



**The Telecommunications Regulatory Authority
Kingdom of Bahrain**

Public Consultations Bulletin 2018

29 March 2018

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Background:

The Telecommunications Regulatory Authority (“the Authority”) is an independent juristic entity established by Legislative Decree No. 48 of 2002 promulgating the Telecommunications Law (“the Law”), and is responsible for regulating the telecommunications sector in the Kingdom of Bahrain.

Article 3(f) of the Law stipulates that the Authority is required to conduct a public consultation process in the performance of its regulatory function. On 17 October 2017 the Authority issued a Position Paper on How TRA Consults (“the Position Paper”)¹ which supersedes and replaces the Consultation Process Regulation published on 10 August 2003.

The purpose of a public consultation is to seek the views of all those interested in the outcome of a particular decision. It is about seeking the views of those outside the decision-making process to better inform stakeholders of that process. Furthermore, the Position Paper aims to clarify the process of public consultation by (i) including a clearer operational criteria, and (ii) strengthening internal control and support mechanisms so that public consultations have better support transparency in the decision making processes.

Para 17 of the Position Paper titled ‘*After the public consultation*’ states that, as far as possible, the Authority will be publishing a calendar which lists the upcoming anticipated public consultations for each year as well as a brief summary for each public consultation. This will be made available on the Authority’s website for interested parties at www.tra.org.bh/en/consultation. This calendar provides an overview of this year’s upcoming open public consultations of the Authority (Annex 1), for which an indicative timing already exists. This will allow interested parties and stakeholders, who may be interested to participate in these consultations, to better plan and prepare.

This document is without prejudice to the legal position or the rights and duties of the Authority. Any views expressed in this document are not binding on the Authority and are without prejudice to the final form and content of any decisions the Authority may make.

This document is not a substitute for any regulation or law and does not constitute legal advice. Inappropriate reliance ought to not therefore be placed on the contents of this document.

¹ This can be found at <http://www.tra.org.bh/media/document/Position%20Paper%20on%20how%20TRA%20consults1.pdf>

The document will be kept under review and amended as appropriate in light of development of law and/or practice and any change to the Authority's powers and responsibilities.

Please note that the timing as well as the titles of the consultations are only indicative.

Annex 1: List of anticipated Public Consultations for 2018

Consultation / Legal Instrument Name	Brief Description	Anticipated Date
Briefing on Report on New Economic Regulatory Framework	The report will guide decisions related to the practicalities of functional separation of Batelco and the regulation of the wholesale services.	Q1
Review of the Revenue Reporting Regulation	A review and possible redraft of the revenue reporting regulation, which sets out the current reporting regime, the overall annual revenue reporting process, and how annual license fees are to be calculated.	Q2
Fit and Proper Person Test Regulation	A regulation that determines the criteria to be held by the stakeholders and leading executive among telecommunications licensees.	Q2
Own Initiative Monitoring and Enforcement Guidelines	Development of guidelines on TRA's own-initiative monitoring and enforcement program.	Q2

Review of the Roaming Regulation	A regulation that will ensure that mobile network operators introduce caps for roaming and send notifications when the roaming bill reaches a certain level.	Q2
Mobile Termination Market Review	The objective of the competition review is to identify whether any licensed operator has a dominance in a relevant wholesale market and if so propose remedies.	Q2
Functional Separation Guidelines	Specifies the requirements and operations of the separation between functionally separated entity and the rest of Batelco.	Q2
Functional Separation and NBN Monitoring Regime	Monitors the compliance of Batelco with the separation guidelines and the deployment of the signal network.	Q2
The Award of Spectrum in the 800 and 2600 MHz bands	To design, implement and manage the Spectrum band in a fair manner to all licensed operators in order to cope with the rapidly growing mobile and fixed wireless data traffic and ensure that an acceptable level of QoS is offered to end-users.	Q3

<p>Provision of Telecommunications (Electronic Communications Services) Services on Board Aircrafts</p>	<p>A regulation that would seek to enable the use of 3G and 4G mobile devices on board aircraft on a licence-exempt basis.</p>	<p>Q3</p>
<p>Review of the Mergers and Acquisitions Regulation</p>	<p>This project aims to analyse the current Mergers and Acquisitions regulation and draft amendments that take into account development in the legal field since the adoption of the regulation.</p>	<p>Q3</p>
<p>Contiguity of Allotted Frequency Blocks for Mobile Network Operator</p>	<p>The aim of this project is to re-allocate the spectrum assignments of mobile network operators into continuous blocks specifically 2100MHz band.</p>	<p>Q3</p>
<p>Cyberbullying Policy</p>	<p>This project aims to research and advocate a cyberbullying policy targeted at the school community, child online safety, and welfare and educational policy makers.</p>	<p>Q3</p>
<p>Position Paper on Speed Advertisement Claims</p>	<p>A paper that sets out the TRA's position on permissible adverts containing speed claims.</p>	<p>Q4</p>

Functionally Separated Entity Reference Offer	Sets the price and non-price terms of the wholesale services that the functionally separated entity is to supply to other licensed operators.	Q4
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