



PUBLIC CONSULTATION

Amending some provisions of the Consultation Process Regulation issued on 10 August 2003

A public consultation document issued by the
Telecommunications Regulatory Authority of the
Kingdom of Bahrain

Amending some provisions of the Consultation Process Regulation issued on 10 August 2003

17 June 2009

CCA/0609/127

The address for responses to this document is:

The General Director
Telecommunications Regulatory Authority (TRA)
PO Box 10353, Manama, Kingdom of Bahrain
Alternatively, e-mail responses may be sent to the
Authority's email address at consult@tra.org.bh
The deadline for responses is **4pm on 16 July 2009**

Purpose: To seek stakeholders' views on the proposed amendments to the Consultation Process Regulation.

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Instructions for submitting a response

The Telecommunications Regulatory Authority (“TRA”) invites comments on this consultation document from all interested parties.

Comments should be submitted by **4pm on 16 July 2009**

The address for responding to this document is:

The General Director
Telecommunications Regulatory Authority
P.O. Box 10353, Manama, Kingdom of Bahrain

Alternatively, responses may be sent to TRA for the attention of the General Director by email to consult@tra.org.bh.

Responses should include:

- the name of the company/institution/association, etc;
- the name of the principal contact person; and
- full contact details (physical address, telephone number, fax number and email address).
- in the case of responses from individual consumers, name and contact details.

In the interest of transparency, TRA will make all submissions received available to the public, subject to the confidentiality of the information received. TRA will evaluate requests for confidentiality in line with relevant legal provisions and TRA’s published guidance on the treatment of confidential and non-confidential information.¹

Respondents are required to clearly mark any information included in their submission which is considered confidential. Where such confidential information is included respondents are required to provide both a **confidential** and **non-confidential** version of their submission. If a submission is marked confidential in its entirety, reasons for this should be provided. TRA may publish or refrain from publishing any document or submission at its sole discretion.

¹ http://www.tra.org.bh/en/pdf/Confidentiality_Guidelines_Final.pdf

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Once TRA has received and considered responses to this consultative document, TRA will issue a final version of the Regulation, together with the report on the consultation.

1. Introduction and Background

1.1 On 10 August 2003 TRA issued the Consultation Process Regulation (hereinafter - "the Original Regulation).

1.2 As substantial time has passed since the Original Regulation was issued, there is a need to update some of its provisions to reflect the current requirements for the consultation process, in particular to:

1.2.1 more properly recognize the importance of the Arabic language;

1.2.2 make provisions with regard to the form of comments of interested parties more flexible;

1.2.3 adjust provisions related to the treatment of confidential information;

1.2.4 clarify the method of reporting on the consultations by TRA.

2. Proposed Measure

2.1 Based on the above TRA therefore proposes to issue the attached draft Regulation.

3. Consultation

3.1 TRA seeks the comments of stakeholders in the Bahrain Telecommunications industry (including users, and any other interested parties) on the proposed amendment to the Original Regulation.

3.2 All comments shall contain a brief statement explaining the interest of the party submitting the comments. In addition, the interested party must include as part of its comments its:

3.2.1 name;

3.2.2 name of principal contact person;

3.2.3 physical address;

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3.2.4 telephone number;

3.2.5 fax number; and

3.2.6 email address.

3.3 Upon receipt of the comments from stakeholders TRA will consider such comments to assist in considering and determining whether to issue the proposed Regulation and/or whether to adjust the provisions proposed.



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**Regulation amending some provisions of the
Consultation Process Regulation issued on 10
August 2003**

Regulation X of year 2009

Purpose: The Purpose of this Regulation is to revise some provisions of the Consultation Process Regulation.

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1. Preamble

- 1.1. This Regulation is issued by the Telecommunications Regulatory Authority of the Kingdom of Bahrain ("the Authority") under article 3(c)(1) and article 3(f) of the Telecommunications Law promulgated by Legislative Decree No 48 of 2002.
- 1.2. The objective of this Regulation is to amend some provisions of the Consultation Process Regulation, Regulation No 1 of 2003, issued on 10 August 2003 (the "Original Regulation").

2. Definitions

- 2.1. In this Regulation any word, or expression, shall have the meaning given to it in the Telecommunications Law
- 2.2. References to a word or phrase in the singular encompass references to words or phrases in the plural.
- 2.3. References to a word or phrase in the plural encompass references to words or phrases in the singular.
- 2.4. References to a word or phrase in a different grammatical conjunction from the grammatical conjunction of a word or phrase defined below will, as far as possible, have the same corresponding meaning as the defined word or phrase.

3. Amendments to the Original Regulation

- 3.1. The last sentence of section "A1.4 Format of Comments" of the Original Regulation shall hereby be replaced with the following wording:

"Comments may also be submitted in printed format via fax, post or hand delivery to the offices of the Authority at the number or address notified on its website."

~~If comments are submitted in printed format, they must be submitted on A4 paper accompanied by a disk containing the Comments in electronic format.~~

- 3.2. The wording of Section "A1.5 Language" shall hereby be replaced with the following wording:

"The working languages of the Authority are Arabic and English. The Authority will endeavour to publish Invitations in both languages. However

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the Invitation will be considered published once it is published in at least one of the languages. The Authority will accept comments in either Arabic or English.”

~~The working language of the Authority for the time being is English. While the Authority will accept comments in either Arabic or English, the Authority encourages interested parties to comment in English or attach an English translation where Comments are submitted in Arabic.~~

- 3.3. The first sentence of section “A1.7 Standing and Contact Details” of the Original Regulation shall hereby be deleted.

~~All Comments shall contain a brief statement explaining the interest of the party submitting the Comments in relation to the particular measure that forms the subject-matter of the Invitation.~~

- 3.4. The second sentence of section “A1.7 Standing and Contact Details” of the Original Regulation shall hereby be replaced with the following wording:

“An interested party should include as part of the Comments its:”

~~In addition, an interested party shall include as part of the Comments its:~~

- 3.5. Paragraph 10.3 of section “A1.10 Confidentiality of Comments” shall hereby be supplemented with additional sentences as per the following wording:

“The Authority may also, at its own discretion, decide that specific parts of the Comments are commercially sensitive and confidential. In deciding whether the information is confidential (and therefore needs to be excluded from public scrutiny) the Authority will use the definition of “confidential information” as per the laws of Bahrain and guidance published by the Authority.”

- 3.6. The last sentence of section “A1.13 Final Measures” of the Original Regulation shall be replaced with the following wording:

“The Authority may (but shall not be obliged to) publish a report on comments received which summarises comments and explains the Authority’s position with regard to the comments.”

~~The Authority may (but shall not be obliged to) respond to some or all of the Comments received, including by way of an explanatory note, when it publishes the relevant final measure.~~

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4. Entry into Force

4.1. This Regulation shall effect into force on the day it is published in the Official Gazette.

Issued on [date] by

General Director
Telecommunications Regulatory Authority
Manama
Kingdom of Bahrain