



هيئة تنظيم الاتصالات
Telecommunications Regulatory Authority

A public consultation document issued by the
Telecommunications Regulatory Authority of the
Kingdom of Bahrain on amendment of Regulation on Notification of International
Roaming Tariffs by SMS

22 November 2011

The address for responses to this document is:

The General Director

Telecommunications Regulatory Authority (“The Authority”)

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 22 December 2011**

Purpose: To seek stakeholders’ views on a proposed amendment to the Regulation which adds a requirement to provide information related to tariffs of roaming data services provided by Licensed Operators

1. Instructions for submitting a response

1.1. The Telecommunications Regulatory Authority (“the Authority”) invites comments on this consultation document from all interested parties. Comments should be submitted no later than 4pm on 22 December 2011.

1.2. Responses to this document should be sent to:

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

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

1.4. Responses should include:

- the name of the responding entity;
- the name of the principal contact person;
- full contact details (physical address, telephone number, fax number and email address); and
- a Microsoft Word version of the Response.

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

1.6. Respondents are required to clearly mark any information included in their submission which 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. The Authority may publish or refrain from publishing any document or submission at its sole discretion.

1.7. Once the Authority has received and considered responses to this consultative document, the Authority will issue final versions of the Prepaid Telecommunications Registration Regulation.

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

2. Proposed measure

- 2.1. To issue a second amendment resolution to the Regulation on Notification of International Roaming Tariffs by SMS issued on 17 July 2008

3. Introduction and Background

- 3.1. This Consultation is issued pursuant to the Authority's Consultation Process Regulation issued by the Authority on 10 August 2003.²
- 3.2. After Due Consultation, the Authority issued its first amendment to the Regulation on 9 September 2009 which contained the following aspects (Resolution No. 7 for 2009):
 - 3.2.1. Definition of International roaming tariff SMS message
 - 3.2.2. Rewording of article 2.6 of the Regulation
 - 3.2.3. Clauses 2.8 and 2.9 under article 2 added to the Regulation
 - 3.2.4. Rewording of clause 2.5 under article 2 of the Regulation
 - 3.2.5. Clause 3.2 under article 3 added to the Regulation
- 3.3. The existing Regulation with its first amendment imposed certain obligations on Licensed Operators in relation to notifying their customers with information related to roaming tariffs of making and receiving calls and sending and receiving SMS. Along with other obligations imposed in relation to this subject matter such as the language used in the text message and considerations for handicapped subscribers'. Other issues were raised including complaints received to the Authority that the notification SMS of the international roaming tariffs did not contain information about roaming tariffs of data services.

4. Issues Encountered with the Existing Regulation

- 4.1 There is an increased demand on data services by subscribers and its necessity for regular and business subscribers as a method of communicating with relatives, contacts, friends or businesses while roaming to other countries. Therefore, the Authority finds it necessary to include maximum roaming tariffs for data services as per described in the draft resolution attached to this consultation.
- 4.2 The Authority also noticed that Licensed Operators do not mention the visiting country's operator that is providing the maximum tariff provided by the latter. And in order to be further transparent into protecting consumer interests of the Kingdom of Bahrain in relation to roaming tariffs (in case of variation of choices in the visited country), the Authority finds it

² Arabic and English versions of the Consultation Process Regulation can be found at <http://www.tra.org.bh/en/LegalRegulations.asp>. Note that only the Arabic version of Consultation Process Regulation may be relied upon for legal purposes. The English translation is published for information purposes only.

necessary to include the Operators name in the visited country who is engaged in an agreement with the Licensed Operator and offers maximum tariffs.

Questions

- 1- Do you agree with the additional requirement to the Regulation?
- 2- What other issues do you think should be included in or excluded from this Regulation?
- 3- Do you have any alternative solution as to how to cover conveying information on roaming tariffs for data services to subscribers?
- 4- Do you have any alternatives as to how to approach the abovementioned issue in relation to listing the name of the operator in the visited country with the maximum tariffs?

The current Regulation and the first amendment can be found at: www.tra.org.bh

5. General Terms

- 5.1 The Authority seeks comments of stakeholders in the Bahraini telecommunications industry, business community and the general public on the proposed Regulation.
- 5.2 Respondents are invited to make any other comments regarding the proposed Regulation. All other comments should be supported by a detailed explanation, including, where relevant, references to the specific provisions of the Telecommunications Law or Licenses that the Respondent is relying upon.
- 5.3 All comments should contain a brief statement explaining the interest of the party submitting the comments.
- 5.4 Upon receipt of the comments from stakeholders, the Authority will consider such comments to assist in considering and determining whether to issue the proposed Regulation as drafted.

TRA's Board of Directors

**Draft Resolution No. () of 2009
amending some provisions of the Regulation promulgated by Resolution No.
(1) of 2008 on Notification of International Roaming Tariffs by SMS**

TRA's Board of Directors:

After perusal of:

The Telecommunications Law promulgated by Legislative Decree No. (48) of 2002,

The Regulation promulgated by Resolution No. (1) of 2008 on Notification of International Roaming Tariffs by SMS.

The Resolution No. (7) of 2009 amending some provisions of the Regulation promulgated by Resolution No. (1) of 2008 on Notification of International Roaming Tariffs by SMS

And on the basis of the proposal submitted by TRA's General Director,

And after the approval of TRA's Board of Directors,

The following is decided:

Article (1)

- a) Item 2.5.9 shall be added to Article (2) of the Regulation which states the following:

"The maximum tariff for the data service through the charging of data packets sent."

- b) Item 2.5.10 shall be added to Article (2) of the Regulation which states the following:

"The maximum tariff for the data service through the charging of data packets received."

- c) Item 2.5.11 shall be added to Article (2) of the Regulation which states the following:

"The chargeable unit which is Mbps should be shown with the data service tariff set forth in Items 2.5.9 and 2.5.10."

d) Item 2.5.12 shall be added to Article (2) of the Regulation which states the following:

“the name of the Licensed Operator who is engaged in an agreement with the Licensed Operator in the Kingdom of Bahrain and offers maximum tariffs”

Article (2)

This Resolution shall be published in the Official Gazette which shall take effect on the day following the date of its publication.

**Chairman of TRA’s Board of Directors
Mohammed Ahmed Al Amer**

Issued on:
Corresponding to: