



ITU Training on Consumer Protection

21 – 23 March 2016

New Delhi, India

Consumer Protection in Digital Era

Framework of QoS Monitoring and Consumer Empowerment

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Head, Monitoring and Compliance Department
Monitoring and Enforcement Division

Date : 22 March 2016



MALAYSIA IN BRIEF

2

CONSUMER PROTECTION IN CMA98

3

CONSUMER ISSUES

4

QUALITY OF SERVICE FRAMEWORK

5

SELF REGULATORY FORUMS

6

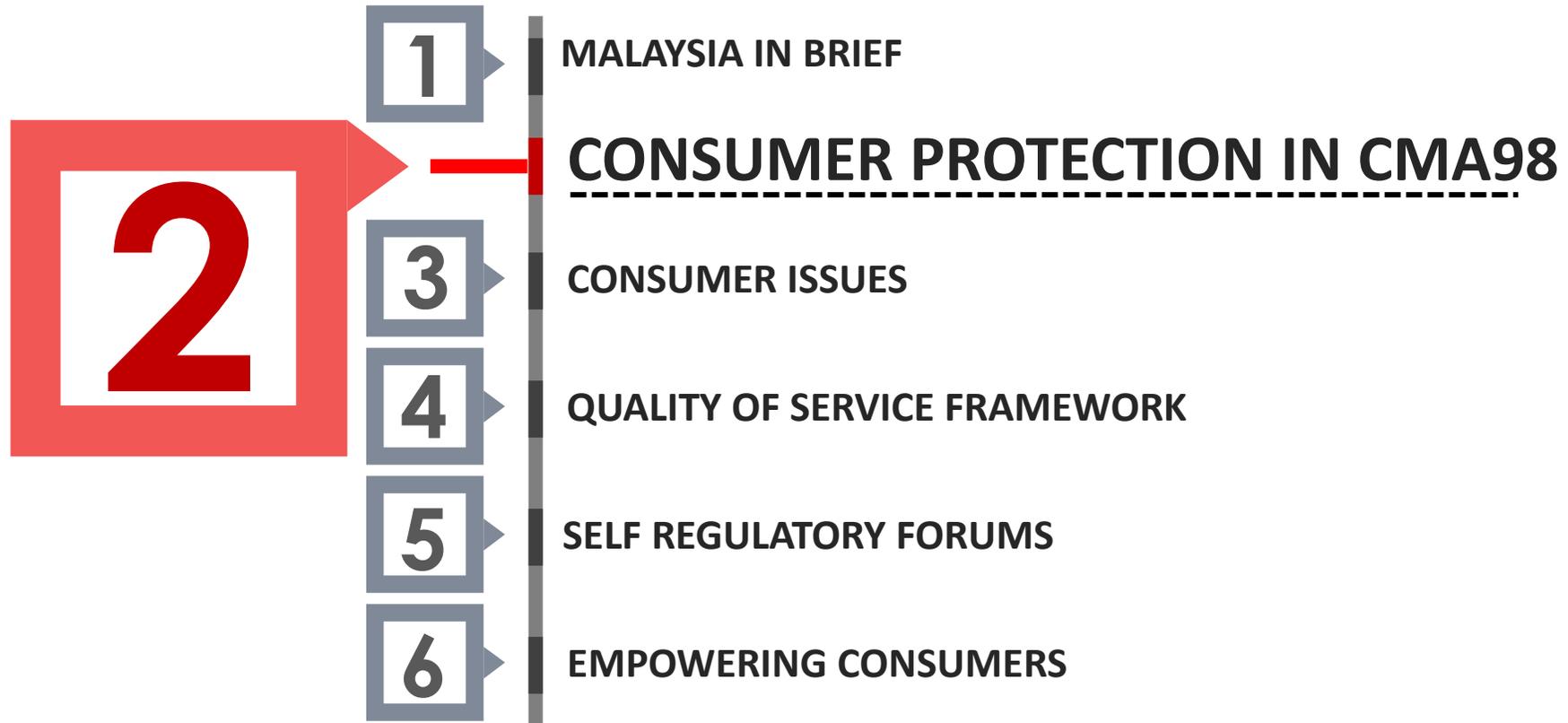
EMPOWERING CONSUMERS

MALAYSIA IN BRIEF



- **Capital:** Kuala Lumpur
- **Official Languages:** Bahasa Malaysia
- **Ethnic Groups:**
 - 50.1% Malay
 - 22.6% Chinese
 - 11.8% Indigenous
 - 6.7% Indian
 - 8.8% other
- **Religion:** Sunni Islam
- **Total Area:** 330,803 km²
- **Population:** 30,953,000
- **Population Density:** 92 persons/km²
- **Currency:** Ringgit Malaysia (MYR)
- **Anthem:** Negaraku





1 MALAYSIA IN BRIEF

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5 SELF REGULATORY FORUMS

6 EMPOWERING CONSUMERS

CONSUMER PROTECTION IN CMA98

Pursuant to the :

- ✓ **Communications and Multimedia Act 1998 (CMA)**
- ✓ **Postal Services Act 1991 (PSA)**
- ✓ **Digital Signature Act 1997 (DSA)**

Industry developer and regulator for the converged communications and multimedia sector which covers

- Telecoms, broadcasters and ISPs
- Postal and courier services
- Digital certification authorities



Fundamental Principles of CMA 98

- National Policy Objectives
- Transparency
- Principle of Self Regulation
- Technology neutrality
- Consumer protection

