

OPTICAL DISCS REGULATIONS 2000

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SCHEDULE.

OPTICAL DISCS REGULATIONS 2000*

In exercise of the powers conferred by section 56 of the Optical Discs Act 2000 the Minister makes the following regulations:

PART I

PRELIMINARY

1. Citation and commencement.

- (1) These regulations may be cited as the **Optical Discs Regulations 2000**.
- (2) These Regulations come into operation on 15 October 2000.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“mirror block” means the component part of an injection moulding cavity which is used to form the optically smooth read-out surface of a compact disc (the side opposite of which is impressed with information-carrying pits), and is formed principally of a flat circular plate of highly polished material;

“matrix band” means the portion of the compact disc whose inner diameter is greater than the clamping area, and whose outer diameter is less than the Lead-In, which may be used for recording graphics and graphics characters on the compact disc surface;

“Lead-In” means the portion of the information area which precedes the program area (see diagram in First Schedule).

3. Forms.

The forms in the Second Schedule are prescribed for use under these Regulations.

4. Fees.

(1) The fees in the Third Schedule are prescribed for the purposes of these Regulations.

(2) The fees shall be paid to the Controller by such means and in such manner as the Controller may direct.

*Published as PU(A) 381/2000.

PART II

LICENCE

5. Application for a licence.

(1) An application for a licence under section 6 of the Act shall be made in Form ACO-1.

(2) An applicant who manufactures optical discs at more than one place shall specify each of the places in the application.

6. Licence.

(1) The fee payable for the grant of a licence shall be as prescribed.

(2) Every licensee shall pay the fee prescribed within twenty-one days from the date of grant of the licence.

(3) A licence issued or renewed shall be valid for a period not exceeding three years from the date of issue or expiry of such licence.

(4) Every licence granted shall be in Form ACO-2 and shall be valid unless revoked under section 10 of the Act.

7. Renewal of licence.

(1) An application for the renewal of a licence shall be in Form ACO-1.

(2) The fee payable for the renewal of a licence shall be as prescribed.

(3) Every licensee shall pay the fee prescribed within twenty-one days from the date of grant of a renewal of the licence.

8. Transfer of licence.

An application for the transfer of a licence shall—

(a) state the full particulars of the facts on which the applicant relies on in support of his application; and

(b) be accompanied with the prescribed fee.

9. Replacement licence.

(1) An application for a replacement licence shall be made to the Controller in writing.

(2) An application under subregulation (1) shall be verified by a statutory declaration or a police report made by the licensee.

(3) Where the Controller is satisfied as to the reason for the loss of the licence, the Controller may issue a replacement in Form ACO-2 with the words “DUPLICATE” endorsed on the licence.

(4) The applicant shall pay the prescribed fee for the issuance of the replacement licence.

10. Certificate copy of licence.

(1) A licensee may apply in writing to the Controller for a certified copy of the licence if—

- (a) the licence issued to the licensee is mutilated; or
- (b) a certified copy of the licence is required for a valid reason.

(2) An application under subregulation (1) shall be—

- (a) verified by a statutory declaration or a police report made by the licensee to the effect that the licence issued was mutilated; or
- (b) accompanied with a statement specifying the reasons for the application,

as the case may be.

(3) The Controller may issue a certified copy of the licence to the applicant—

- (a) if the Controller is satisfied that—
 - (i) the licence issued was mutilated; or
 - (ii) a certified copy is required for a valid reason; and
- (b) upon payment of the prescribed fee.

(4) A certified copy of the licence issued by the Controller shall be endorsed with the words “**CERTIFIED TRUE COPY**”.

PART III

MANUFACTURER'S CODE

11. Manufacturer's code.

(1) A manufacturer's code consists of—

- (a) a mastering code; and
- (b) a mould code.

(2) A licensee who carries on the activity of mastering of optical discs shall be assigned a mastering code.

(3) A licensee who carries on the activity of replicating of optical discs shall be assigned a mould code.

(4) A licensee who carries on both activities of mastering and replicating of optical discs shall be assigned both mastering and mould codes.

12. Marking standards.

(1) The standard for the marking of a manufacturer's code on optical discs shall be as follows:

- (a) the mastering code—
 - (i) shall consist of the alphabet 'IFPI' followed by four additional characters which may be alphabetical or numerical commencing with the alphabet "L";

- (ii) the code shall be added to the matrix band of the master during exposure on the laser beam recorder;
- (iii) the code shall be positioned in the area which is between 18.0 mm from the center of the disc and the start of the "Lead-In", which is at a radius of 22.9 mm from the center;
- (iv) the height of every digit and character of the code shall not be less than 0.5 mm;
- (v) the code shall be etched to a depth of 10-25 microns;
- (vi) the code shall be legible without magnification;
- (vii) the code shall be readable from left to right when viewed from the read-out side of the disc; and
- (viii) the digit "IFPI" shall be in upper case characters and shall have either a linear or radial layout; and

(b) the mould code—

- (i) shall consist of the alphabet 'IFPI' followed by four additional characters which may be alphabetical or numerical;
- (ii) the code shall be etched on the mirror block of each mould;
- (iii) the height of the code shall not be less than 0.5 mm and shall be legible without magnification;
- (iv) the code shall be etched to a depth of 10-25 microns;
- (v) the alphabets "IFPI" shall be in upper case;
- (vi) the code shall be marked in either linear or radial layout;
- (vii) the code shall be positioned in the area which is between 14.5 mm and 22.5 mm from the center of the read-through optical side of the disc; and
- (viii) the code on each manufactured optical disc shall be readable from left to right when viewed from the read-through side of the disc.

PART IV

PROCEDURE FOR APPEAL

13. Notice of appeal.

(1) Any person ("the appellant") who is aggrieved by any decision of the Controller under Part III of the Act may appeal by submitting a notice of appeal to the Minister within the time specified in subsection 18(1) of the Act and a copy of such notice shall be sent to the Controller.

(2) The notice of appeal shall state—

- (a) the full name, address and other particulars of the appellant;
- (b) the decision with which he is aggrieved;
- (c) the grounds on which the appellant proposes to rely on for the appeal; and
- (d) such other information or contain such documents as may be necessary for the purposes of the appeal.

14. Grounds of decision.

On receipt of the notice of appeal the Controller shall cause to be prepared within twenty-one days from the receipt of such notice a statement stating the grounds on which he arrived at his decision and shall submit such grounds to the Minister.

15. Determination of appeal.

The Minister shall as soon as is practicable proceed to determine the appeal and may, in the event that he requires further facts or evidence to be adduced or argument to be heard, set aside a date and time for the receiving of such facts or evidence or the hearing of such argument and shall inform the appellant and the Controller accordingly.

16. Withdrawal of appeal.

Where the appellant decides not to pursue his appeal he may withdraw the appeal at any time before the determination of the appeal whereupon the decision of the Controller shall be deemed to be final.

17. Sending of documents.

Every notice or document relating to an appeal shall be sent in duplicate to the Minister.

PART V

MISCELLANEOUS

18. Register of Manufacturers of Optical Discs.

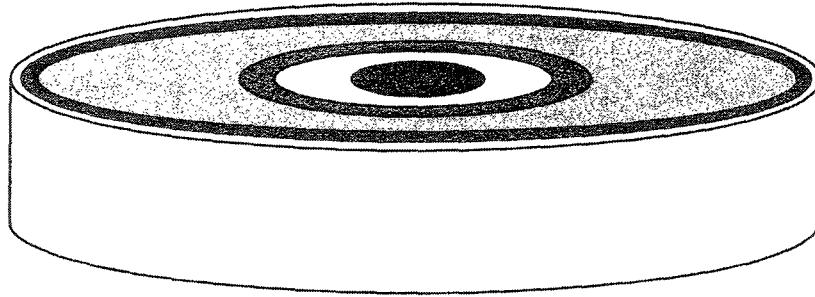
(1) The Controller shall keep and maintain a Register of Manufacturers of Optical Discs in the form prescribed in the Fourth Schedule.

(2) A person may inspect the Register during working hours and may make copies of or take extracts from the Register subject to the payment of the prescribed fees.

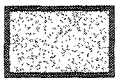
19. Maintenance of records.

A licensee shall keep and maintain a record of his manufacturing activities in the form prescribed in the Fifth Schedule.

FIRST SCHEDULE
OPTICAL DISCS ACT 2000
OPTICAL DISCS REGULATIONS 2000
(Regulation 2)



Lead-In (maximum starting diameter 46 mm)



Program Area

- starting diameter 50 mm + 0/-0.4
- maximum diameter 116 mm



Lead-Out (minimum outer diameter = program area outer diameter+1)

SECOND SCHEDULE

FORMS

(Regulation 3)

AKTA CAKERA OPTIK 2000
(OPTICAL DISCS ACT 2000)

PERATURAN-PERATURAN CAKERA OPTIK 2000
(OPTICAL DISCS REGULATIONS 2000)

BORANG/FORM ACO-1

Permohonan bagi Lesen Pengilangan dan Pembaharuan Lesen
Application for Manufacturing Licence and Renewal of Licence

Peraturan 5 dan Peraturan 7
(Regulations 5 and 7)

Pengawal Cakera Optik,
Controller Optical Discs,
Bahagian Penguatkuasa,
Enforcement Division,
Kementerian Perdagangan Dalam Negeri
dan Hal Ehwal Pengguna,
Ministry of Domestic Trade
and Consumer Affairs,

.....
.....

