



**irix SDN. BHD.**

**(formerly known as PP TELECOMMUNICATION SDN. BHD.)  
(Company Registration No. 200801039256 (840604-M))**

## **REFERENCE ACCESS OFFER (RAO)**

Title	REFERENCE ACCESS OFFER			
Description	Reference Access Offer (RAO) is published herein pursuant to the Commission Determination on the Mandatory Standard on Access issued by the Malaysian Communications and Multimedia Commission			
Created By	Loga PALANIAPPAN			
Date Created	30/5/2023			
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## 1. Introduction

1.1 This Reference Access Offer (“**RAO**”) specifies the procedures and process to be followed by an Access Seeker who intends to acquire a Product from irix SDN. BHD. (formerly known as PP TELECOMMUNICATION SDN. BHD.) (Company Registration No. 200801039256 (840604-M)) (“irix”)

1.2 In pursuant to:-

- (a) Commission Determination on Access List Determination No. 6 of 2021 (“Access List Determination”) which came into effect on 15th December 2021; and
- (b) Section 5.3.3 of the Commission Determination on the Mandatory Standard on Access (Determination No.1 of 2022) (“MSA Determination”) which came into force on 1<sup>st</sup> November 2022.
- (c) Commission Determination on the Mandatory Standard On Access Pricing (Determination No.1 of 2023) (“MSAP Determination”) which came into effect on 1<sup>st</sup> December 2021.

1.3 This RAO is made up of:-

- (a) Introduction.
- (b) List of Services that describes the network services or network facilities as per Commission Determination on the Mandatory Standard on Access, Determination No. 1 of 2022 provided by irix are that are listed below.
  - (i) **Domestic Connectivity to International Service (DCIS)**

## 2. Legislative Background

Following the issuance by the Ministerial Direction to Determine a Mandatory Standard on Access, Direction No. 2 of 2003 and in the exercise of the powers conferred by sections 55, 56, 104(2) and 106 of the Communications and Multimedia Act 1998 [Act 588] (“Act”), the Commission Determination on the Mandatory Standard on Access (MSA), Determination No. 1 of 2022 and Mandatory Standard on Access Pricing (MSAP) Determination No. 1 of 2023.

### 3. MSA Determination Obligation.

The MSA Determination deals with access to network facilities and network services listed in the Access List Determination and sets out obligations that apply to Operators concerning various access issues which include:

- (a) Disclosure obligation (Section 5.3 of the MSA Determination);
- (b) Negotiation obligations (Section 5.4 of the MSA Determination);
- (c) Content obligation (Section 5.5 to 5.16 of the MSA Determination); and
- (d) Service Specific obligation (Section 6 of the MSA Determination).

### 4. Disclosure Obligation

Pursuant to the Disclosure Obligations in Section 5.3 of the MSA Determination, irix is required to:

- (a) prepare and maintain an RAO;
- (b) make the RAO available;
- (c) follow prescribed procedures after acceptance of the RAO; and
- (d) follow prescribed procedures for any amendment of the RAO.

### 5. Standard Access Obligation

- (a) The Facilities and Services listed in the Access List Determination are provided under this RAO by the entities of irix collectively insofar as they are authorised by their respective Licences. However, in the event any of the entities of irix ceases to be licensed to provide any or all of the Facilities or Services, the remaining entities of IRIX are not obliged to provide such Facilities or Services to the Access Seeker, except where one or more of remaining parties are licensed to provide such Facilities or Services.
- (b) Where relevant, the rights and obligations set out in the MSA Determinations shall be applicable to irix's RAO.
- (c) irix considers irix's RAO to be consistent with:
  - (i) the standard access obligations stipulated under Section 4.1.1 of the MSA Determination and section 149 of the Communications and Multimedia Act 1998 ("the Act"); and

- (ii) the principles of non-discrimination stipulated under Sections 4.1.5 and 4.1.6 of the MSA Determination.
- (d) For the purposes of clarification, the terms and conditions of irix's RAO are only applicable to the Facilities or Services on the Access List Determination. If the Access Seeker requests Facilities or Services outside irix's RAO, the terms and conditions for the provision of such Facilities or Services shall remain outside the scope of irix's RAO.
- (e) If an Access Seeker requests irix to provide it with Facilities or Services other than on the terms and conditions contained in irix's RAO, irix and the Access Seeker will:
  - (i) Negotiate in good faith in relation to such terms and conditions; and
  - (ii) enter into and conduct negotiations in a timely manner.

