

NOTICE

Temporary WiFi Frequency License

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Issued by the

Telecommunications Regulatory Authority

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Introduction

This Notice is issued by the Authority to explain the terms under which it will grant Frequency Licenses under section 44 of the Telecommunications Law in connection with WiFi Hotspots (as defined below).

ALL PERSONS WHO OPERATE WIFI HOTSPOTS, INCLUDING INDIVIDUALS, GOVERNMENT OR PUBLIC ORGANIZATIONS, COMPANIES OR PARTNERSHIPS **REQUIRE A FREQUENCY LICENSE**, WHETHER THE WIFI HOTSPOT IS USED FOR PRIVATE USE OR FOR THE PROVISION OF A PUBLIC TELECOMMUNICATIONS SERVICE (section 43 of the Telecommunications Law).

Potential applicants for Frequency Licenses to enable them to operate WiFi Hotspots must note the following:

- (a) any Frequency License for 2.4 GHz spectrum IS NOT EXCLUSIVE;
- (b) the applicant's use of the 2.4 GHz spectrum MAY BE SUBJECT TO INTERFERENCE;
- (c) the Frequency License IS ONLY VALID FOR THREE MONTHS from the date of its grant;
- (d) the Authority WILL BE UNDER NO OBLIGATION TO GRANT ANY RENEWAL OR A NEW FREQUENCY LICENSE once the applicant's original Frequency License expires. An applicant may therefore be in possession of WiFi Hotspot equipment that it will not be able to use legally once its Frequency License expires. DEPLOYMENT AND OPERATION OF ANY EQUIPMENT UNDER A TEMPORARY FREQUENCY LICENSE IS ENTIRELY AT THE RISK OF THE APPLICANT; and
- (e) any Frequency License is personal to the applicant only – IT CANNOT BE SOLD, TRADED, ASSIGNED OR OTHERWISE TRANSFERRED TO ANY OTHER PERSON.

NOTICE

Temporary WiFi Frequency License

The following sets out the detailed conditions upon which the Authority will consider an application for 2.4 GHz frequency spectrum for use with WiFi Hotspots.

Definitions

Unless otherwise defined in this Notice, any word, phrase or expression shall, unless the context so requires, have the meaning given to it in the Telecommunications Law and the terms below shall have the following meaning:

“EIRP” means equivalent isotropically radiated power, as defined in the 2001 edition of the Radio Regulations published under Article 13 of the Constitution of the International Telecommunications Union;

“Licensee” means a Person that has been licensed by the Authority under the Telecommunications Law;

“Notice” means this WiFi Frequency License Notice;

“Telecommunications Law” means the Legislative Decree No. 48 of 2002 promulgating the telecommunications law of the Kingdom of Bahrain; and

“WiFi Hotspot” means a wideband transmission system using spread spectrum modulation techniques.

Article 1 - Scope

Under the terms of section 43 of the Telecommunications Law, any Person who wishes to use Radiocommunications Equipment in the Kingdom associated with a Telecommunications Network must obtain a Frequency License for the relevant spectrum. This section of the Telecommunications Law does not differentiate between Persons providing Public Telecommunications Services and Persons who's Telecommunications Network is for private use only. Consequently, any Person wishing to operate a WiFi Hotspot in the Kingdom must obtain a Frequency License.

NOTICE

Temporary WiFi Frequency License

Article 2 – WiFi Frequency License

2.1 Any Person who operates a WiFi Hotspot under the following criteria may be granted a temporary Frequency License in the terms attached at Annex A to this Notice:

- (f) the maximum EIRP of any transmitter used in connection with the WiFi Hotspot is limited to 100 mW (-10 dBW); and
- (g) the Radiocommunications Equipment used in connection with the WiFi Hotspot complies with the following standards:
 - (i) the Institute of Electrical and Electronic Engineer (IEEE) standard 802.11 (Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) Specifications) and IEEE standard 802.11b (Higher-Speed Physical Layer Extension in the 2.4 GHz Band) or 802.11g (Further Higher Data Rate Extension in the 2.4 GHz Band); or
 - (ii) the European Technical Standards Institute (ETSI) standards EN 300 328-1 and EN 300 328-2 on electromagnetic compatibility and radio spectrum matters; wideband transmission systems; data transmission equipment operating in the 2.4 GHz ISM band and using spread spectrum modulation techniques.

2.2 The term of any Frequency License is limited to three (3) months. This is because the Authority cannot grant a full license of fifteen (15) years' duration until the Kingdom of Bahrain spectrum planning policy has been determined by the Ministry of Transportation in consultation with the Authority. As a result, the grant of a temporary Frequency License does not in any way imply that the applicant will get a Frequency License in the future, nor may have any claim for its costs, damages, losses or expenses suffered or incurred as a result of the Authority refusing any future grant of a Frequency License. Any future application, if allowed, may also be subject to terms and criteria not currently available at the date of this Notice.

NOTICE

Temporary WiFi Frequency License

Article 3 – Type Approvals

Nothing in this Notice shall be implied to relieve any Person from obtaining any approvals required under section 38 of the Telecommunications Law for any Radiocommunications Equipment used in connection with any Frequency License.

NOTICE

Temporary WiFi Frequency License

Annex A - WiFi Hotspot License