



هيئة تنظيم الاتصالات  
Telecommunications Regulatory Authority

## EMERGENCY ORDER NO. 1 OF 2011

### ORDER FOR MOVING GULF TELECOM W.L.L. TO CEASE AND DESIST ALL PROVISION OF TELECOMMUNICATIONS SERVICES

#### The Order

In the exercise of its powers under Articles 3(b), 3(c) (1), 3(c) (18), and 78 of the Telecommunications Law and Regulation (9) of 2009 (the "Lawful Access Regulation"), the Telecommunications Regulatory Authority (the "Authority") hereby makes the following Emergency Order.

#### Moving Gulf Telecom WLL shall do the following:

1. Cease and desist from providing ALL telecommunications services of any type by 11:59pm on 22 April 2011 until the Authority is satisfied that Moving Gulf Telecom WLL is fully compliant with the provisions of the Lawful Access Regulation.
2. Notify all its customers that ALL telecommunications services are suspended until further notice through at least the following methods:
  - a. A prominent notice on the homepage of the website [www.movingulf.com](http://www.movingulf.com); and
  - b. On the interactive voice recording menu used for the "First Talk" international calling card and any other local or international calling cards operated by Moving Gulf Telecom WLL.
3. Confirm by 12 noon on Sunday 24 April 2011 that it has complied with paragraphs 1 and 2 of this Emergency Order.
4. By 5pm on Monday 25 April 2011, provide the Authority with a network diagram and written explanation regarding the technical methods by which it was providing telecommunications services and specifically international telecommunications services.

Failure to comply with this Order will result in the Authority taking further regulatory action, which may include a fine and the revocation of one or more of Moving Gulf Telecom WLL's telecommunications licenses for breaches of the Telecommunications Law and Licenses.



هيئة تنظيم الاتصالات  
Telecommunications Regulatory Authority

## EMERGENCY ORDER NO. 1 OF 2011

### ORDER FOR MOVING GULF TELECOM W.L.L. TO CEASE AND DESIST ALL PROVISION OF TELECOMMUNICATIONS SERVICES

#### Reasons for Order

The Lawful Access Regulation requires every Licensee to implement Law Access in accordance with the provisions of the Lawful Access Regulation.

Article 4(1) of the Lawful Access Regulation requires that:

*“Every Licensee shall implement Lawful Access.”*

Article 4(2) provides:

*“A Licensee that does not own a Telecommunications network may rely upon the network of another Licensee to implement Lawful Access, but only after obtaining written approval from TRA.”*

Article 4(3) provides:

*“Licensees are prohibited from offering, operating or promoting any Telecommunications service before the Implementation of Lawful Access”.*

Article 5(1) provides:

*“Before the Implementation of Lawful Access, a Licensee shall provide a Lawful Access Implementation Plan to TRA to obtain written approval.*

On 21 April 2011 the Authority became aware (by email dated 21 April 2011 from Syed Bilal Masaud to Ms. Mariam Almannai, ICT Projects Specialist at TRA) that Moving Gulf Telecom W.L.L, a holder of an Individual International Telecommunications Services license and Value Added Services license in the Kingdom of Bahrain is providing telecommunications services through prepaid calling cards and in particular a calling card marketed as “First Talk”. The Authority then further confirmed that Moving Gulf Telecom W.L.L. is selling prepaid calling cards branded using the name “First Talk” to its customers in Bahrain in contravention of the Lawful Access Regulation. This confirmation was provided by Mr. Mohammed Faraj, Managing Director of Moving Gulf Telecom W.L.L. during a telephone conversation that took place on 21 April 2011 with Ms. Mariam Almannai, ICT Projects Specialist at TRA.

Based upon the above and after consideration of the requirements set out in the Lawful Access Regulation, the Authority considers that Moving Gulf Telecom W.L.L is in breach of Article 4 or Article 5 of the Lawful Access Regulation by providing a Public Telecommunications Service in



هيئة تنظيم الاتصالات  
Telecommunications Regulatory Authority

## **EMERGENCY ORDER NO. 1 OF 2011**

### **ORDER FOR MOVING GULF TELECOM W.L.L. TO CEASE AND DESIST ALL PROVISION OF TELECOMMUNICATIONS SERVICES**

the Kingdom of Bahrain without prior implementation of Lawful Access or in the alternative without obtaining approval to rely upon the network of another Licensee.

After consideration of the facts outlined above sufficient concerns have been raised with regards to the issues of national security and protection of the interests of Subscribers and Users in the Kingdom of Bahrain such that the Authority hereby issues this Emergency Order.

Issued on 21 April 2011 by

**Dr. Mohammed Alamer**  
**Chairman of the Board of Directors and**  
**Acting General Director**

**Manama, Kingdom of Bahrain**