## 6. Additional Services

In addition, the Operators are free to consider irix's RAO when negotiating the terms and conditions for the supply of other Facilities or Services that are not listed in the Access List.

## 7. Making the Reference Access Offer

- 7.1 Subsection 5.3.4 of Commission Determination on the Mandatory Standard on Access (Determination No.1 of 2022) Each Access Provider shall ensure that an RAO prepared by it shall;
- (a) be in writing (which includes legible electronic format);
  - (b) contain all information required to be included under this subsection 5.3 of the MSA Determination;
  - (c) be accurate;
  - (d) be modular, so the details about the terms and conditions, including the rates, for each of the Facilities and/or Services are available individually and separately under a RAO;
  - (e) be consistent with;
    - (i) the Act;
    - (ii) MSA Determination Standard; and

- (iii) Any applicable decision or determination of the Malaysian Communications and Multimedia Commission (“SKMM”)
- (f) be made available to an Access Seeker on request in paper form at the operator’s principal place of business in Malaysia and on a publicly accessible website.

## 8. Effective Date of the irix’s Reference Access Order (RAO)

### 8.1 Commencement and Duration of irix’s RAO

irix’s RAO comes into force and takes effect immediately from the date referred to in Section 1.2 and continues until the earlier occurrence of:

- (i) a Review; or
- (ii) the withdrawal of irix’s RAO in accordance with the terms of irix’s RAO.
- (iii) irix’s RAO has no effect on contractual arrangements for the supply of Facilities and Services by irix to an Access Seeker before the Commencement Date unless and until such contractual arrangement is subsequently renegotiated and agreed upon between irix and the Access Seekers.

### 8.2 Amendment to irix’s RAO

irix shall, within thirty (30) Business Days of making any amendment to the irix’s RAO, provide a copy of the amendments, or an amended copy of irix’s RAO to:

- (i) the Access Seeker who is being provided with access to Facilities or Services listed on the Access List Determination under irix’s RAO; and
- (ii) the Access Seeker who has requested irix’s RAO within ninety (90) days prior to making such amendments unless the Access Seeker has already indicated that it does not wish to proceed with an Access Request.
- (iii) the Access Seeker who has requested irix’s RAO within ninety (90) days prior to making such amendments, unless the Access Seeker has already indicated that it does not wish to proceed with an Access Request

## 9. Notice of Withdrawal, Replacement and Variation of irix’s RAO

9.1 If subject to Section 56 of the Act, the Commission revokes, varies or replaces the Access List Determination relating to the Facilities or Services listed on the Access List Determination under section 56 of the Act, irix may, by giving written notice to all Access Seekers to whom it is supplying Facilities or Services under irix’s RAO,



withdraw or replace irix's RAO with effect from a date no earlier than the effective date of the MCMC's revocation, variation or replacement.

9.2 irix shall comply with Sections 6.4.2 and 6.4.3 of the MSA Determination where it withdraws or varies irix's RAO pursuant to the above.

9.3 In addition to the above, irix may give the Access Seeker to whom it is supplying Facilities and Services under irix's RAO a notice of a variation or replacement of irix's RAO to effect such variations that are necessary or appropriate in the event of:

- (i) the occurrence of a legislative event that materially affects the rights or obligations of irix under irix's RAO; or
- (ii) the occurrence of a regulatory event that relates to irix; or a review by the MCMC of the MSA Determination pursuant to Section 6.5 of the MSA Determination.

Notwithstanding the above, irix may subject, and replace irix's RAO at any time without prior notice and consent.

## 10. Availability

10.1 irix's RAO shall be made available to an Access Seeker:

- (i) on written request, at irix's principal place of business; and
- (ii) on a publicly accessible website.