Main Parts under the CMA

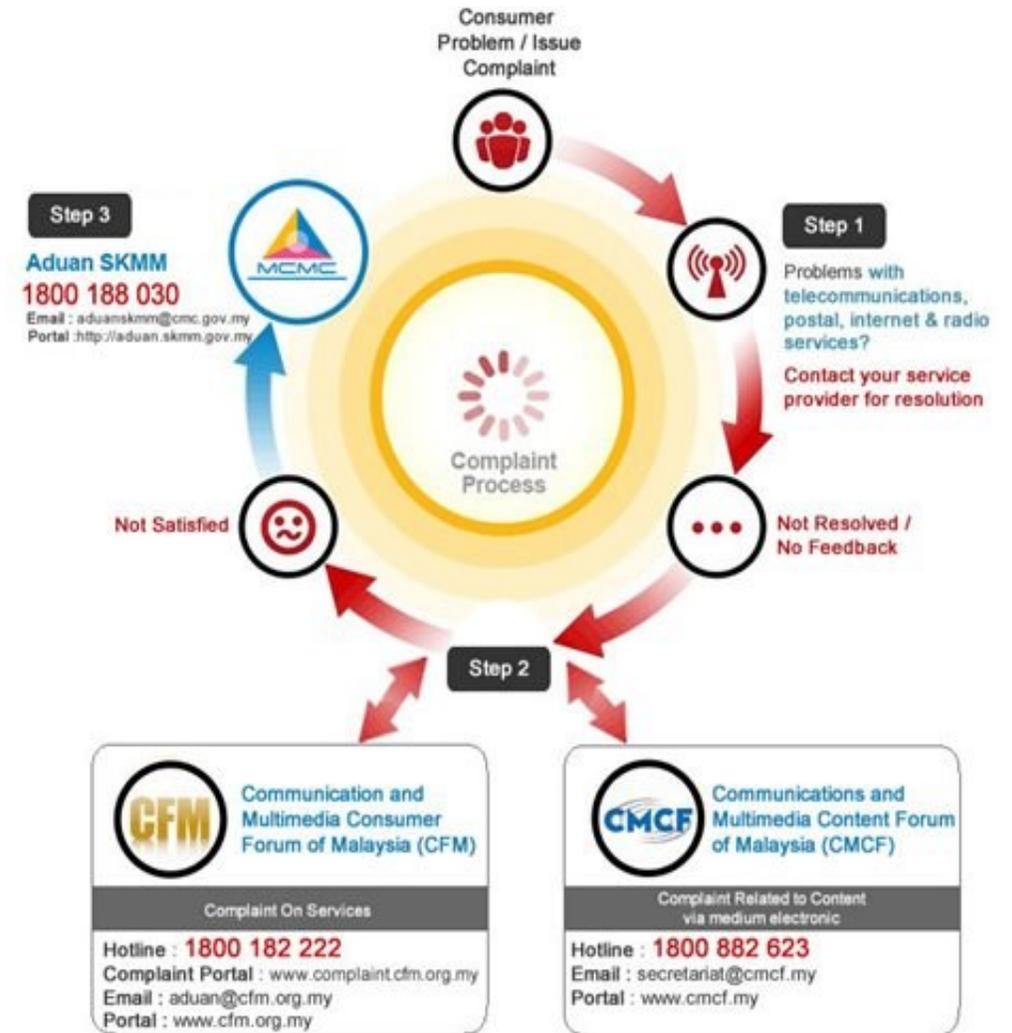
- Licensing
- Economic Regulation
- Technical Regulation
- Consumer Protection
- Social Regulation



CONSUMER PROTECTION IN CMA98



- Emphasize the empowerment of consumers
- Ensures adequate protection measures in areas such as dispute resolution, affordability and availability of services.
- Industry self-regulation



KEY AREAS UNDER CONSUMER PROTECTION



Instruments



★ Mandatory Standards

★ CMA 98 & General Consumer & Content Codes

★ Complaints Bureau (Aduan SKMM)

★ Consumer & Content Forum (Self Regulation)

★ Consumer Education & Engagement Programs

★ Prepaid Registration Guidelines – Public Cellular Services

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CONSUMER ISSUES: ACCELERATED CHALLENGES



Management of issues & quick response time

02

01

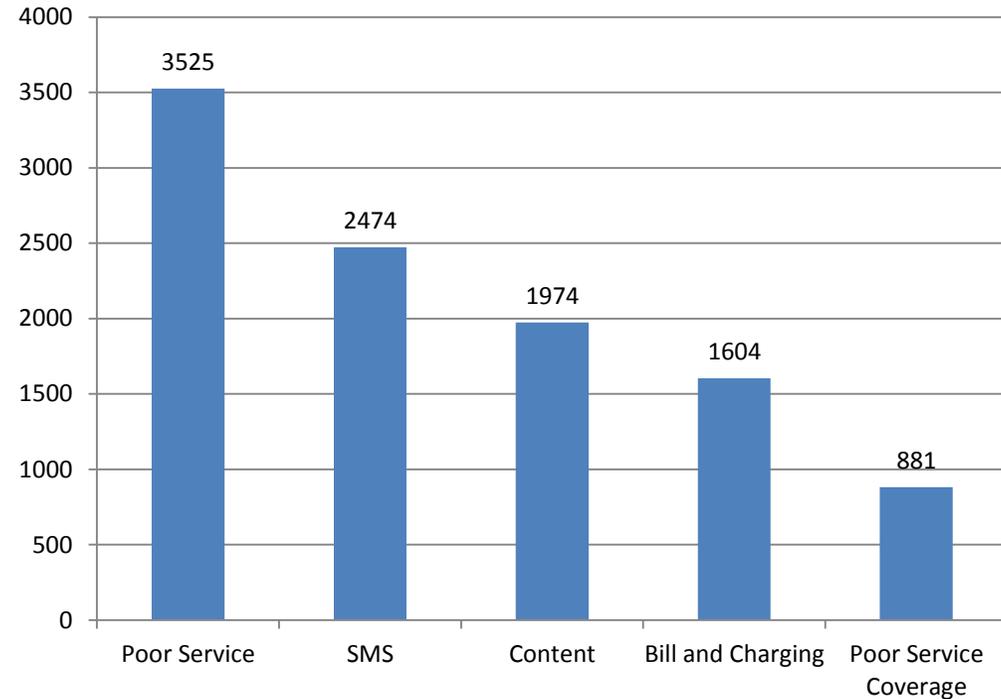
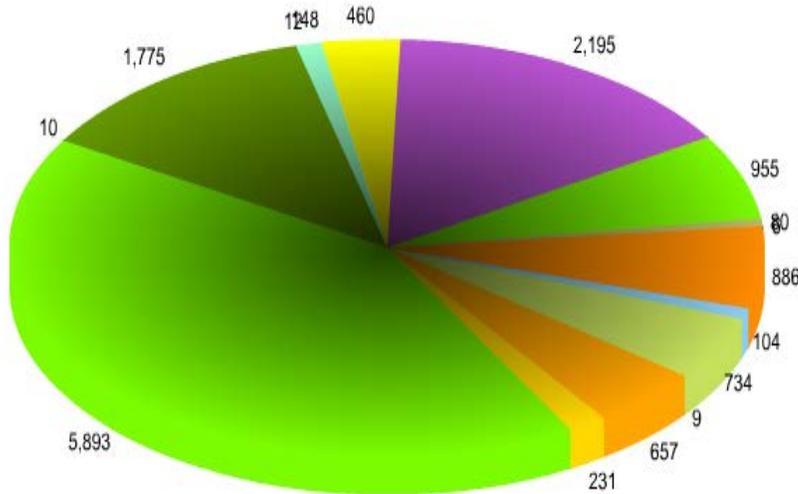
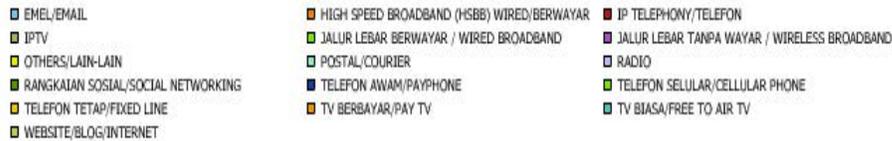
Increase in volume of task and complexity

