UNIVERSITI TEKNOLOGI MARA

THE IMPLEMENTATION OF SELF-REGULATION IN THE COMMUNICATIONS AND MULTIMEDIA INDUSTRY: BALANCING THE INTEREST OF THE INDUSTRY AND CONSUMERS.

NAFISAH BINTI MOHAIDIN (2010415992)

NORASHIKIN BINTI KAMARUDDIN (2010407938)

RAZ IDA NADIRA BINTI RAZALI (2010463306)

FACULTY OF LAW

21st DECEMBER 2012

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

Contents

1. Acknowledgment

2. Abbreviation

^	~ 1		_				4.
3.	Cha	pter	One	:	intro	odu	ıction

- 1.0 Introduction
- 1.1 Research Background
- 1.2 Research Question
- 1.3 Research Objective
- 1.4 Research Methodology
- 1.5 Scope and Delimitations of the Research
- 1.6 Limitation
- 1.7 Significance of Study
- 1.8 Literature Review
 - 1.8.1 Conceptual Framework
 - 1.8.2 Legal Framework
 - 1.8.3 Theoretical Framework
- 1.9 Provisional Plan

4. Chapter Two: What is Self-Regulation?

- 2.0 Introduction
- 2.1 Self Regulation
 - 2.1.1 Self Regulation: Meaning and Its Significance
 - 2.1.2 Self Regulatory Bodies
- 2.2 Government Regulation
 - 2.2.1 Differences between Self-regulation and Government Regulation
- 2.3 Co-Regulation

5. Chapter Three: Malaysia's Position in Self-Regulation

- 3.0 Introduction
- 3.1 An Overview of Self Regulation in the Communications and Multimedia Industry in Malaysia
- 3.2 The Implementation of Self-Regulation in Balancing the Interest of the Industry and the Consumers

6. Chapter Four: Comparative Study with Australia

- 4.0 Introduction
- 4.1 The Development of Self Regulation in Australia
- 4.2 Laws that Govern the Self Regulation system in Australia
- 4.3 The Distinction between Self Regulation in Malaysia and Australia

7. Chapter Five: Findings, Recommendations and Conclusions

- 5.0 Introduction
- 5.1 Findings
- 5.2 Recommendations
- 5.3 Conclusion

8. References

9. Appendix

Acknowledgement

We wish to gratefully acknowledge and express our deepest appreciation to a number of individuals who took time and effort to assist in the development of this legal research. Without their time, expertise, suggestions, and support, this text would not have been remotely possible. We are particularly indebted to the following individuals:

Dr. Hartini Saripan, our Legal Research Methodology lecturer who have unconditionally guided us since the first time we came up with the topic of our research. She has reviewed and filtered the legal content of our research proposal just to ensure that at the end of the day, we will come up with the best result of research that meets the university standard. We would like to thank her on her legal expertise, analytical skills, and input. Those are invaluable.

Puan Mazlina Mangsor, our Media Law lecturer, the one who gave us the idea to point out this issue and to transform it into a legal research. She has provided invaluable assistance to us when we first started with this research. Her efforts will be much appreciated.

Most importantly, we would like to thank our research supervisor, Dr. Siva Barathi (Sharllene) who has spent a lot of her time to review, make comments, and give recommendations to this honours project paper. Without her guidance and supervision, we won't be able to complete this paper. Her tremendous effort will be highly appreciated.

1.0 Introduction

This research focuses on the study on the implementation of self-regulation by an independent self-regulatory body set up by the Malaysian Communications and Multimedia Commission (MCMC), the Malaysian communications industry regulator in governing the multimedia and communication industry in Malaysia. Basically this study examines whether the self-regulation is better at protecting the interest of the industry or interest of the consumers, or that there is a balance between the two interests.

This chapter is divided into 9 parts; (1)research background, (2)research question, (3)research objectives, (4)research methodology, (5)scope of the research, (6)limitation to the research, (7)significance of the research, (8)literature review, and (9)Gantt chart. For a better understanding, all of the elements above were elaborated in this research.

1.1 Research Background

The Malaysian Communications and Multimedia Commission (MCMC) is the regulator for the communications and multimedia industry. Its main role is the regulation of the communications and multimedia industry based on the powers provided for in the Malaysian Communications and Multimedia Commission Act 1998 (MCMCA) and the Communications and Multimedia Act 1998 (CMA). Under the CMA, the MCMC can designate or appoint four industry forums and one of the forums is the Communications and Multimedia Content Forum of Malaysia (CMCF), or the Content Forum which consists of industry players and representatives from the community. The CMCF will govern the content by self-regulation in accordance with the Malaysian Communications and Multimedia Content Code. This Content Code is a model of self-regulation among industry and is drafted by members representing all the key industries.

Suruhanjaya Komunikasi Dan Multimedia Malaysia, "Roles and Responsibilities," MCMC Portal, http://www.skmm.gov.my.

² Communications And Multimedia Content Forum of Malaysia, "Know Your Rights !," http://www.cmcf.my.