

FREQUENTLY ASKED QUESTIONS ON COMMUNICATIONS EQUIPMENT CERTIFICATION



Suruhanjaya Komunikasi dan Multimedia Malaysia
Malaysian Communications and Multimedia Commission

FOREWORD

This Frequently Asked Questions (FAQ) document is prepared based on the relevant provisions of the Communications and Multimedia Act 1 998 (CMA 98) and Communications and Multimedia (Technical Standards) Regulations 2000. It is also based on the certification program operated by SIRIM QAS INTERNATIONAL SDN. BHD. which is a registered certifying agency with SKMM for the certification of communications equipment under the Act. Reference is also made to the Customs Act 1 967 and Customs (Prohibition of Imports) Order 1 998 in regards to the importation of communications equipment.

This FAQ provides information on the certification requirements and importation procedures applicable to the supply of communications equipment to the market in Malaysia.

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FREQUENTLY ASKED QUESTIONS

CERTIFICATION

Q1. What is meant by communications equipment?

Communications equipment means any communications network facilities or customer equipment which may include fixed and wireless equipment.

Q2. Is it mandatory for a communications equipment to be certified before it can be used, offered for sale or sold?

Yes, Regulation 14 of the Communications and Multimedia (Technical Standards) Regulations 2000, states that all communications equipment which are required to be certified under the regulations shall so be certified.

However SKMM has issued a notice to authorise the importation and use of certain models of amateur radio equipment without being certified. Please refer to Q1 9 for details.

Q3. What is meant by certified communications equipment?

Certified communications equipment refers to equipment which has been confirmed as having complied with the specified standards, technical specifications, technical checklist and/or

technical declaration pursuant to the Communications and Multimedia (Technical Standards) Regulations 2000.

This activity is conducted by a registered certifying agency appointed by SKMM.

Q4. What organisation conducts communications equipment certification in Malaysia?

At present, all certification activities for communications equipment are carried out by SIRIM QAS INTERNATIONAL SDN. BHD. (SIRIM QAS) which is a registered certifying agency with SKMM. Their contact address is as follows:

**SIRIM QAS INTERNATIONAL SDN. BHD.
(Communication and Multimedia Section)
SIRIM Complex**

**1, Persiaran Dato' Menteri
Section 2, P.O. Box 7035
40911 Shah Alam
Selangor, MALAYSIA**

Tel : 60-3-5544 6400

Fax : 60-3-5510 9439

http : www.sirim-qas.com.my

Q5. Is further approval from SKMM required after equipment has been certified by SIRIM QAS?

NO, certification by a registered certifying agency is deemed to be an approval by SKMM.

Q6. What types of certification are available under the Regulations?

There are two (2) forms of certification:

- a) Compliance Approval; or**
- b) Special Approval.**

Q7. What is Compliance Approval certification?

Compliance approval (also sometimes referred to as type approval) may be granted to a specific model of communications equipment which has been certified as complying with the specified standards, technical specifications, technical checklist and/or technical declaration.

Q8. What is Special Approval certification?

Special Approval certification may be granted for equipment which is to be used exclusively by an individual or company limited to the following uses only:

- a) For personal or company's own use**
- b) For trials, market surveys or demonstration of equipment which uses network connections;**
- c) Exhibition purposes without network connection;**
- d) Research and development; and**
- e) Training.**

Q9. What is the difference between the requirements for Compliance Approval and Special Approval?

The certification process for Compliance Approval may involve paper evaluation, laboratory or field tests or a combination of these requirements.

The certification process for Special Approval may be exempted from the requirements for lab tests or field tests and the certification may be based solely on a paper evaluation.

Depending on the purposes of the importation, equipment which is granted a Special Approval certification may be required to be re-exported out of the country after the expiry of its validity period.

APPLICATION PROCEDURES

Q10. What documents need to be submitted to SIRIM QAS for the certification process?