03

Accelerated growth of industry & consumers



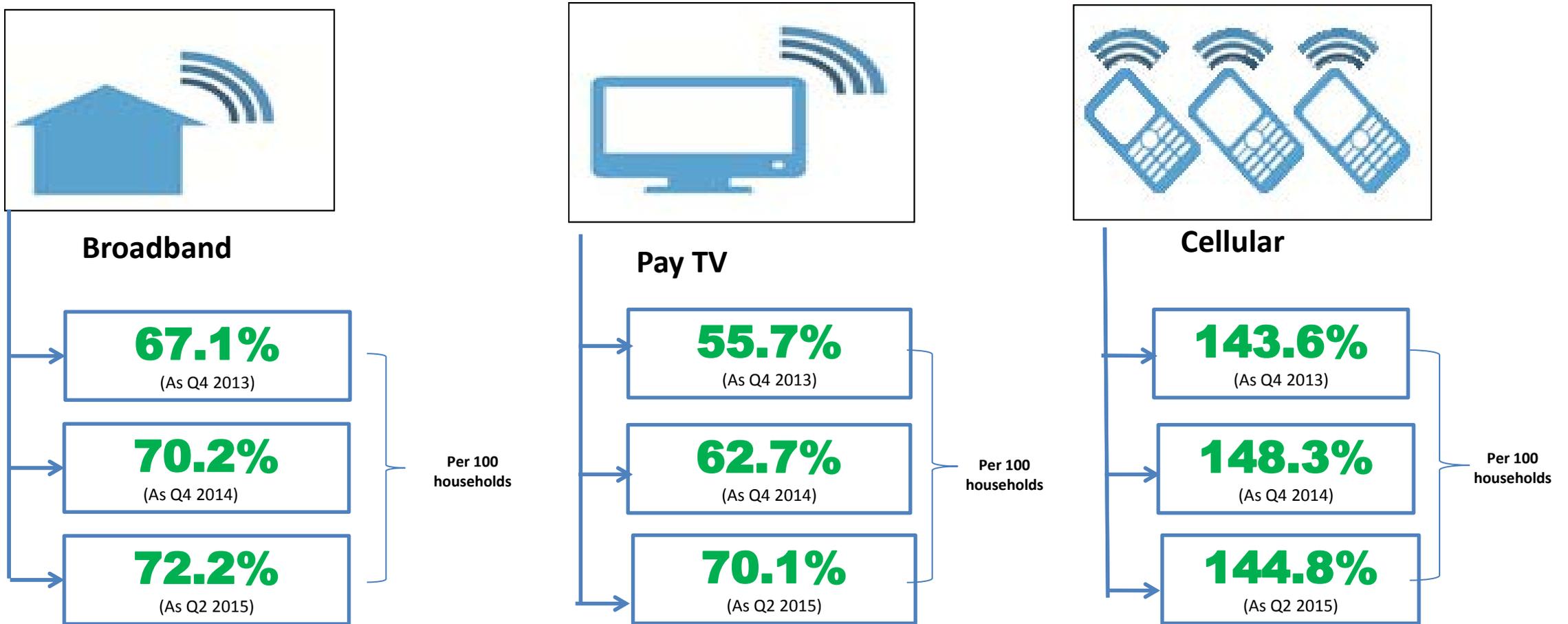
INCREASE IN VOLUME OF TASK AND COMPLEXITY



Top 5 Complaints

- **Poor Service Performance** mainly on Quality of Internet Connection/Speed
- **Content** mainly relating to New Media/Internet
- SMS service particularly on **Unsubscribed SMS** mobile content services offered by External Content Providers (ECP)
- **Billing and Charging** mostly on Unreasonable or Dispute of data charges
- Unavailability or **Poor Service Coverage** particularly cellular and broadband including drop calls issues.

ACCELERATED GROWTH OF INDUSTRY AND CONSUMERS



- Nearly two-thirds of all mobile subscriptions are smartphone users
- Malaysia will become a “data” market by 2017

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QUALITY OF SERVICE (QOS) – MANDATORY STANDARD



A Consumer Satisfaction Survey and Consumer codes

B Testing and End Point Service Availability

C Commission Determination on Mandatory Standards for Quality of Service

PURPOSE

To assess quality of service level of offered by operators;

To protect consumer interest in telecommunication industry;

