

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

14 October 2008

LAU/1008/222

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](mailto:consult@tra.org.bh)

The deadline for responses is **5 pm on 13 November 2008**

**Purpose:** To consult on a proposed regulation to implement number portability in Bahrain.



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**PUBLIC CONSULTATION**  
**A Consultation on the implementation of Number Portability**

**1 Introduction and Background**

- 1.1 This Consultation is issued pursuant to the Telecommunications Regulatory Authority's ("TRA") Consultation Process Regulation issued by TRA on 10 August 2003<sup>1</sup>.
- 1.2 As part of its Strategic and Retail Market Review, TRA identified Number Portability as a key measure to be introduced to foster the further development of competition. Regulatory measure 7 in the final statement of the Strategic and Retail Market Review (3rd June 2008) states:

*“Number portability will be introduced to facilitate any fixed or mobile customers switching provider by giving them the possibility to retain their existing phone number when changing operator. TRA intends to work with the industry to identify the most cost effective and pragmatic solution to implement mobile and fixed number portability.*

*If necessary, TRA would be minded to consider financing some of the costs of introducing number portability from proceeds of auctions or similar revenues subject to necessary approvals and/or consultations. This could minimize the cost to the industry of activities beneficial to all operators and ultimately to consumers”.*

- 1.3 This consultation, which comprises this proposed Regulation and the accompanying explanatory document sets out TRA's proposed approach for the most effective and practical implementation of number portability in Bahrain.

**2 Proposed Measure**

- 2.1 TRA has prepared the attached draft regulation on number portability.

**3 Comments and Responses to the Consultation**

- 3.1 TRA invites comments on this consultation document from all interested parties.
- 3.2 Comments should be submitted before 5 PM on 13 November 2008.

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<sup>1</sup> 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.

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3.3 The address for responding to this document is:

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

3.4 Alternatively, responses may be sent to TRA for the attention of the General Director by email to [consult@tra.org.bh](mailto:consult@tra.org.bh) or by facsimile to +973 17 532 125.

3.5 Responses should include the name of the company; name of principal contact person; and full contact details (physical address; telephone number; fax number; email address).

3.6 In the interest of transparency, TRA will make all submissions received available to the public, subject to the respect of confidential information received which will be evaluated by TRA in line with relevant legal provisions and TRA's published guidance on the treatment of confidential and non-confidential information.<sup>2</sup>

3.7 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 should be given. TRA may publish or refrain from publishing any document or submission at its sole discretion.

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<sup>2</sup> A Guidance Paper issued by the Telecommunications Regulatory Authority on its treatment of Confidential and Non-confidential Information, Guidance Paper No. 2 of 2007, 10 September 2007.

# Number Portability Regulation

A Regulation issued by the  
Telecommunications Regulatory Authority

Date 2008

Regulation X of 2008

**Purpose:** To require number portability in the Kingdom of Bahrain.



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**1. Legal Basis**

- 1.1 TRA is satisfied that sufficient demand exists for the introduction of number portability in fixed and mobile services. As such TRA is required by section 40 of the Telecommunications Law to introduce number portability into those services.
- 1.2 TRA determines that in accordance with its duties to promote effective and fair competition among new and existing Licensed Operators under section 3(b)(2) of the Telecommunications Law and its powers under section 3(c)(1) and section 40 to establish a Regulation of enabling number portability in services defined in this Regulation.

**2. Objective**

- 2.1 This Regulation sets out the proposed method of implementation of Number Portability.
- 2.2 This regulation is based upon the key principles that:
- a) TRA considers Number Portability as a user right that will also facilitate the further development of competition in the market;
  - b) TRA intends to implement a policy of requiring all operators both to export and import numbers as soon as reasonably practical;
  - c) TRA intends to implement a well defined, recipient led Porting process that fits within the retail system;
  - d) TRA intends that the time for Porting should be kept to a minimum and reduced over time.

**3. Definitions**

- 3.1 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 of the Kingdom of Bahrain.
- 3.2 References to a specific gender encompass all other genders.
- 3.3 References to a word or phrase in the singular encompass references to words or phrases in the plural, and vice versa. References to a word or phrase in a different grammatical conjugation from the grammatical conjunction of a word or

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phrase defined below will, as far as possible, have the same corresponding meaning as the defined word or phrase.

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

**'Block Operator'** means a licensed operator that has been allocated a number block that contains a number that is being or has been ported.

**'Central Database'** will be the database showing all Numbers Ported in accordance with this Regulation.

**'Donor Operator'** means a licensed operator that is ceasing to serve a number that is being ported.

**'Fixed Line Operator'** means Licensed Operators that terminate calls to Subscribers who are identified by Fixed Numbers (including services to Fixed Numbers provided by VoIP)

**'Fixed Number'** means a number associated with a non-mobile service provided by any wired or wireless technology.

**'Mobile Operator'** means Licensed Operators licensed or otherwise authorised by TRA to provide Mobile Radiocommunications and includes such Licensed Operators that do not hold a Frequency Licence but which utilise telecommunications frequency spectrum assigned to other Licensed Operators.