Complete application package (forms) can be downloaded from SIRIM QAS INTERNATIONAL SDN. BHD. website at <http://www.sirim-qas.com.my/>

1. Click Application located at the upper header of the website,
2. Click Download Forms and
3. Then click on Communication & Multimedia

Q11. Who are eligible to submit the applications for certifications?

Applicants may fall under one of the following categories:-

- a) A local applicant which is a Malaysian registered company (importer, manufacturer, authorized agent of importer or manufacturer and network operator)
- b) A foreign applicant is a company registered outside Malaysia. To facilitate an application from a foreign applicant the company is required to have a local representative in Malaysia.
- c) An individual or company who has purchased the equipment for their own use only.

Q12. Does equipment which has been certified by a foreign certification bodies need to be recertified before it can be imported into the country?

Yes, all equipment shall be recertified to ensure that they comply with local requirements.

However SIRIM QAS INTERNATIONAL SDN. BHD. accepts test reports from:-

- a) Laboratories recognised by SKMM under Mutual Recognition Arrangements (MRAs);**
- b) Laboratories under SIRIM Berhad or SIRIM QAS INTERNATIONAL SDN. BHD.;**
- c) Laboratories accredited under Skim Akreditasi Makmal Malaysia (SAMM) which is the national laboratory accreditation scheme managed by the Department of Standards Malaysia (STANDARDS MALAYSIA);**
- d) Laboratories under IECEE CB Scheme. The CB test report shall be accompanied by CB test certificate; or**
- e) Laboratories (in the scope of its accreditation) which are accredited by the accreditation bodies that have signed accreditation cooperation agreements with STANDARDS MALAYSIA (e.g. APLAC or ILAC)**

Q13. What is the turnaround time of the certification process?

The turnaround time is normally between two to four weeks calculated from the date the sample is submitted.

CERTIFICATION FEES

Q14. How much is the certification fees?

The fees depend on the equipment's certification categories and will normally cover the processing, testing, evaluation and certification process. Please contact SIRIM QAS INTERNATIONAL SDN. BHD. for further details.

EQUIPMENT STANDARDS

Q15. What are the SKMM Technical Specifications which need to be complied with and where do applicants obtain copies of such standards?

SKMM has published the Technical Specifications for the testing and certification for both fixed and wireless communications equipment. The documents deal primarily with the technical requirements for safety, frequency bands, interoperability, electromagnetic compatibility and non-interference.

The documents can be downloaded from www.skmm.gov.my at http://www.skmm.gov.my/index.php?c=public&v=art_view&art_id=774

In situations where a Technical Specification is not available, the Compliance Approval shall be based on specified product standards (national or international standards), technical checklist and/or technical declaration.

EQUIPMENT FOR PERSONAL USE

Q16. How do I bring in a communications equipment purchased from overseas and intended to be for personal use into the country?

Communications equipment intended for personal use can be brought into the country by applying for Special Approval certification from SIRIM QAS INTERNATIONAL SDN. BHD.

Q17. Do I need to apply for import permit as well?

Yes, you are required to apply for an import permit from SIRIM QAS INTERNATIONAL SDN. BHD. which is also the Permit Issuing Agency (PIA) appointed by the Royal Malaysian Customs.

Q18. How many pieces of communications equipment are allowed to be brought in for personal use?

There is a limitation in terms of quantity and validity period for the equipment certified under Special Approval. This is due to the fact that all equipment under this type of certification are not allowed to be sold and used for commercial purposes.

AMATEUR RADIO EQUIPMENT

Q19. Does amateur radio equipment require certification?

SKMM has published Notice No. 01/06/2004 listing authorised amateur radio equipment which do not require certification. The notice is accessible at

http://www.skmm.gov.my/index.php?c=public&v=art_view&art_id=37.

Only a person who holds an amateur radio operator's certificate (Class A or Class B) can import and use the equipment listed in the notice. Any amateur radio equipment which is not listed must be certified in accordance with the Regulations.

EQUIPMENT LABELLING

Q20. What sort of certification mark or label must be used for all certified communications equipment?

All certified communications equipment shall bear a certification mark or label to be purchased from SIRIM QAS INTERNATIONAL SDN. BHD. There are two types of label - one which is for wireless equipment to be operated under Class Assignment (licence exempt) and the other for wireless equipment to be operated under Apparatus Assignment (licence required) as well as all telephony products such as fixed line telephones and fax machines.

Q21. Who is responsible for equipment labelling?

It is the responsibility of the Certificate Holder to ensure that all certified equipment bears the mandatory certification mark or label.

DEALER'S LICENCE

Q22. Is there any requirement for dealers or suppliers to obtain a licence from SKMM before they can import, offer for sale or sell any communications equipment?

No, dealers or suppliers are not required to obtain any such licence from SKMM.

PENALTIES

Q23. Is there any penalty if a person offers for sale, sells or has in his possession with a view to sell any communications equipment which is not certified?

Yes, a person who commits such offence shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit (RM 100,000.00) or imprisonment for a term not exceeding six (6) months or both. This prohibition and penalty is contained in Regulations 16 and 37 of Communications and Multimedia (Technical Standards) Regulations 2000].

Q24. Will consumers be penalised if they buy and use any communications equipment which is not certified?

Consumers should not buy or use any communications equipment which is not certified by SIRIM. When purchasing communications equipment, they should always look for certification mark or label as described in Q20 above.

They should not also be confused with any foreign certification mark such as 'FCC' or 'CE' because it does not imply that the equipment complies with local requirements. The equipment may not be suitable to be used locally and may cause interference, impairment, or malfunction of, or harm to any communications equipment or any other equipment. It may also compromise the safety of the general public.

A person who uses a non-certified communications equipment commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit (RM 100 000.00) or imprisonment for a term not exceeding six (6) months or to both [Regulations 16 and 37 of Communications and Multimedia (Technical Standards) Regulations 2000].

IMPORTATION PROCEDURES

Q25. What importation requirements are required to import communications equipment?

An import permit is a mandatory requirement for importing communications equipment into Malaysia under the Customs Act 1 967 and Prohibition of Import 1 998. It is applicable to a supplier or individual who imports communications equipment either as a complete set, parts and/or accessories either for manufacturing or repairing.

SIRIM QAS INTERNATIONAL SDN. BHD. was appointed by the Royal Customs of Malaysia on 12 April 1 999 to deal with the processing and approval of import permit for communications equipment. The issuance of import permit is subject to compliance with the Compliance Approval or Special Approval specified by SKMM.

Q26. How do you apply for an import permit?

An import permit is applied through E-Permit system. E-Permit is a web-based permit application system and is accessible at <http://epermit.dagangnet.com>.

The application of import permits through the E-Permit system shall be processed within 24 hours.

Q27. What import permit fees must I pay?

The fees are as follows:

NO.	DESCRIPTION	TOTAL AMOUNT (RM)
1.	Upon registration (one time)	RM300.00
2.	Stamp duty (one time)	RM20.00
3.	Access fee per year	RM250.00
4.	Upon transaction per permit for registered E-Permit user (Approved Permit)	RM60.50
5.	Upon transaction per permit for non registered E-Permit user (Approved Permit)	RM70.00

Please contact **SIRIM QAS INTERNATIONAL SDN. BHD.** for further enquiries.

Q28. How do I apply for an E-Permit?

Before an importer can apply for an import permit, they must first register as an E-Permit user with **SIRIM QAS INTERNATIONAL SDN. BHD.** and **Dagang Net Technologies Sdn. Bhd. (DNT)** to get a username and password to access the system.

Companies or individuals not registered as E-Permit users are required to fill-up form **CMST/FORM/AP/02** and **Special Approval form** which is available at www.sirim-qas.com.my.

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