QoS Assurance

01 General Consumer Complaints Handling

02 Audit and Verification performed by MCMC

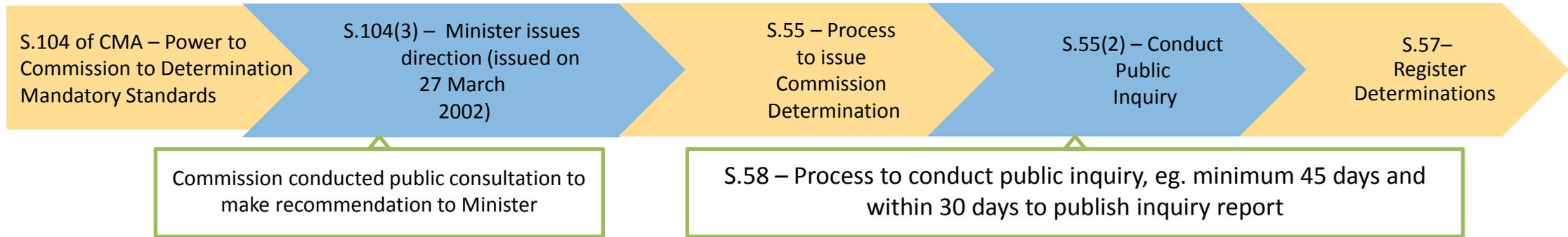
03 End Point Service Availability

04 Promptness in Answering Calls to Customer Hotline

05 Submission of Half Yearly/ Quarterly Reports by Operators

06 Billing Performance

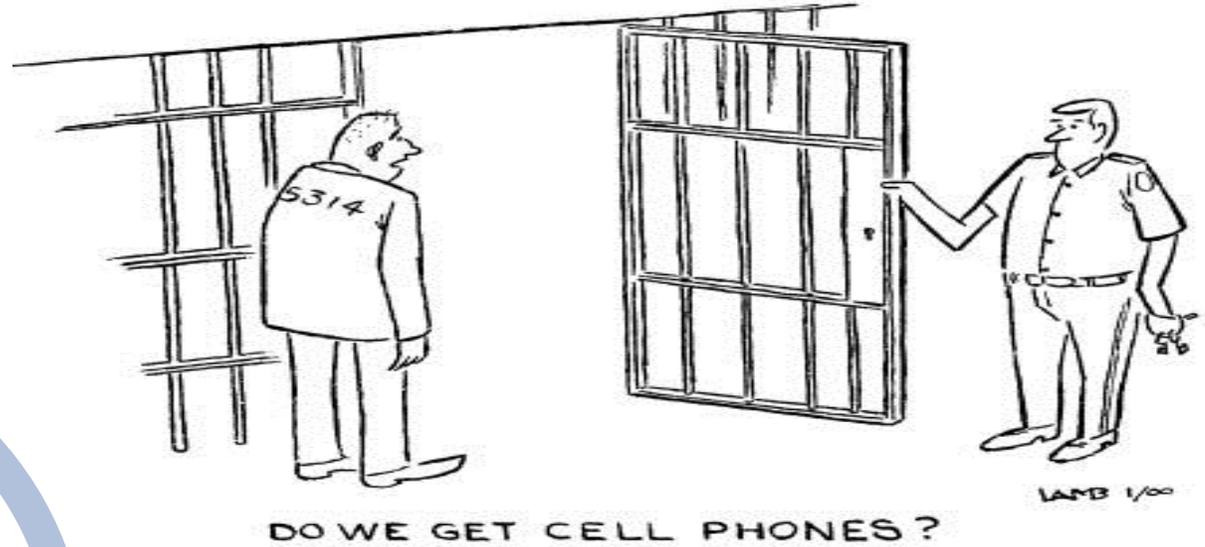
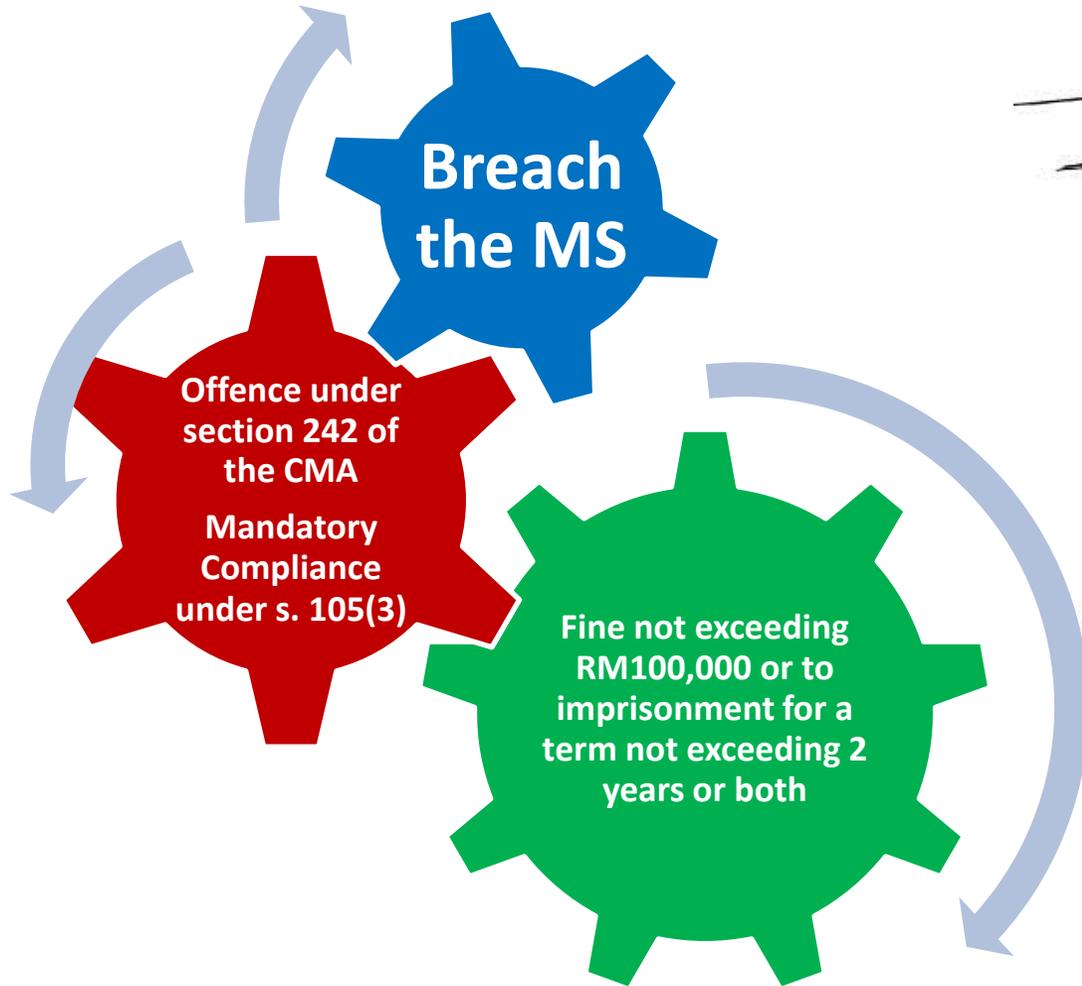
DEVELOPMENT OF COMMISSION DETERMINATION MS FOR QOS



Commission Determination on the Mandatory Standards on Quality of Service	Effective date
Public Switched Telephone Network Service: <i>Determination 1 of 2002</i>	1 January 2003
Public Cellular Service: <i>Determination 1 of 2015 (revised from Determination 2 of 2002)</i>	1 January 2016
Dial Up Internet Access Service: <i>Determination 3 of 2002</i>	1 January 2003
Content Applications Services: <i>Determination 4 of 2002</i>	1 January 2003
Public Payphone Service: <i>Determination 3 of 2003</i>	1 June 2004
Digital Leased Line Service: <i>Determination 3 of 2009 (revised from Determination 4 of 2003)</i>	1 June 2009
Broadband Access Service for Wired: <i>Determination 1 of 2016 (revised from Determination 1 of 2007)</i>	1 January 2016 (Network) 1 July 2016 (Consumer)
Broadband Access Service for Wireless: <i>Determination 1 of 2016 (new)</i>	1 January 2016 (Network) 1 July 2016 (Consumer)