**'Mobile Number'** means a number associated with a network service typically provided to a mobile terminal.

**'Number Portability'** means the capability for a Subscriber to change licensed operator without changing their number.

**'Porting'** means the process of transferring a Subscriber's number from one licensed operator to another licensed operator under the proposed regulation.

**'Premium Rate Services Number'** means a number designated for premium rate services in the National Numbering Plan.

**'Recipient Operator'** means a licensed operator that is starting to serve or is continuing to serve a number that is being or has been ported.

**'Special Services Number'** means a number designated for special services in the National Numbering Plan.

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**'Subscriber'** means any person or entity that is a party to a contract or other similar arrangement that is in force with a licensed operator for the supply of telecommunications services. Pre-pay customers are regarded for the purposes of this regulation as Subscribers.

**'Universal Number'** means a number which can be used for any purpose except for Special Services and Premium Rate Services.

**'VoIP'** means Voice over Internet Protocol.

**'Winback'** means contacting Subscribers to offer discounts, free services or other inducements or targeted marketing in order to convince those Subscribers not to change operators or to revert back to their original operator in the first month after requesting Number Portability. Offers made to the generality of Subscribers by means other than in person or by telephone or other targeted marketing are not included in the definition of Winback.

**4. Requirements to provide Number Portability**

- 4.1 All Licensed Operators who terminate calls to Subscribers who are identified by Fixed Numbers (including services to Fixed Numbers provided by VoIP, and fixed services provided under Universal Numbers) shall provide the capability for Subscribers to have Number Portability when transferring to the other Fixed Line Operator.
- 4.2 All Licensed Operators who terminate calls to Subscribers who are identified by Mobile Numbers or provide mobile services identified under Universal numbers (and including, from November 2010, mobile services provided under current National Fixed Wireless Service licenses) shall provide the capability for Subscribers to have Number Portability when transferring to the other Mobile Operator.
- 4.3 All Licensed Operators who terminate calls to Subscribers who are identified by Special Services Numbers or Premium Rate Services Numbers shall provide the capability for Subscribers to have Number Portability when transferring to the other operator provided charge bands, as identified in the National Numbering Plan, are maintained.
- 4.4 The facilities described in section 4.1 and 4.2 shall be made available as soon as reasonably possible and no later than 30 September 2009.

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- 4.5 The facilities described in section 4.3 shall be made available as soon as reasonably possible and no later than 31 December 2009.
- 4.6 The implementation of Number Portability shall conform to specifications to be developed and maintained by TRA in consultation with the operators. TRA will issue the specifications by way of a legal instrument issued pursuant to this Regulation and section 3(c)(1) of the Telecommunications Law.
- 4.7 Each Licensed Operator whose Subscribers have ported their numbers from another operator shall maintain a list of the Ported numbers of their Subscribers and shall submit the list to the Central Database according to specifications referred to in Article 4.6.
- 4.8 Each Licensed Operator to which this Regulation applies may access the Central Database in the manner described in the specifications referred to in Article 4.6

#### **5. Routing**

- 5.1 Each Licensed Operator that originates or carries a call to a Ported number shall be responsible for ensuring that the call will be routed to the Licensed Operator that serves the called number.
- 5.2 Each Block Operator shall ensure that any calls to ported numbers within number blocks allocated to that operator shall be routed to the network that currently serves the called number and that the original Caller Line Identification (CLI) shall be unchanged by the re-routing process.

#### **6. Cost recovery and charging**

- 6.1 Each Licensed Operator that is required to provide Number Portability shall bear its own costs associated with setting up Number Portability facilities and system to comply with this Regulation.
- 6.2 The Recipient Operator shall pay the Donor Operator either a reciprocal charge set by negotiation (not exceeding the maximum default reciprocal charge) or a maximum default reciprocal charge based on the average reasonable volume dependent incremental per-Subscriber costs necessarily incurred when a Subscriber Ports its number from the Donor

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Operator to the Recipient Operator. TRA will determine and update the values of the maximum default reciprocal charges for each type of portability as necessary. TRA has determined the initial charges as follows;

BHD 4.000 for mobile number portability;  
BHD 6.000 for fixed number portability;  
BHD 10.000 for special services and premium rate services number portability.

