



# **ITU Workshop on Policy and Regulations for Newly Established Regulators in the Asia Pacific Region**

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Potential Overlapping Function Between Policy Maker and  
Regulator

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# *Agenda*



1. Introduction to the Convergence Framework
2. Institutional Framework Under the CMA 98
3. Powers, Functions and Structure
4. Separation of Functions
5. Conclusion

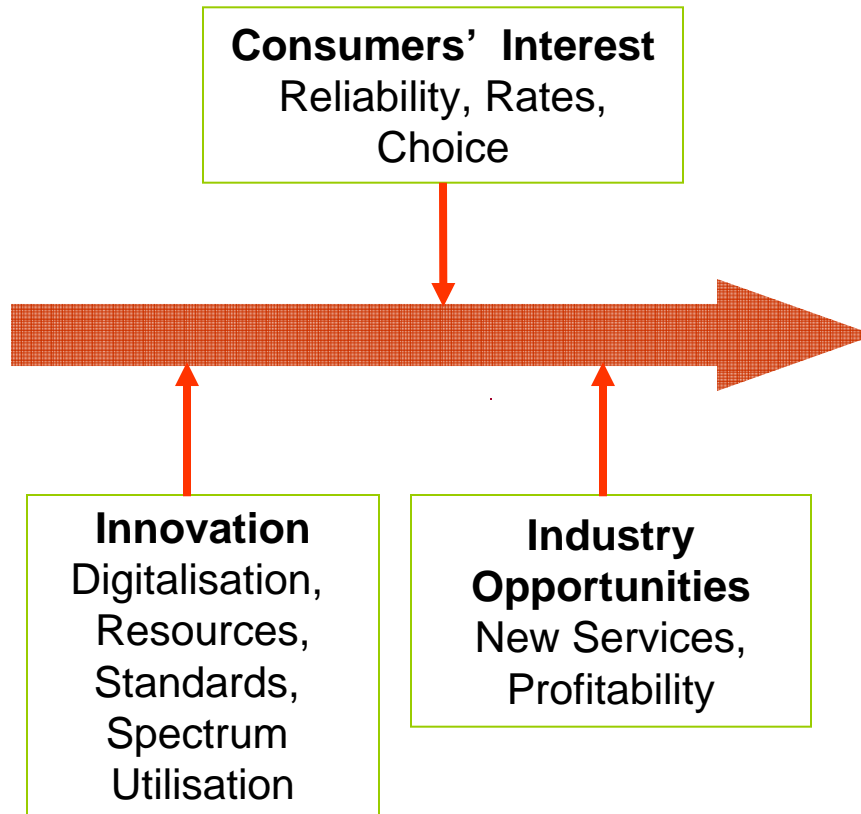
# Introduction to the Convergence Framework