Website's Link: <http://www.skmm.gov.my/Legal/Instrument.aspx#>

PENALTY AND ACTION TAKEN



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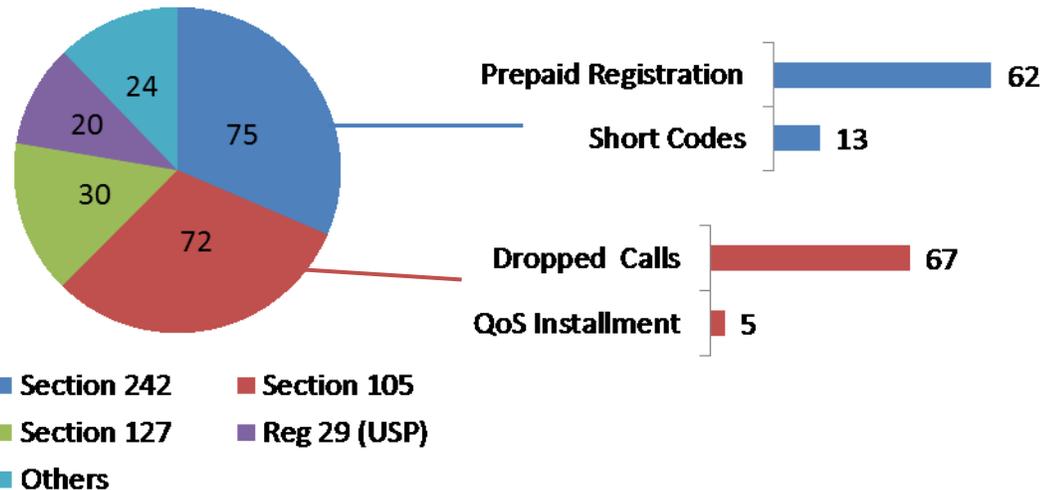
RAISING THE BAR OF USER EXPERIENCE AND CONSUMER PROTECTION

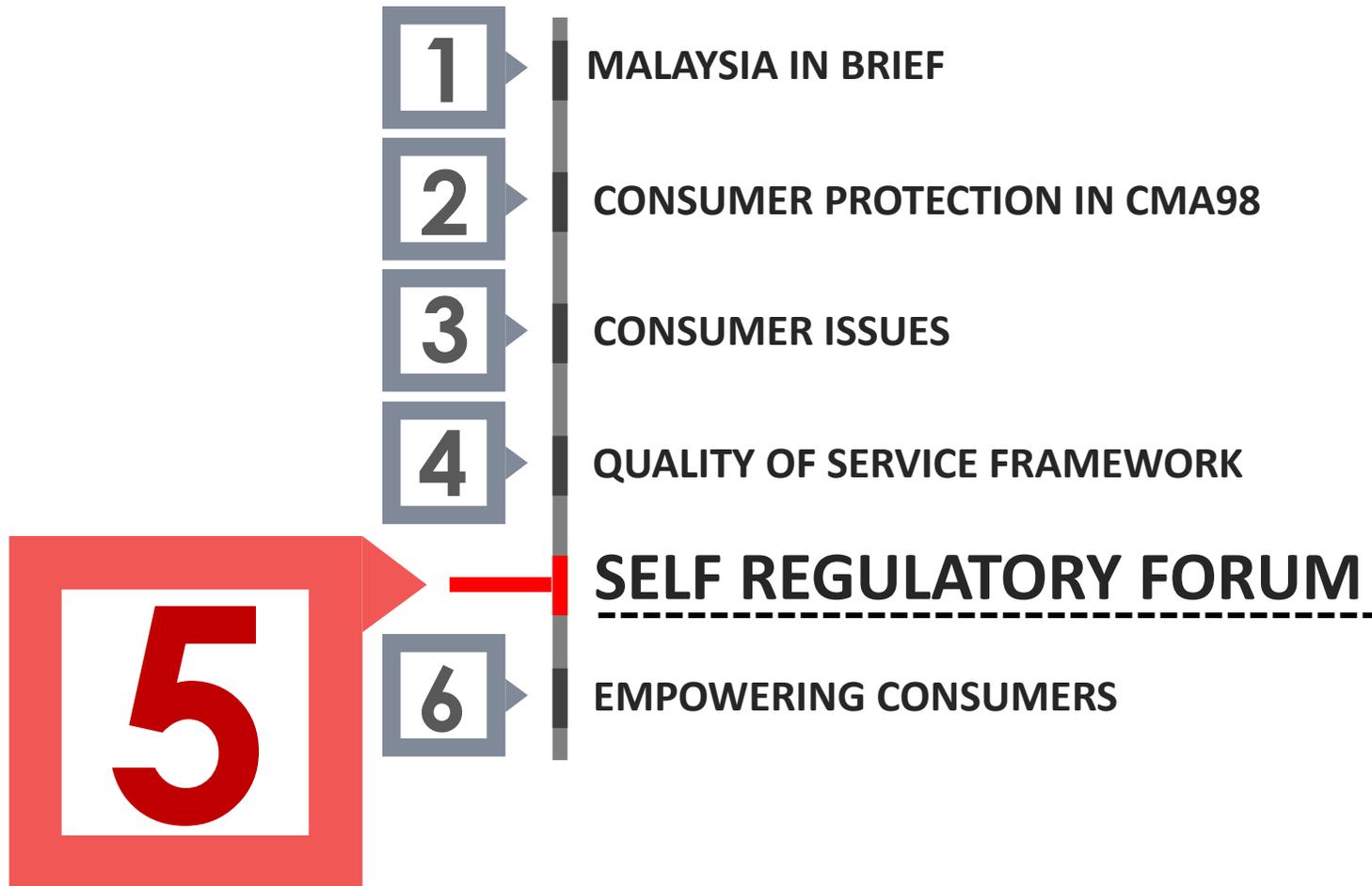


Stepped up monitoring and enforcement activities to ensure better quality of service for communications services with a view for better consumer protection.



- Since 2012, the number of cases compounded by MCMC continues to rise as a result of proactive monitoring and enforcement.
- Since 2013, Enforcement had started in strengthening its resources to focus on regulatory non-compliance cases.
- Investigations were focused on issues that affect security and consumer protection.

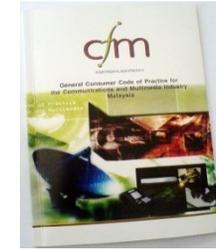




SELF-REGULATORY FORUMS



- Under the CMA 1998, the MCMC can designate (or appoint) four industry forums.
- Tasked to create “voluntary industry codes” relevant to their objectives.
 - ✓ General Consumer Code (GCC) and Content Code.
 - ✓ Internet Access Service Provider Code.



New Initiatives:
Dealers and Agents Code of Ethics, Compensation Mechanism, Sub-code for Mandatory Standards for the Provision of Mobile Content Services.