- 6.3 The Donor Operator shall not charge the Subscriber when the Subscriber Ports its number
- 6.4 The Recipient Operator may charge the Subscriber for Number Portability.
- 6.5 Each Licensed Operator that is required to incur additional costs in routing calls due to incomplete routing information may charge the Licensed Operator from which it receives the calls for those additional costs. Such additional charges may be applied to each call individually or averaged over all the calls from the said Licensed Operator. TRA will determine and as necessary update the values of the maximum default charge for additional conveyance by amendment to this Regulation.
- 6.6 TRA determines the initial default charge referred to in article 6.5 as BHD 0.0025 per minute.

**7. The porting process**

- 7.1 The porting process shall be started by the Subscriber contacting the Recipient Operator and authorising a porting request form and other documents as required, and shall not normally involve contact between the Subscriber and the Donor Operator.
- 7.2 The Recipient Operator shall not order Number Portability for any Subscriber unless it has received a valid Porting request form from the Subscriber.
- 7.3 Communication and messages between the Recipient and Donor Operators regarding this Porting process shall be via the central database.
- 7.4 The reasons for refusing a Porting request shall be limited to the following:

7.4.1 There are material errors in the porting request;

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- 7.4.2 Information, as required by specifications referred to in section 4.6 above, that should be sent is missing;
  - 7.4.3 The authorisation information is incorrect e.g. the account number and number to be ported do not match;
- 7.5 The time for the porting process at the date of implementation shall not exceed the following working days unless a longer time is requested by the Recipient Operator:
- 7.5.1 In the case of fixed number portability: 3 working days
  - 7.5.2 In the case of mobile number portability: 2 working days
  - 7.5.3 In the case of special services and premium rate services number portability: 5 working days
- 7.6 The time for the Porting process is expected to be shortened over time and will be reviewed by TRA. Within two years from the effective date of this Regulation, Licensed Operators must ensure that time for Porting does not exceed more than 1 working day unless a longer time is requested by the Recipient Operator and approved by TRA.
- 7.7 The identity of the Subscriber requesting Number Portability shall be recorded by the Recipient Operator or its agent.
- 7.8 A check shall be made by the Recipient Operator or its agent that the person requesting portability has been assigned of the number to be ported.
- 7.9 In the case of post-pay accounts the account number and the number to be Ported shall be checked against each other by the Recipient Operator or its agent.

**8. Other requirements**

- 8.1 The Recipient Operator shall not order Number Portability for any Subscriber unless it has received a request from the Subscriber.
- 8.2 The Donor Operator shall not engage in Winback.
- 8.3 The Central Database will be established by TRA, and will perform the functions and services as defined in this Regulation, and any specifications issued by TRA under Article 4.6.

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- 8.4 The setup costs of the Central Database will be funded by TRA. The operational costs of the Central Database will be funded by Licensed Operators through payments made directly to TRA. TRA will consult upon and issue a formula for payments by means of a legal instrument issued pursuant to this Regulation and section 3(c)(1) of the Telecommunications Law.
- 8.5 TRA may appoint a third party administrator to establish or administer the Central Database. The Central Database administrator shall measure the performance of all Licensed Operators, on an individual operator basis, against the following list of quality of service parameters for the period of each Gregorian calendar quarter following the establishment of the Central Database:
- 8.5.1 Number of porting requests
  - 8.5.2 Number of refusals
  - 8.5.3 Number of acceptances
  - 8.5.4 Number of successful portings within required timescale
  - 8.5.5 Number of successful portings outside required timescale
  - 8.5.6 Number of portings not followed through by recipient
  - 8.5.7 Donor response times at each stage of process
  - 8.5.8 Two most common reasons for refusal
- 8.6 No later than 14 days following the beginning of each Gregorian calendar quarter, the Central Database administrator shall forward to TRA a report with the statistics for the preceding Gregorian calendar quarter, gathered in accordance with the process in article 8.5.
- 8.7 The Central Database shall provide a service accessible over the Internet free of charge to enable a potential caller to find out which Licensed Operator serves a particular number, unless TRA agrees otherwise.
- 8.8 The TRA reserves the right to exempt Licensed Operators from the requirement to implement number portability or any part of its functionality for a limited or unlimited period, based on justification provided by the Licensed Operator which must be acceptable to TRA. Newly Licensed Operators may request exemption from TRA from implementing number portability for a specific service for the first 2 years from the date of the award of a licence that allows that service, after which all obligations arising from this regulation shall apply. Requests for exemption will be considered on their merits and take account of the interests of users.

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**9. Enforcement and Penalties**

9.1 Licensed Operators that fail to comply with the provisions of this Regulation will be deemed in material breach of their Licence and the Telecommunications Law and will be subject to enforcement action under the relevant provisions of the Telecommunications Law.

**10. Entry into Force**

10.1 This Regulation shall enter into force on [xx/xx/2008].

**Issued by**

**General Director**  
**Telecommunications Regulatory Authority**  
**Manama**  
**Bahrain**  
**[Date]**