



هيئة تنظيم الاتصالات
Telecommunications Regulatory Authority

Final Report on Public Consultation regarding the amendment of certain provisions of the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS

Issued by the Telecommunications Regulatory Authority

1 October 2009

Purpose: To report on the responses received to the Consultation regarding the amendment of certain provisions of the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS and published in Official Gazette No. 2855.

Final Report on the Consultation for Amending on some provisions of the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS

1. Background

- 1.1. This report summarizes the responses received to the Consultation regarding the amendment of certain provisions of the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS and published in Official Gazette No. 2855, issued by the Telecommunications Regulatory Authority on 7 May 2009 ("Consultation"). The deadline for responses was 3 June 2009.
- 1.2. The Consultation was intended to obtain the Operators' views and comments on the proposed additional flexibility of the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS ("Amended Regulation"). During the implementation process of the Amended Regulation Batelco and Zain Bahrain made representations to TRA regarding the Amended Regulation.
- 1.3. On 5 February 2009 TRA wrote to both Zain Bahrain and Batelco seeking their formal comments on the Amended Regulation.
- 1.4. On 12 February 2009 TRA received responses from those operators.
- 1.5. After receipt of those responses TRA took both operators' comments into account and prepared a draft Amending Regulation. TRA issued the Public Consultation on the draft Amending Regulation on 7 May 2009. The Public Consultation sought comments on whether TRA should proceed with the amendments, and what their possible effect might be on the current market.
- 1.6. TRA received comments from one stakeholder, Zain Bahrain, on 3 June 2009.

2. Zain Bahrain response

- 2.1. In Zain Bahrain's response, it suggested that TRA should amend the Bullet Point numbering in Articles 2.2 and Article 2.5.
- 2.2. With regard to blind and partially sighted users, Zain Bahrain raised the issues of the cost of investment in relation to the number of users of the Roaming service in this group of Consumers, the compliance of the suggested software to the different types of mobile devices, the alignment of this regulation to the AREGNET recommendations, and Zain Bahrain's recommendation to TRA to encourage the mobile operators to use their best endeavours to support their international roaming prices.
- 2.3. Zain Bahrain agreed on providing the international roaming tariff SMS message in the subscriber's chosen language.
- 2.4. Zain Bahrain disagreed with providing consumers with pull SMS for the additional information on International Roaming Tariffs.
- 2.5. Zain Bahrain considered it technically non-feasible to add more options in order to meet the objectives of Article 3.1 of the Regulation.

Final Report on the Consultation for Amending on some provisions of the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS

- 2.6. Furthermore, Zain Bahrain requested an extension of the enforcement date to 1st September 2009.
- 2.7. The response also included additional comments which TRA considers were beyond the scope of the Consultation or irrelevant. These comments were:
 - 2,7.1. that the word “separately” be removed from article 2.5 of the original Regulation. However TRA did not consult upon that deletion and notes that the word “separately” does not mean separate SMS messages, but rather that the information relating to every other visited mobile telecommunications service provider should be provided separately in one SMS message, in accordance with the requirements of article 2.5.
 - 2.7.2. that sub-bullets numbering should be 2.5.1 to 2.5.7 instead of 2.4.1 to 2.4.8. TRA notes that the proposed numbering was already in the Amended Regulation.

3. TRA comments

- 3.1. TRA has reviewed the Bullet Point numbering and finds that amending the “Article 2.2” to “Article 2.5” in the definition of the “international roaming tariff SMS message” is required. No amendment is required on the numbering of article 2.4 or article 2.5..
- 3.2. TRA has considered all the comments relating to the Consultation regarding the amendment of certain Provisions in the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS and published in Official Gazette No. 2855 that were clearly identified in the Consultation as “Amending Provisions” and has disregarded all comments that were beyond the Consultation’s scope.
- 3.3. TRA is adding more flexibility to the means and tools that can be used by the Operators in meeting the objectives of the Regulation in relation to blind and partially sighted users. TRA has clarified some of the language used in the Regulation to reflect this.
- 3.4. The pull SMS feature has been added to Article 3.1 (“Helpline”) of the Regulation to expand the opportunity of operators, where technically feasible, to supply it. In addition, TRA has provided some examples that may be adopted by the Operators, as they consider appropriate, towards meeting the objectives of the Regulation.
- 3.5. Minor amendments have been made to clarify the language of paragraphs 2.9 and 3.2 of the final Amending Regulation.
- 3.6. TRA accepts the request to change the enforcement date to be later than 1 September 2009.

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4. Conclusion

- 4.1. Having taken into account the response from one of the stakeholders, TRA will issue the amendments to certain provisions of the Regulation issued pursuant to Decision No. 1 of 2008 on Notification of International Roaming Tariffs by SMS. Although some amendments have been made to the Draft Amending Regulation as originally issued, no substantive changes have been made as a result of the response received.

Issued on 1 October 2009 by

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