FUNDED BY MCMC



COMMUNICATIONS AND MULTIMEDIA LAYSIA



COMMUNICATIONS AND MULTIMEDIA
CONSUMER FORUM OF MALAYSIA



Website's Link: <http://www.consumerinfo.my/>



The screenshot shows the homepage of the CONSUMERinfo website. At the top, there is a navigation bar with "CONSUMERinfo" and the URL "www.consumerinfo.my". Below this is a menu with "On-Going Campaign", "Broadband", "Mobile Phone", and "Home Phone". The main heading reads "Your guide on broadband and internet services". The page features several content blocks: "Broadband" (one-stop guide), "Mobile Phone" (service essentials), "Home Phone" (fixed line choices), and an "Introduction" section. There are also "Campaign" and "New Guides" sections. At the bottom, there are three icons: "CHECK YOUR COVERAGE", "CFM Supports MOBILE ACCESSIBILITY", and "REPORT PHISHING".

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It's all about Empowering the Consumer...



Code Reviews

1. The GCC review
2. The development of sub-code through GCC review on the compensation
3. Review of the MS for the Provision of Mobile Content Services
4. Completed the Review of MS for QoS; Wired and Wireless Broadband Access Service & Public Cellular Service.

Consumer Empowerment

1. QoS Tools for Consumer (speedtest)
2. Enhancement to the Consumer Portal to include Mobile Apps
3. ACE Campaign "Action for Consumer Empowerment"

Process & System Improvement

1. Integrated Complaints Handling System (SPs/CFM/MCMC)
2. Processing & Administrative Fees On Complaints Handling By MCMC



Industry Self Regulation

1. Incentive based Regulation Non-Financial (Star rating award)
2. Dealers And Agents Codes of Ethics.

Service Provider

No	Action Items
1.	Self-assessment and reporting
2.	Street Coverage Maps
3.	Compensation Mechanism As per GCC provision – General Principle of Compensation
4.	Client Charter Enhancement
5.	Critical Information Summary of T&C
6.	Establishment of Standard Operating Procedure on regulatory compliance check for consumer offering



“Star Rating” Award

- Part of the 3 years Strategic Consumer Empowerment plan
- To evaluate and assess service delivery
- To give recognition and instill compliance culture
- To foster healthy competition among Service Providers

MEDIA LITERACY & ENGAGEMENT



We know you are a smart Internet user! So...

- SECURE YOUR PASSWORD**
Make your password difficult for others to guess but easy for you to remember. Change your password often.
- BE RESPONSIBLE FOR YOUR ACTIONS ONLINE**
Check your facts and ensure that they are accurate before you post it online, don't defame others or spread rumours.
- BE SMART ABOUT SHARING**
Think twice before you post or share content with your online friends. Some of them may have an ulterior motive.
- SAFEGUARD YOUR PRIVACY**
Be careful with whom you share your personal data.
- RESPECT OTHERS**
Respect other people's opinions and don't let your emotions rule. Avoid using language or words that may offend others.
- PRACTICE SAFE EMAIL HABITS**
Always be cautious of emails received from strangers, don't fall victim to internet fraud.

Logos: SKMM, MCMC, and a lighthouse icon.

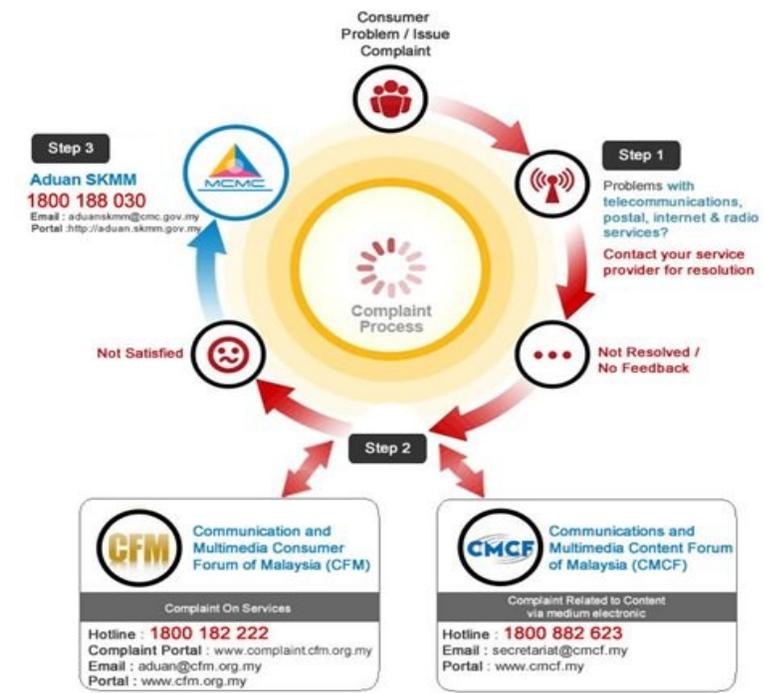
- Continuing education and awareness on Internet safety & “hot” consumer issues
- Publications by MCMC to raise public awareness on internet safety
 - <http://www.consumerinfo.my/campaign-klik.html>
- School visits to educate students
- Empowerment tools – eg for speed test/drop calls

Panduan Keselamatan Melayari Internet

BIJAK

- B** Berhenti seketika dan Lapar (Berhenti seketika dan Lapar)
- I** Janganlah berkepercayaan diri (Janganlah berkepercayaan diri)
- J** Janganlah mudah percaya (Janganlah mudah percaya)
- A** Janganlah mudah percaya (Janganlah mudah percaya)
- K** Janganlah mudah percaya (Janganlah mudah percaya)

www.skmm.gov.my





**INCENTIVE BASED REGULATION (NON-FINANCIAL)
“STAR RATING” AWARD 2015/2016**

“STAR RATING” Objectives



- To evaluate and assess service delivery



- To give recognition and instil compliance culture



- To foster healthy competition among Service Providers



FRAMEWORK



Dual Approach

1

Consumer Survey via CATI (Part 1)

2

Assessment & Evaluation (Part 2)

3



Cohesive & Balanced View

4



Star Rating

5



Culminates in an Award Ceremony presented by CMA Minister

ASSESSMENT PARAMETER

1

Delighting Consumer
(40%)



1. Product, special package, service
2. Billing ,pricing

2

Quality of Service
(20%)



- 1.Voice quality
2. Wireless Broadband quality
- 3.Billing performance
4. Complaint handling

3

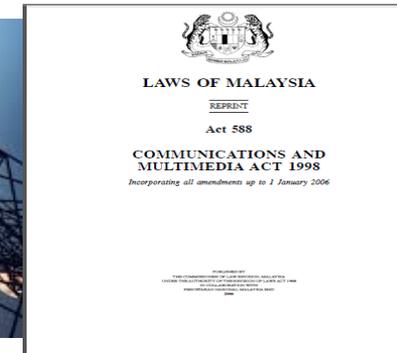
Network Investment
(20%)