**JTM  
Telecoms Licensees**

**MOI  
Broadcast Licensees**

**Postal Dept  
Post & Courier Licensees**



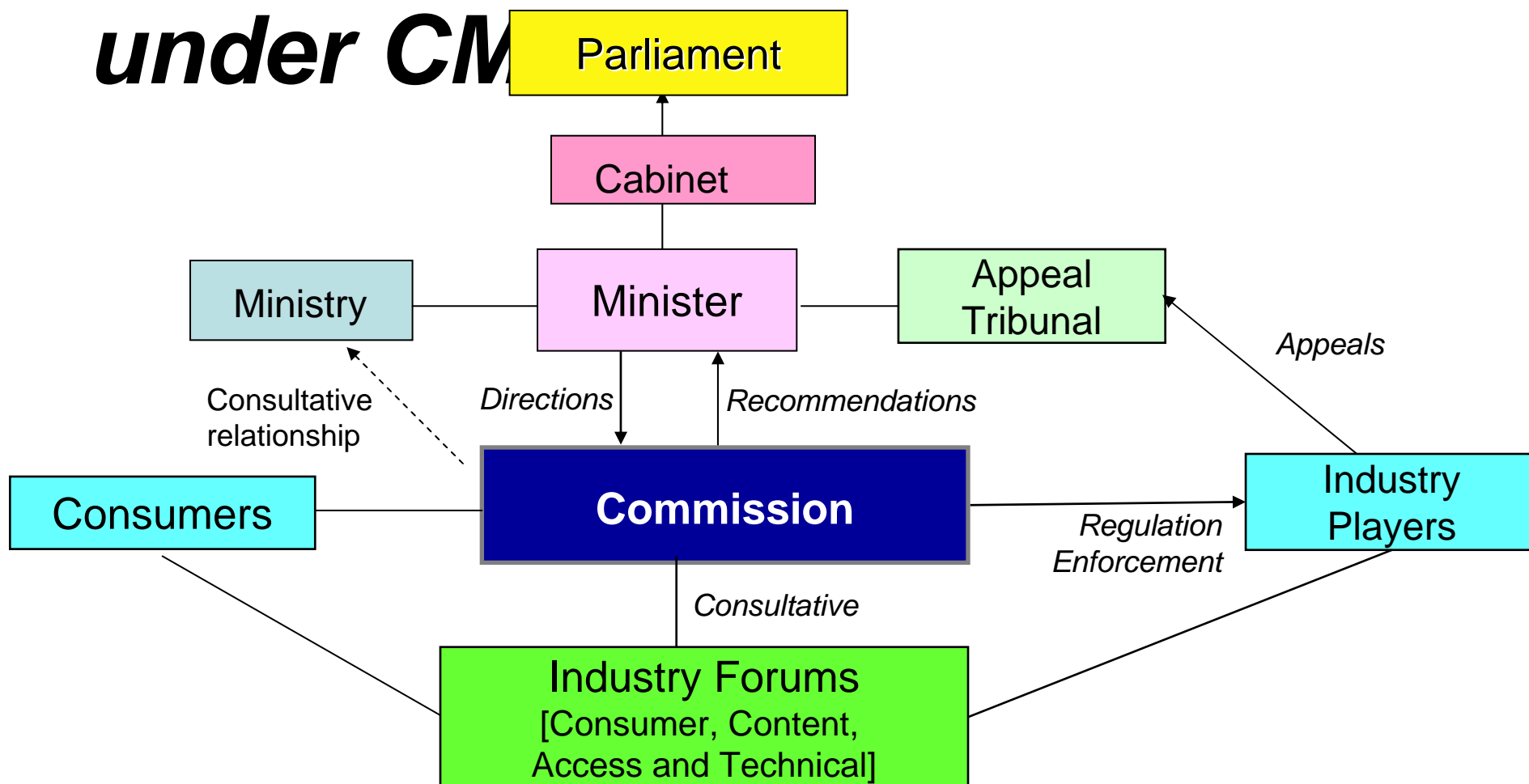
**Minister of Information, Communications & Culture  
MCMC\***

**Communications and Multimedia Act 98 (CMA 98)**

**Postal Services Act 91/  
Digital Signature Act 97**

\* Statutory body established by MCMC Act 98

# *Institutional Framework under CM*



# Powers, Functions and Structure



## POWERS OF THE MINISTER – CMA 98

- Approves Annual Budget
- Approves staff employment terms and condition
- Appoints Commission members
- Approves licence applications
- Issues policy directions to MCMC
- Directs MCMC on the exercise of its powers and performance of functions & duties
- Determine matters as provided for under the CMA
- Makes declarations for licence conditions
- Makes regulations

## POWERS & FUNCTIONS OF THE COMMISSION

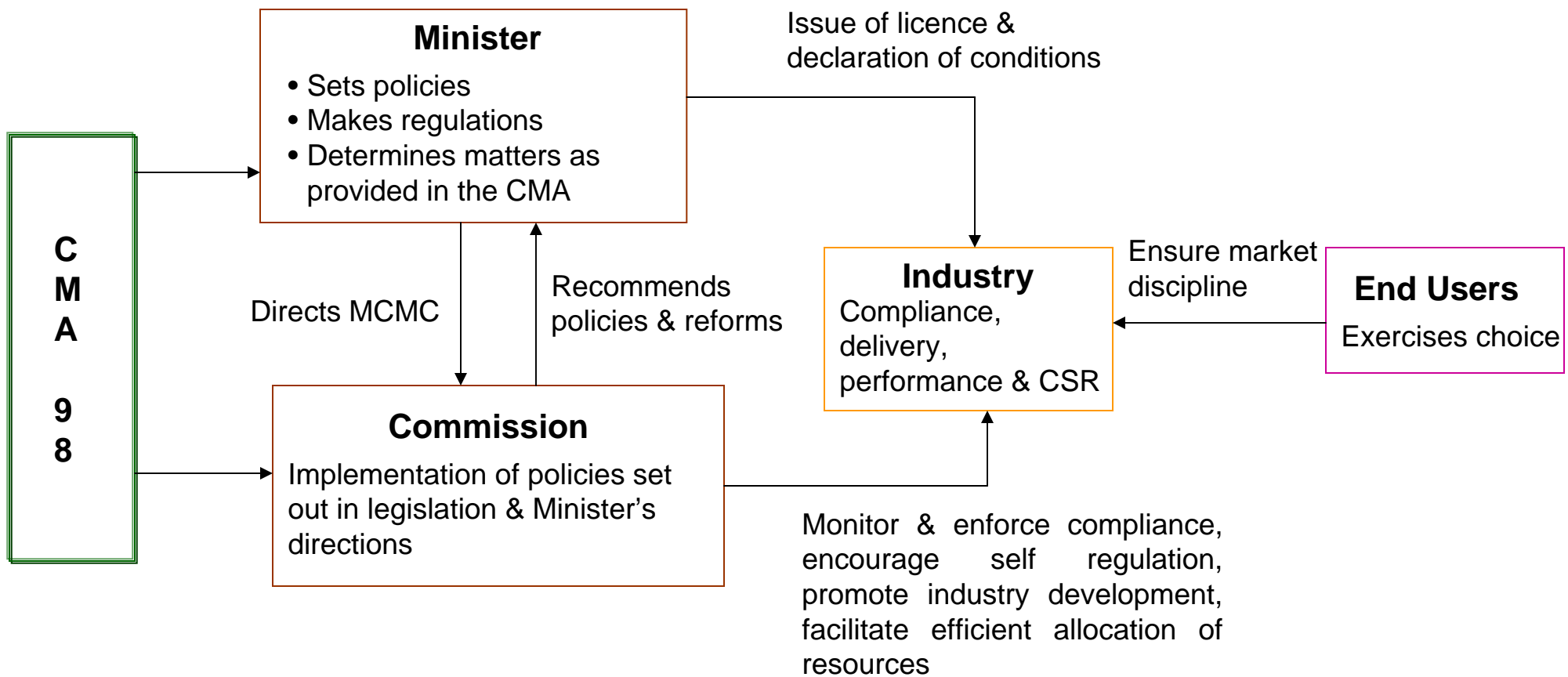
- Advice Minister on national policy objectives
- Implement and enforce C&M laws
- Consider & recommend reforms to the C&M laws
- Supervise and monitor C&M activities
- Encourage and promote development of C&M industry
- Encourage and promote self regulation
- Promote and maintain the integrity of licensees
- Render assistance to persons engaged in C&M
- Carry out any functions as the Minister may prescribe

Note : Abbreviated from Section 16 of the MCMC Act 1998

## STRUCTURE OF THE COMMISSION

- Commission members:- Chairman – who is the Chief Executive, 3 members representing the Government and not less than 2 not more than 5 other members
- Chairman's functions – executive and full time, responsible for overall administration and management functions
- Assisted by COO & staff

# Separation of Functions



# ***Conclusion - Defined Roles***

Clear separation between policy setting functions and administration of policy:-

- Ensures neutrality of policies and regulatory action
- Ensures impartiality
- Allows for better focus
- Promotes industry confidence
- Promotes transparency
- Ensure efficient use of resources



# THANK YOU