[Tandakan (✓) dalam kotak yang berkenaan]
[Tick (✓) in the appropriate box]

(a) Permohonan untuk
Application for

(i) Lesen Pengilangan untuk:
Manufacturing Licence for:

(A) Aktiviti Penyediaan Salinan Induk
Mastering Activity

(B) Aktiviti Pereplikaan
Replicating Activity

(b) Jenis permohonan
Type of application

(i) Permohonan baru
New application

(ii) Pembaharuan
Renewal

NOTA :
NOTE

Jika ruang yang disediakan tidak mencukupi untuk memberi perincian, sila gunakan lampiran. Setiap lampiran hendaklah ditandatangani oleh pemohon.

(If the space provided is not sufficient to provide details, please attach annexure(s). Each annexure shall be signed by the applicant).

A. BUTIR-BUTIR PEMOHON
PARTICULARS OF APPLICANT

1. Nama pemohon dan alamat surat menyurat
Name of applicant and correspondence address

.....
.....

No. Telefon : No. Telefaks :
Telephone No. Telefax No.

Orang untuk dihubungi: Jawatan :
Contact person Designation

2. Nama dan alamat pejabat berdaftar
Name and address of registered office

.....
.....

No. Telefon :
Telephone No.

No. Telefaks :
Telefax No.

3. No. Pendaftaran :
Registration No.

4. Alamat Kilang
(Jika pemohon mengilang cakera optik di lebih daripada satu kilang, sila nyatakan setiap kilang itu)

Address of Factories
(Where the applicant manufactures optical discs at more than one factory, please specify each of the factories)

.....
.....

5. Alamat Stor
Address of Stores

.....
.....

6. Butir-butir Pengarah/Pekongsi
Particulars of Directors/Partners

Nama dan alamat kediaman <i>Name and residential address</i>	Warganegara <i>Nationality</i>	% saham dipegang dalam syarikat / % pekongsian <i>% shares held in the company / % of partnership</i>

B. BUTIR-BUTIR PENGILANGAN CAKERA OPTIK
PARTICULARS OF OPTICAL DISC MANUFACTURED

1. Keluaran
Product

Keluaran <i>Products</i>	Pengeluaran tahunan sebenar <i>Actual annual production</i>			
	Kuantiti <i>Quantity</i>	Nilai di kilang <i>Ex-factory value (RM)</i>		

2. Butir-Butir Saluran Pengeluaran
Production Lines Particulars

(a) Penyediaan Salinan Induk
Mastering

Nombor Saluran Pengeluaran <i>Production Line Number</i>	Nama dan Nombor Model Mesin Pengilangan <i>Name and Model Number of Manufacturing Machine</i>	Kod Pengilang sedia ada <i>Existing Manufacturer's Code</i>

(b) Pereplikaan (termasuk acuan simpanan)
Replications (including spare mould)

Nombor Saluran Pengeluaran <i>Production Line Number</i>	Nama dan Nombor Model Mesin Pengilangan <i>Name and Model Number of Manufacturing Machine</i>	Nombor Siri Acuan <i>Mould Serial Number</i>	Kod Pengilang sedia ada <i>Existing Manufacturer's Code</i>

3. PASARAN
MARKET

Keluaran <i>Products</i>	% Pasaran <i>% Market</i>			Nama dan alamat pelanggan <i>Name and address of clients</i>
	Tahun 1 <i>Year 1</i>	Tahun 2 <i>Year 2</i>	Tahun 3 <i>Year 3</i>	
Untuk pasaran tempatan <i>For local market</i>				
Untuk pasaran eksport <i>For export market</i>				

4. BAHAN MENTAH - POLIKARBONAT
RAW MATERIAL - POLYCARBONATE

SUMBER SOURCE					
Pengilang Tempatan <i>Local Manufacturer</i>			Import <i>Import</i>		
Nama dan alamat pembekal <i>Name and address of supplier</i>	Kuantiti setahun <i>Quantity per annum</i>	Nilai setahun <i>Value per annum</i>	Nama dan alamat pembekal <i>Name and address of supplier</i>	Kuantiti setahun <i>Quantity per annum</i>	Nilai setahun <i>Value per annum</i>