1. No of 3G/4G Sites
2. No of 3G/4G Transmitter
3. 3G/4G Population Coverage

4

Compliance to CMA
(20%)



- 1.No of Compound
- 2.No of Warning letters

MOBILE VIRTUAL NETWORK ADDITIONAL PARAMETERS



MVN do not have Network Investment



Special Criteria to replace Network Investment Parameter named as MVN Parameter



MVN Parameter consist of :

- ✓ creative product innovation
- ✓ brand positioning
- ✓ community service contribution



THE CONSUMER QUALITY OF SERVICE (QoS) EMPOWERMENT TOOLS

Promotion price
RM179
per month
Normal Price
RM199/month



OBJECTIVES



1

MEASURE

Enables consumers to measure the Quality of Service (QoS) in the course of their normal daily activity against the service pledges and performance statistics published by fixed and mobile network operators on their websites and consumer portals;

2

ENHANCE

Enhancing the transparency of broadband and cellular performance between consumers and service providers

3

EVALUATE

The data gathered in the system from the QoS Tools can be used to evaluate the services offered and to analyze the service providers' performance for further Quality of Service (QoS) improvement.



EMPOWERMENT TOOLS/CROWDSOURCING : CHALLENGES



Users download apps and run test.



Apps available in the market and free to be downloaded.

Examples: Ookla Speedtest, Opensignal, nPerf, SpeedAnalysis etc.



Challenging for MCMC Consumer Empowerment app to be made popular for end users to download or use.



Apps only record signal strength of UE during dropped call event without comprehensive technical information.



Challenges:

- The user's Internet quota - eat the users bandwidth
- The user's phone battery life – apps running in background
- Users will bear the cost for more quotas for a service they do not use





Broadband Access Service – Wired



Service Performance

- **Advance Notice of scheduled downtime**
 - Notify customers within 60 minutes of the occurrence
 - Submit comprehensive report to Commission within 7 business days of the occurrence
- **Service Disruption** – must not be out of service for 3 hours or longer and affect 500 or more customers
 - Notify customers within 90 minutes of the occurrence
 - Submit comprehensive report to Commission within 7 business days of the occurrence
- **Service Activation Fulfillment**
 - Fulfilled within 24 hours -Not less than 95.0%
 - Fulfilled within 72 hour – 100%
- **Service Restoration Fulfillment**
 - Fulfilled within 24 hours -Not less than 95.0%
 - Fulfilled within 48 hour – 100%
- **Billing Related Complaints**
 - Shall not be more than 1.0% per quarterly reporting period
- **Non-Billing Related Complaints**
 - Must not be more than 6.0 complaints per 1,000 customer per quarterly reporting period
- **Promptness in resolving customer complaints**
 - 60.0% within 3 business days
 - 90.0% within 5 business days
 - 95.0% within 15 business days
- **Promptness in answering calls to Customer Hotline**
 - 80.0% within 20 seconds
 - 90.0% within 40 seconds

Technical performance

DSL

- **Throughput**
 - Upload & Download – 70% of the subscribed level of broadband speed for 90.0% of the time
- **Latency** : ≤than 85ms, 95.0% of the time based on test sample
- **Packet Loss**: ≤1.0%

Fibre

- **Throughput**
 - Upload & Download – 90% of the subscribed level of broadband speed for 90.0% of the time
- **Latency** : ≤than 85ms, 95.0% of the time based on test sample
- **Packet Loss**: ≤1.0%

Access Network Utilization – not more than 70.0% of uplink bandwidth provided

Broadband Access Service - Wireless



Service Performance

- **Service Disruption** – must not be out of service for 3 hours or longer and affect 500 or more customers
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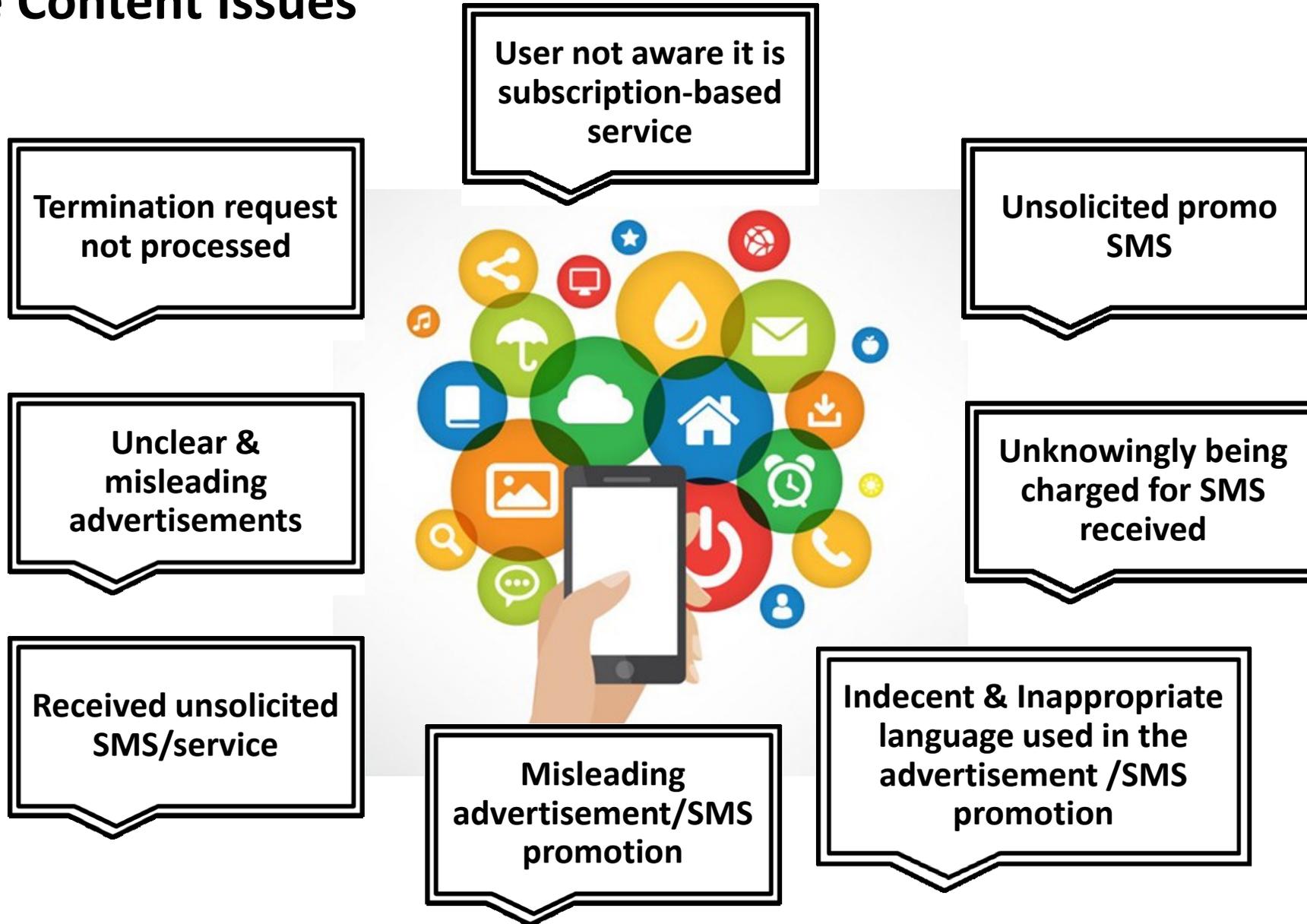
TDD

- **Throughput**
 - Download – not less than 650Kbps, 80.0% of the time for TDD
- **Latency** : \leq than 250ms, 70.0% of the time based on test sample
- **Packet Loss**: \leq 3.0%

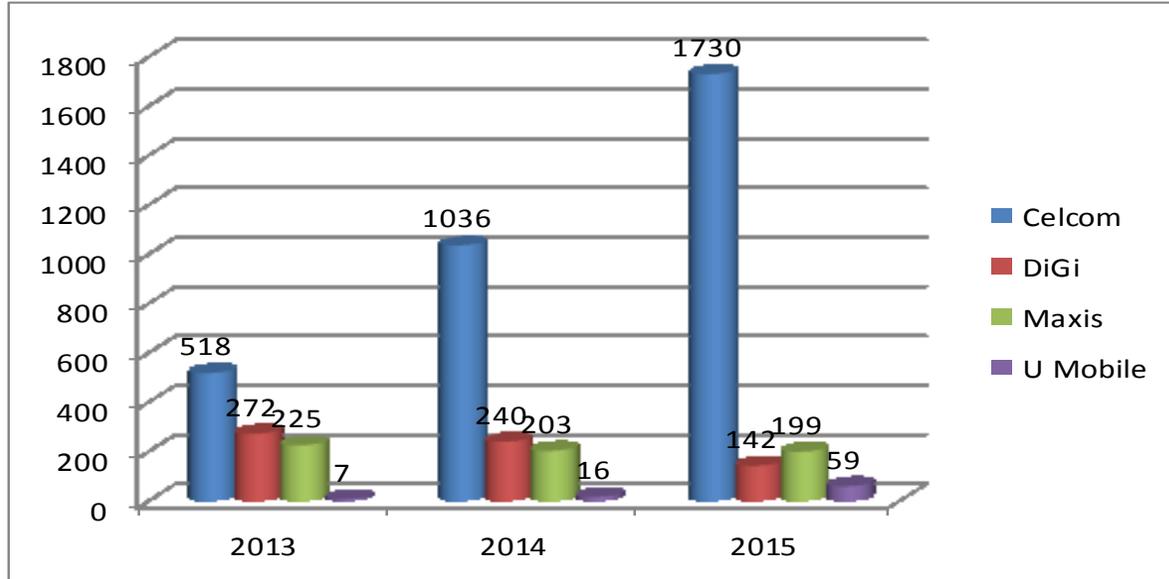
FDD

- **Throughput**
 - Download – not less than 650Kbps, 65.0% of the time for FDD
- **Latency** : \leq than 250m, 70.0% of the time based on test sample
- **Packet Loss**: \leq 3.0%

Mobile Content Issues



Complaint Statistics



Category Of Complaints	2013	2014	2015
Poor Service	2412	3708	3525
SMS	1266	1695	2474
Content	1993	2200	1974
Bill and Charging	1437	1644	1604
Poor Service Coverage	1291	1538	881

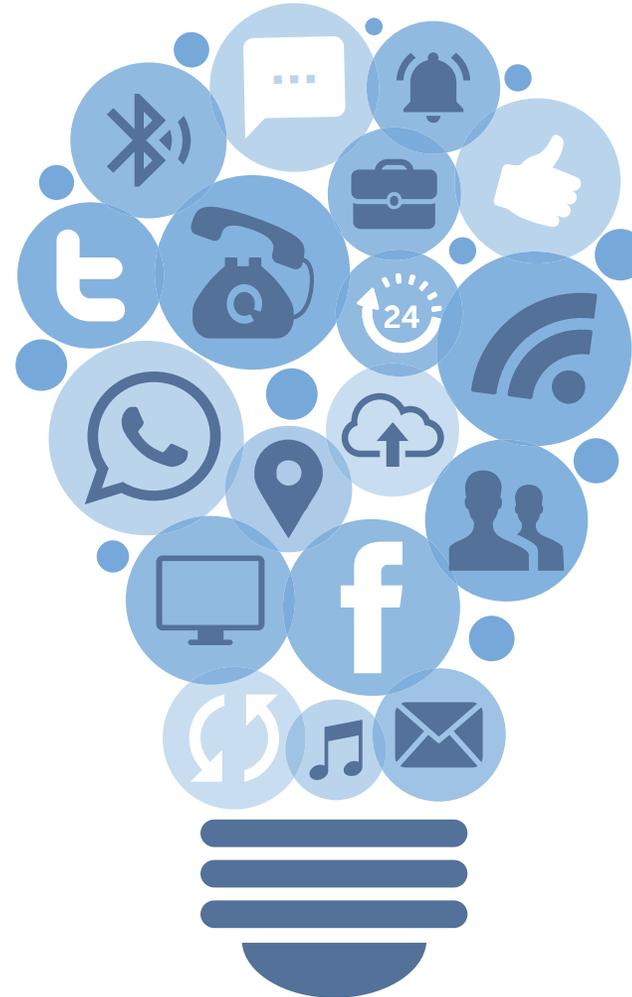
Numbers of MCS Related Complaints from 2013 to 2015

- Complaints on Mobile Content Services shows an increasing trend from 2013 until 2015 .
- Work is in progress to review the existing “Mandatory Standards for the Provision of Mobile Content Services (MS for MCS)” to ensure relevancy and to curb the abuse by unscrupulous Content Providers.

Mobile Virtual Network Framework

Objectives

- To promote regulatory transparency
- Promote self regulatory framework among industry players
- To provide comprehensive guide to all MVN service providers to the compliance to relevant regulatory tools



SCOPE OF THE MS

STAGE 1

Commencement of Service

STAGE 2

Service termination

STAGE 3

Refund Requirements

STAGE 4

Continuity of Service