

PUBLIC CONSULTATION
**A Consultation on a Decision on the Requirement to Register
Subscriber Details of Prepaid Mobile Customers**

A public consultation document issued by the
Telecommunications Regulatory Authority of the
Kingdom of Bahrain
on
a Decision on the Requirement to Register Subscriber
Details of Prepaid Mobile Customers

9 July 2008

LAU/0708/160

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 **5pm on 24 July 2008**

Purpose: To consult on a decision regarding the registration of prepaid mobile telecommunications services subscribers.



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1 Introduction and Background

- 1.1 This Consultation is issued pursuant to the Authority's Consultation Process Regulation issued by the Authority on 10 August 2003¹.
- 1.2 This Decision will introduce a requirement for Mobile Telecommunications Licensees and holders of other types of Licenses that provide for Prepaid Mobile services in the Kingdom of Bahrain to register verifiable subscriber data before activating Prepaid Mobile SIM Cards.
- 1.3 The purpose of the requirement is to establish a database of users and subscribers which will assist the relevant bodies in the Kingdom of Bahrain with respect to supporting public safety and discouraging attempts to exploit telecommunications networks for illicit purposes.

2 Proposed Measure

- 2.1 TRA has therefore prepared a draft Decision on the registration of prepaid mobile subscriber details pursuant to sections 3(c)(1) and 78 of the Telecommunications Law.
- 2.2 A copy of the Draft Decision is attached to Annex 1 of this Consultation Document.

3 Consultation

- 3.1 The Authority seeks the comments of the interested parties on the proposed measure.
- 3.2 All comments shall contain a brief statement explaining the interest of the party submitting the comments in relation to the draft Decision. In addition, the interested party must include as part of its comments its:
1. name;
 2. name of principal contact person;
 3. physical address;
 4. telephone number;

¹ Arabic and English versions of the Consultation Process Regulation, Regulation 1 of 2003, 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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5. fax number; and
 6. email address.
- 3.3 Upon receipt of the comments from stakeholders TRA will consider such comments to assist in finalising the Decision.
- 3.4 Article 6.4 of the Consultation Process Regulation states that unless otherwise specified in the relevant invitation or not practicable, TRA shall endeavour to allow interested parties at least 28 days from the date of the invitation to submit comments.
- 3.5 Given the short length of the text of the decision and importance of the matter TRA does not consider that a 28 day consultation period is necessary.
- 3.6 As such comments should be provided to the Authority by no later than 5pm on 24 July 2008.
- 3.7 3.5 The Authority may, but is not obliged to, make comments public. Please see article 10 of the Consultation Process Regulation for further details.

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Annex 1**

**Decision on the Requirement to Register
Subscriber Details of Prepaid Mobile
Customers**

A Decision issued by the Telecommunications
Regulatory Authority

XX July 2008

Decision 1 of 2008

Purpose: To mandate registration of subscriber details of Prepaid Mobile customers before the activation of such a service.

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1. Preamble

- 1.1. This Decision is issued by virtue of Telecommunications Regulatory Authority (TRA) of the Kingdom of Bahrain pursuant to the provisions of the Telecommunications Law (the "Law") promulgated by Legislative Decree No. 48 for the year 2002.
- 1.2. Pursuant to section 78 of the Telecommunications Law, every licensed operator shall undertake to provide, at its own expense, all technical resources including telecommunications equipment, systems and programs relating to the telecommunications network that it is licensed to operate and which allow security organs to have access to the network for fulfilling the requirements of national security in accordance with the Regulation and Decisions issued by the Authority. Pursuant to section 3 (c)(1) of the Law, the Authority has the power to issue Decisions for all matters covered by the Law, including section 78 of the Law.
- 1.3. This Decision will introduce a requirement for Mobile Telecommunications Licensees and holders of other types of Licenses that provide for Prepaid Mobile services in the Kingdom of Bahrain to register verifiable subscriber data before activating Prepaid Mobile SIM Cards.
- 1.4. Implementation of the objective in 1.3 above should be in keeping with international best practice, with the view of supporting the interests of public safety and discouraging attempts to exploit telecommunications networks for illicit purposes.
- 1.5. This Decision will be reviewed by TRA after implementation and may, at its discretion, replace this Decision after consulting as per the Telecommunications Law.

2. Definitions

Any word, phrase or expression used in this Decision 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.

"Affected Licensees": All Mobile Telecommunications Licensees and holders of other types of Licenses that provide for Prepaid Mobile services in the Kingdom of Bahrain affected by this Decision.

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“Clean Subscriber Database”: Database containing verified subscriber registration information, with a minimum accuracy rate of 99% within registered subscribers, and having all unregistered subscribers deactivated

“Subscriber Identity Module” (“SIM Card”): A smart card containing the telephone number of a subscriber, encoded network identification details, the personal identification number and other user data such as the phone book.

3. Scope

3.1. This Decision applies to all Affected Licensees.

4. Registration of Subscriber Details

4.1. All Affected Licensees are hereby required to register a minimum set of details for subscribers of Prepaid Mobile Services.

4.2. The minimum subscriber details to register for Prepaid Mobile Services are:

4.2.1. Full name and ID number

4.3. Affected Licensees may register additional subscriber details at their own discretion in addition to the minimum details listed in Section 4.2.1 of this Decision

4.4. The ID number referred to in 4.2.1 above shall only be a Central Population Registration ("CPR") number, or a Smart Card number as issued by the Central Informatics Organization ("CIO"). For business subscribers, a valid Commercial Registration Number and corresponding Business Name are required.

4.5. For subscribers that cannot be verified electronically, Affected Licensees are required to acquire a copy of the subscriber's proof of identity as issued by the relevant authority in the subscriber's country of origin.

4.6. Acceptable forms of proof of identity for subscribers indicated in 4.5 above are either a Passport, ID Card or Driver's License issued by the relevant authority in the subscriber's country of origin

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- 4.7. If Affected Licensees allow subscribers a means for self-registration, whereby subscribers provide their Name and ID Number electronically, Affected Licensees must verify the authenticity of subscriber details by interfacing with the appropriate Government authority in the Kingdom of Bahrain that has the capability to verify the supplied subscriber information.
- 4.8. Notwithstanding Section 4.7, Affected Licensees are permitted to collect the minimum subscriber details indicated in Section 4.2.1 through manual procedures (i.e. physical/visual verification of identification), in a similar manner to Section 4.5.
- 4.9. Subscribers listed in Section 4.5 of this Decision shall verify their subscriber information by visiting authorized points of sale of the respective Affected Licensee and providing a copy of one of the identifications listed in Section 4.6 of this decision.

5. Service Activation

- 5.1. Affected Licensees that activate any new Prepaid Mobile Service to any subscriber without first verifying the submitted subscriber details, are hereby deemed in material breach of this Decision and Section 78 of the Telecommunications Law, and therefore subject to regulatory action by virtue of Section 35 of the Law

6. Implementation Period

- 6.1. Implementation period will be broken down to two phases as follows:
- 6.1.1. **Phase One:** During this Phase, Affected Licensees shall prepare all necessary processes, procedures and training of their respective distributors and resellers to ensure compliance with the provisions of this Decision. This phase will commence on the date of issuing this Decision and will end on 31 August 2008.
- 6.1.2. Affected Licensees must present to TRA for approval by 1 August 2008 their plans to collect registration details. The plan must be realistic, efficient and effective to achieve a Clean Subscriber Database by 31st December 2008.

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- 6.1.3. Manual verification of subscriber details must be implemented and maintained until such a time that TRA approves any proposed means of electronic verification.
- 6.1.4. **Phase Two:** During this Phase, Affected Licensees will begin the previously prepared processes and procedures to ensure no Prepaid Mobile is activated before a given subscriber's details are registered and verified by the Affected Licensee. Furthermore, Affected Licensees will commence updating their records of existing Prepaid Mobile subscribers to ensure that all subscriber data are updated. This phase will commence on 1 September 2008 and end on 31 December 2008.
- 6.2. The SIM Cards of any Prepaid Mobile subscribers whose minimum subscriber details as specified in Section 4.2.1 are not registered per section 4.1 by 1 January 2009 shall be deactivated until the subscriber details are updated or until such a time as the Prepaid Mobile account in question expires, whichever comes first.
- 6.3. Affected Licensees are required to produce a report by 31 January 2009 that demonstrates, in a tabulated format, the number of registrations and updates made and the number of SIM Cards deactivated.

7. Enforcement and Penalties

- 7.1. This Decision will come into force pursuant to Section 3(c)(1) of the Telecommunications Law, which grants TRA the right to issue decisions in respect of Licensed Operators meeting their obligations under Section 78 of the Law
- 7.2. Affected Licensees that fail to comply with this Decision within the required Implementation Period will be considered in material breach of this Decision and Section 78 of the Telecommunications Law and therefore will be subject to action under Section 35 of the Law

8. Privacy Policy

- 8.1 Affected Licensees shall use all reasonable endeavors to ensure the privacy and confidentiality of information obtained in the process of implementing this decision. Disclosure of any subscriber information shall only be permitted to the Public Prosecution for the purposes of prosecution or otherwise in

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accordance with the Laws of the Kingdom of Bahrain, including to any security organ in accordance with section 78 of the Telecommunications Law

- 8.2 All subscribers' information shall be kept in records for as long as the SIM Card is active. For inactive SIM Cards, records must not be deleted without prior TRA approval.

9. Entry into force

- 9.1. This Decision shall enter into force on the **[xx]** of July 2008.
- 9.2. Any subsequent measure issued with reference to registration of Prepaid Mobile Subscribers' details shall supersede this Decision from the effective date of its issuance.