

Regulation on Notification of International Roaming Tariffs by SMS

A Regulation issued by Telecommunications
Regulatory Authority

Regulation 1 of 2008

Purpose: To ensure that mobile telecommunications services operators provide an informative message through SMS, notifying roaming subscribers of the International Roaming Tariffs.



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Preamble

This Regulation is issued by the Telecommunications Regulatory Authority (TRA) of the Kingdom of Bahrain under the following articles of the Telecommunications Law promulgated by Legislative Decree No. 48 of 2002: Article 3(b)(1) of the Telecommunications Law as it relates to the protection of subscribers and users in respect of tariffs charged for services, Article 3(c)(1) of the Telecommunications Law as it relates to services tariffs and promotion of competition, Article 3(c)(14) of the Telecommunications Law as it relates to ensuring that tariffs are fair and reasonable, and Article 3(c)(18) of the Telecommunications Law allowing TRA to take all other actions as may be reasonably necessary to give effect to the provisions of Article 3(c).

This Regulation is consistent with Resolution No. 187 of June 2006 of the Arab Telecommunications and Information Council of Ministers.

Definitions

Any word, phrase or expression used in this Regulation shall, unless the context requires otherwise or it is expressly defined herein, have the same meaning as in the Telecommunications Law.

References to a specific gender encompass all other genders.

References to a word or phrase in the singular encompass references to words or phrases in the plural, and vice versa.

The terms below shall have the following meaning for the purposes of this Regulation only:

“international roaming” (“roaming”) means the use of a terrestrial public mobile telecommunications network situated outside the Kingdom of Bahrain provided to a roaming subscriber of a mobile telecommunications services licensee licensed in the Kingdom of Bahrain.

“international roaming tariff SMS message” means an SMS containing information prescribed in article 2.2 of this Regulation.

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“mobile telecommunications services licensee” means any telecommunications licensee providing mobile telecommunications services.

“roaming subscriber” means a subscriber or user of a mobile telecommunications services licensee licensed in the Kingdom of Bahrain that is using international roaming.

“SMS message” means a short message service text message.

“visited mobile telecommunications service provider” means any mobile telecommunications service licensee upon whose network the mobile telecommunications services user is roaming.

1. Scope

1.1. This Regulation applies to mobile telecommunications services licensees in the Kingdom of Bahrain.

2. International Roaming Tariff SMS messages

2.1. A mobile telecommunications services licensee must ensure that the international roaming tariff SMS message described in article 2.5 below is sent free of charge to a roaming subscriber immediately after he/she connects to a visited mobile telecommunications service provider’s network.

2.2. The mobile telecommunications services licensee may send more than one international roaming tariff SMS message to ensure all required information is sent to the roaming subscriber. All such SMS messages must be free of charge to the roaming subscriber.

2.3. The mobile telecommunications services licensee does not need to repeat the international roaming tariff SMS message when the roaming subscriber connects to a different visited mobile telecommunications service provider in the same country.

2.4. The mobile telecommunications services licensee does not need to repeat the international roaming tariff SMS message if the roaming subscriber connects to a visited mobile telecommunications service provider’s network within 5 days from the last time when the

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international roaming tariff SMS message was sent to him/her in the same visited country.

- 2.5. The SMS message referred to in Article 2.1 must contain the following information about the visited mobile telecommunications service provider and, separately, about every other mobile telecommunications service provider in the country of the roaming subscriber's current location with which the roaming subscriber's mobile telecommunications services licensee has roaming arrangements, personalized according to the tariff scheme applicable to the roaming subscriber, and must be provided in Arabic and English:
 - 2.5.1 The maximum tariff for receiving a voice only call;
 - 2.5.2 The maximum tariff for making a voice only call to a subscriber of a telecommunications licensee of the Kingdom of Bahrain;
 - 2.5.3 The maximum tariff for making a voice only call to a subscriber of a telecommunications licensee of the country of the roaming subscriber's current location;
 - 2.5.4 The maximum tariff for sending an SMS to a subscriber of a mobile telecommunications licensee of the Kingdom of Bahrain or to a subscriber of a mobile telecommunications licensee of the country of the subscriber's current location, which ever is the higher;
 - 2.5.5 Information on how to access the mobile telecommunications services licensee's helpline;
 - 2.5.6 Details of the mobile telecommunications services licensee's website, where the roaming subscriber can obtain all tariff information; and
 - 2.5.7 The chargeable unit should be shown with each tariff's price.
- 2.6. Mobile telecommunications services licensees shall provide to their blind or partially sighted roaming subscribers the information described in sections 2.1 and 2.4 automatically by a free voice call, if they so request.
- 2.7. Any roaming subscriber shall be able to opt out from and opt back in to receiving international roaming tariff SMS by simple means, provided by a relevant mobile telecommunications services licensee. Such facilities shall be provided free of charge.

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3. Helpline

- 3.1. The mobile telecommunications services licensee must ensure that its subscriber helpline is accessible at any time via voice calls and SMS to all of its roaming subscribers. The roaming subscribers should be able to obtain all information about terms, conditions and tariffs for international roaming (including data services) through this helpline.

4. Tariffs representation

- 4.1. Tariffs listed in the international roaming tariff SMS shall be indicated in Bahraini Dinars, shall be final and include all taxes applicable.

5. Enforcement

- 5.1. Any material breach of this Regulation shall also be deemed to constitute a material breach of the Telecommunications Law and, where appropriate, of any relevant telecommunications license held by the relevant licensed operator.
- 5.2. TRA shall enforce breaches of this Regulation as prescribed under section 35 of the Telecommunications Law.

6. Entry into force

- 6.1. This Regulation shall enter into force on 1st January 2009.

Issued by

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at Manama

Date: Tuesday 14 Rajab 1429 A.H. (17 July 2008)