C. BUTIR-BUTIR LESEN/KELULUSAN DARIPADA AGENSI LAIN
DETAILS OF LICENCE/APPROVAL OF OTHER AGENCIES
(Sila sertakan salinannya)
(Please enclose copies)

Jenis Kelulusan <i>Type of Approval</i>	Rujukan <i>Reference</i>
1. Pihak Berkuasa Tempatan <i>Local Authority</i>
2. Kebenaran di bawah Akta Penyelarasan Perindustrian 1975 <i>Approval under The Industrial Co-ordination Act 1975</i>
3. Kebenaran di bawah Perintah Kastam (Larangan Mengenai Import) 1981 <i>Approval under the Customs (Prohibition of Imports) Order 1981</i>
4. Kelulusan di bawah Akta Perbadanan Kemajuan Filem Nasional Malaysia 1981 <i>Approval under the Perbadanan Kemajuan Filem Nasional Malaysia Act 1981</i>
5.

D. KEBENARAN DARIPADA TUAN PUNYA HAKCIPTA/PEMEGANG LESEN EKSKLUSIF
CONSENT FROM OWNER OF COPYRIGHT/EXCLUSIVE LICENSE
(Sila sertakan salinannya)
(Please enclose copies)

E. PERAKUAN PEMOHON
APPLICANT'S DECLARATION

Saya mengaku dan mengesahkan bahawa semua maklumat dan butir-butir yang dinyatakan dalam borang ini dan salinan dokumen yang dilampirkan adalah benar.

I hereby declare that to the best of my knowledge and belief all the informations and the particulars stated in this form and the photocopies of documents annexed are true.

.....
Tandatangan Pemohon & Meterai Perniagaan
Signature of Applicant & Business Seal

Nama/Name:

No. Kad Pengenalan/Identity Card No.:
.....

Tarikh/Date: Jawatan/Designation:

F. UNTUK KEGUNAAN RASMI PEJABAT
FOR OFFICIAL USE

1. PENDAPAT
OPINION

Permohonan lengkap/tidak lengkap*
Application complete/not complete

Syor:
Recommendation:
.....
.....

* Potong mana yang tidak berkenaan
Delete whichever is not applicable

Tarikh/Date:
.....
Tandatangan Pegawai/*Signature of Officer*
Nama/Name:

2. KEPUTUSAN
DECISION

Permohonan diluluskan
Application approved

Permohonan ditolak
Application rejected

Tarikh/Date:

Tandatangan Pengawal/Signature of Controller

Nama/Name:

3. KOD PENGILANG
MANUFACTURER'S CODE

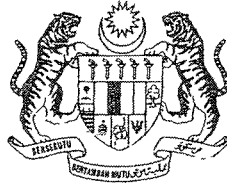
(a) Penyediaan Salinan Induk
Mastering

Nombor Saluran Pengeluaran Production Line Number	Nombor Model Mesin Pengilangan Model Number of Manufacturing Machine	Nombor Siri Acuan Mould Serial Number	Kod Pengilang Manufacturer's Code

(b) Pereplikaan (termasuk acuan simpanan)
Replications (including spare mould)

Nombor Saluran Pengeluaran Production Line Number	Nombor Model Mesin Pengilangan Model Number of Manufacturing Machine	Nombor Siri Acuan Mould Serial Number	Kod Pengilang Manufacturer's Code

BORANG/FORM ACO-2



KEMENTERIAN PERDAGANGAN
DALAM NEGERI DAN HAL
EHWAL PENGGUNA

MINISTRY OF DOMESTIC
TRADE AND CONSUMER
AFFAIRS

AKTA CAKERA OPTIK 2000
(OPTICAL DISCS ACT 2000)

PERATURAN-PERATURAN CAKERA OPTIK 2000
(OPTICAL DISCS REGULATIONS 2000)

Peraturan 6
(Regulations 6)

No. Siri:
Serial No.:

No. Lesen:
Licence No:

LESEN PENGILANGAN CAKERA OPTIK
OPTICAL DISCS MANUFACTURING LICENCE

Lesen diberikan kepada :
Licence is granted to :

Nama Perniagaan :
Name of Business :

beralamat di :
of :
.....
(Alamat Berdaftar/Registered Address)

untuk menjalankan pengilangan cakera optik dari
to manufacture optical discs from
hingga
to

tertakluk kepada peruntukan Akta Cakera Optik 2000 dan peraturan-peraturan yang dibuat di bawahnya, dan syarat-syarat yang dilampirkan bersama—
subject to the provisions of the Optical Discs Act 2000 and the regulations made thereunder, and the conditions attached herewith—

KOD PENGILANG
 MANUFACTURER'S CODE

Amaun/Amount: RM

Resit No./Receipt No:

Bertarikh pada.....hb.....20.....

Dated this.....day of.....20.....

.....
 Pengawal Cakera Optik
 Controller of Optical Discs

THIRD SCHEDULE

FEEs

(Regulation 4)

<i>Regulation</i>	<i>Matters</i>	<i>Amount of Fees (RM)</i>
1. Regulation 6	Grant of licence (a) principal place (b) each place	2,000 per year 1,000 per year
2. Regulation 7	Renewal of licence (a) principal place (b) each place	2,000 per year 1,000 per year
3. Regulation 8	Transfer of licence	2,000 each application
4. Regulation 9	Replacement of licence	100 each replacement
5. Regulation 10	Certified copy of licence	100 per copy
6. Regulation 18	Extract of Register	5 per copy

JADUAL KEEMPAT/*FOURTH SCHEDULE*
 AKTA CAKERA OPTIK 2000
 (*OPTICAL DISCS ACT 2000*)
 PERATURAN-PERATURAN CAKERA OPTIK 2000
 (*OPTICAL DISCS REGULATIONS 2000*)

(Peraturan 18)
 (*Regulation 18*)

DAFTAR PENGILANG CAKERA OPTIK
 REGISTER OF MANUFACTURERS OF OPTICAL DISCS

Name/Name:

No. Lesen :
 Licence No.

Alamat/Address:

No. Telefon: :
 Telephone No.

No. Telefaks :
 Telefax No.

Tarikh Lesen Dikeluarkan <i>Date of Licence issued</i>	Tempoh Kesahan Lesen <i>Licence Validity Period</i>	Kod Pengilang/ <i>Manufacturer's Code</i>						
		Penyediaan Salinan Induk			Pereplikaan			
		Nombor Saluran Pengeluaran <i>Production Lines Number</i>	Nama dan Nombor Model Mesin <i>Name and Model Machine Number</i>	Nombor Kod <i>Code Number</i>	Nombor Saluran Pengeluaran <i>Production Lines Number</i>	Nama dan Nombor Model Mesin <i>Name and Model Machine Number</i>	Nombor Siri Acuan <i>Mould Serial Number</i>	Nombor Kod <i>Code Number</i>

JADUAL KELIMA/*FIFTH SCHEDULE*

AKTA CAKERA OPTIK 2000
(OPTICAL DISCS ACT 2000)

PERATURAN-PERATURAN CAKERA OPTIK 2000
(OPTICAL DISCS REGULATIONS 2000)

(Peraturan 19)
(Regulation 19)

REKOD PENGILANG CAKERA OPTIK
RECORD OF MANUFACTURERS OF OPTICAL DISCS

Bulan/*Month*

BAHAGIAN I
PART I

Pengilangan/ <i>Manufacturing</i>			Pengedaran/ <i>Distribution</i>				Catatan <i>Note</i>
Bil. <i>No.</i>	Tarikh <i>Date</i>	Kuantiti Yang Dikilangkan <i>Quantity Manufactured</i>	Pasaran Tempatan <i>Local Market</i>		Pasaran Eksport <i>Export Market</i>		
			Kuantiti <i>Quantity</i>	Nama dan Alamat Pelanggan <i>Name and Address of Client</i>	Kuantiti <i>Quantity</i>	Nama dan Alamat Pelanggan <i>Name and Address of Client</i>	

NAMA TUAN PUNYA HAKCIPTA
NAME OF OWNER OF COPYRIGHT

BAHAGIAN II
PART II

Bil. No.	Nama dan Alamat Tuan punya Hakcipta/Pemegang Lesen Eksklusif <i>Name and Address of Owner of Copyright/Exclusive Licensee</i>	Tajuk Karya <i>Title of Works</i>	Tarikh Perjanjian <i>Date of Agreement</i>	Tempoh <i>Period</i>

BAHAN MENTAH – POLIKARBONAT
 RAW MATERIAL – POLYCARBONATE

Bulan/Month

BAHAGIAN III
 PART III

PEMBELIAN/PURCHASED						PENGUNAAN/USAGE			CATATAN Nyatakan cara pelupusan lain- (jika ada) NOTE State other manner of disposal- (if any)
Bil. No.	Tarikh Date	Baki Stok Terdahulu Balance of Previous Stock (a)	Kuantiti Pembelian Quantity Purchased (b)	Jumlah Stok Semasa ((a) + (b)) Total of Current Stock ((a) + (b))	Nama dan Alamat Pembekal Name and Address of Supplier	Bil. No.	Tarikh Date	Kuantiti Digunakan Quantity Used	

Made 11 October 2000.