (Amendment) Regulations 2003	01-11-2003
P.U.(A) 143/2005	The Communications and Multimedia (Universal Service Provision) (Amendment) Regulations 2005	01-04-2005
P.U.(A) 258/2008	The Communications and Multimedia (Universal Service Provision) (Amendment) Regulations 2008	01-08-2008
P.U.(A) 382/2010	The Communications and Multimedia (Universal Service Provision) (Amendment) Regulations 2010	10-05-2010