10.2 Any communication in respect of irix's RAO should be made in writing to:

Address: irix Sdn. Bhd.  
(formerly known as PP Telecommunication Sdn. Bhd.)  
RCW Corporate, Level 3, No.1, Jalan Tun Jugah,  
93350 Kuching, Sarawak, Malaysia

Attention: CHIEF COMMERCIAL OFFICER

Tel No: +6082-545318





## 11. Facilities and Services

List of Services that describes the network services or network facilities as per Commission Determination on the Mandatory Standard on Access, Determination No. 1 of 2022 provided by irix are listed below.

### I. Domestic Connectivity to International Service (DCIS)

#### 11.1 Domestic Connectivity to International Service (DCIS)

Domestic Connectivity to International Services is a Facility and/or Service which comprises physical connection services at the Access Provider’s submarine cable landing station, between the Access Seeker’s Equipment and any submarine cable system to which the Access seeker has informed the Access Provider that it has a right to connect as per Section 6.10 of the Commission Determination on the Mandatory Standard on Access (Determination No.1 of 2022) (“MSA Determination”) which came into force on 1<sup>st</sup> November 2022.

All clauses below are taken from Mandatory Standard on Access (Determination No.1 of 2022)

6.10 DOMESTIC CONNECTIVITY TO INTERNATIONAL SERVICES		
6.10.1	Application:	This subsection applies where access to Domestic Connectivity to International Services has been requested or is to be provided.
6.10.2	Forecasts:	For the purposes of this Standard, an Access Provider shall only request Forecasts where:
		(a) the maximum period of time covered by Forecasts regarding Domestic Connectivity to International Services is five (5) years;
		(b) the minimum intervals or units of time to be used in Forecasts regarding Domestic Connectivity to International Services is one (1) year; and
		(c) the maximum frequency to update or to make further Forecasts regarding Domestic Connectivity to International Services is once a year.
6.10.3	Acknowledgment of receipt:	For the purposes of this Standard, an Access Provider shall acknowledge receipt of each Order for Domestic Connectivity to International Services within two (2) Business Days.
6.10.4	Time for acceptance or rejection:	Subject to any shorter timeframe required under this Standard, an Access Provider must notify an Access Seeker that an Order for Domestic Connectivity to International Services is accepted or rejected within ten (10) Business Days from the acknowledgment of receipt.



6.10.5	Indicative delivery timeframe:	For the purposes of this Standard, the indicative delivery timeframe for Domestic Connectivity to International Services is twenty (20) Business Days. For clarification, the activation timeframe commences from the Notice of Acceptance or confirmation of the Order (as applicable).
6.10.6	Billing Cycle:	For the purposes of this Standard, the Billing Cycle for Domestic Connectivity to International Services will be one (1) year in advance for the first year and quarterly in advance for subsequent years.
6.10.7	Any cable system:	<p>An Access Provider must provide connection services to an Access Seeker:</p> <p>(a) in respect of a cable system which the Access Seeker is authorised to connect to, irrespective of whether that Access Seeker is authorised by a third party or by virtue of its control over the cable system; and</p> <p>(b) to enable transit between cable systems.</p>
6.10.8	New cable systems:	An Access Provider must provide each Domestic Connectivity for International Service in respect of all existing and new cable systems to which the Access Provider has access at equivalent times and in accordance with equivalent processes and procedures as that which it provides to itself. Such services must be provided from the ready-for-service date of the relevant cable system.
6.10.9	Access and co-location:	An Access Provider must offer, and if requested by an Access Seeker, provide in accordance with this Standard, physical access to, and physical co-location at, any network facility or site to which the Access Seeker requires physical access or physical co-location in order to have the benefit of a Domestic Connectivity to International Service. The physical access or physical co-location to be provided to the Access Seeker, its nominated employees and/or contractors is at equivalent times and in accordance with equivalent processes and procedures as are applicable to the Access Provider. An Access Provider must not prevent or restrict access to any network facility or site for reasons concerning national or operational security reasons and may only apply reasonable security procedures and processes that comply with paragraph 6.9.31(b) of this Standard.
6.10.10	Nominated personnel:	<p>The employees and/or contractors nominated by the Access Seeker under subsections 6.10.9, 6.10.11 and 6.10.12 of this Standard will be reasonable, having regard to:</p> <p>(a) the position of each person and the number of persons nominated; and</p> <p>(b) the position of each of the Access Provider's own personnel and the number of the Access Provider's personnel to which the Access Provider provides physical access to such network facilities.</p>



<p>6.10.11</p>	<p>Escorts:</p>	<p>An Access Provider is only permitted to require an escort to be present when nominated employees and/or contractors of the Access Seeker wish to enter into the Access Provider's property if the Access Provider requires an escort for its own employees or contractors in the same circumstances. If an Access Provider determines that it is necessary to have an escort present when nominated employees and/or contractors of the Access Seeker wish to enter into the Access Provider's property, the Access Provider shall:</p> <p>(a) bear the costs of such escort service;</p> <p>(b) subject to paragraph 6.10.11(d) of this Standard, provide immediate physical access to the Access Seeker for emergency maintenance requests, twenty-four (24) hours a day, seven (7) days a week;</p> <p>(c) subject to paragraph 6.10.11(d) of this Standard, provide physical access at the time requested by an Access Seeker for planned maintenance requests on the shorter of:</p> <p>(i) two (2) Business Days' notice for manned sites and five (5) Business Days' notice for unmanned sites; and</p> <p>(ii) the period of notice which it requires from itself when providing itself with physical access for planned maintenance;</p> <p>(d) for both planned and emergency maintenance requests at unmanned sites only, have its escort arrive within the shorter of:</p> <p>(i) thirty (30) minutes of time required by the Access Seeker pursuant to paragraph 6.10.11(b) or 6.10.11(c) of this Standard (as applicable) plus a reasonable window to allow for travel time (which must be estimated in an operations and maintenance manual given to the Access Seeker, or estimated at the time of responding to the Access Seeker's physical access request); and</p> <p>(ii) the period of time it requires for its escorts to arrive for planned and emergency maintenance at unmanned sites.</p>
<p>6.10.12</p>	<p>Absence of escort:</p>	<p>For the purposes of subsection 6.10.10 of this Standard, if an escort does not arrive within the timeframe specified in subsection 6.10.11, the Access Seeker's nominated employees and/or contractors may proceed to enter the Access Provider's property without an escort.</p>
<p>6.10.13</p>	<p>Site register:</p>	<p>The Access Seeker must establish and maintain a register of all persons who visit the Access Provider's property on the Access Seeker's behalf, which must be made available for inspection by the Access Provider, upon request.</p>



6.10.14	Publication of locations:	<p>The Access Provider must make available on its publicly available website the locations at which the Domestic Connectivity to International Services is available. An Access Provider may decline to publish for national or operational security reasons information in connection with particular locations where Domestic Connectivity to International Services is available, but in such circumstances, an Access Provider must:</p> <p>(a) promptly provide such information to other Operators on request, subject only to the Operators entering into a confidentiality agreement in accordance with this Standard;</p> <p>(b) offer to provide, and if the offer is accepted, provide, updated location details to such Operators as locations are withdrawn, introduced and changed; and</p> <p>(c) provide all such information to the Commission.</p>
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**Rates**

The applicable rates are as per the Commission Determination on the Mandatory Standard on Access Pricing (Determination No.1 of 2023).

The prices below for Domestic Connectivity to International Services shall be applied for connection services between the Access Seeker's equipment to the submarine cable system. **Ringgit Malaysia** per month

INDICATIVE DCIS SERVICES PRICE	
	2023
One Time Charge (OTC)	1,500.00
Monthly Recurring Charge	1,500.00

Signed by

For and on behalf of Access Provider

IRIX SDN. BHD. (*formerly known as  
PP TELECOMMUNICATION SDN. BHD.*)  
(Company No. 200801039256 (840604-M))

.....

Name:  
Designation:

In the presence of:

.....

Name of Witness:  
Designation:

Signed by

For and on behalf of Access Seeker

(Company Name.: \_\_\_\_\_)

.....

Name:  
Designation:

In the presence of:

.....

Name of Witness:  
Designation: