

DECISION NO. (7) Of 2018

**Timeline for the Rectification of
Legacy Public Radiocommunications Stations**

**A Decision Issued by the Telecommunications Regulatory Authority
pursuant to the Regulation on the Permitting, Installation, Upgrading and Maintenance of
Public Radiocommunications Stations**

Ref. No. LAD 0918 225

17 September 2018

Decision No. (7) of 2018 –

Decision establishing the timeline for the rectification of Legacy Public Radiocommunications Stations

On 17 August 2018, the Authority issued the Regulation on Permitting, Installation, Maintenance and Development of Public Radiocommunications Stations (the “PRS Regulation”) promulgated by Board Resolution No. 10 of 2018. Terms defined in the PRS Regulation shall have the same meaning where used in this Decision, unless otherwise specifically defined in this Decision, or if the context requires otherwise.

Paragraph A of Third of Schedule 10 of the PRS Regulation requires the Authority to issue a decision establishing the timeline for conducting the rectification process for Legacy Public Radiocommunications Stations (“Legacy Stations”). Having regard to the Authority’s power under paragraph A of Third of Schedule 10 of the PRS Regulation as well as:

- i. Legislative Decree No. (48) of 2002 Promulgating the Telecommunications Law of the Kingdom of Bahrain (the “Telecommunications Law”); in particular Article 3(c)(1) and 3(c)(15) thereof; and
- ii. The Regulation Concerning Public Radiocommunications Stations promulgated by Prime Ministerial Decision No. 45 of 2015 (“Decision No. 45 of 2015”); in particular Articles 2 and 5 thereof; and
- iii. The PRS Regulation, in particular Articles 3, 37 to 39 and Schedules 10 and 11 thereof; and
- iv. After consultation with Relevant Bodies;

The Telecommunications Regulatory Authority (“the Authority”) hereby decides that the process to rectify Legacy Stations (the “Rectification Process”) shall be conducted as follows:

Rectification Phases

1. The Rectification Process will consist of 15 phases, each of one year duration.
2. The phases reflect the Authority’s priorities for rectification of Legacy Stations. These priorities are as follows:
 - a. All Legacy Stations that exhibit structural or design flaws constituting safety or health risks must be rectified within the first year of the Rectification Process;
 - b. All Temporary Public Radiocommunications Stations (“Temporary Stations”) that do not have a Final Permit must be rectified within the first two years of the Rectification Process;

- c. All Legacy Stations that do not have a Final Permit but are compliant with Zoning requirements set out under Schedule 11 of the PRS Regulation must be rectified within the first four years of the Rectification Process;
 - d. All Legacy Stations that are located in areas identified by the Authority as “Places of Interest” or “within 200 meters of a Major Road” AND within 100m of another PRS must be rectified within the first four years of the Rectification Process;
 - e. All Legacy Stations that are located in areas identified by the Authority as “Residential Districts” or “Commercial Districts” AND within 50m of another PRS must be rectified within the first four years of the Rectification Process;
 - f. All Legacy Stations that are located in areas identified by the Authority as “Residential Districts” or “Commercial Districts” AND within 100m of another PRS must be rectified within the first five years of the Rectification Process;
 - g. All other Legacy Stations that are located in areas identified by the Authority as “Places of Interest” must be rectified within the first six years of the Rectification Process;
 - h. All other Legacy Stations that are located in areas identified by the Authority as “Commercial Districts” or “within 200 meters of a Major Road” must be rectified within the first eight years of the Rectification Process; and
 - i. All other Legacy Stations must be rectified by the end of the Rectification Process.
3. Each phase will commence on 1 January of the respective year after the issuance of this Decision. For clarity, phase 1 will commence on 1 January 2019.
 4. The table in Schedule A sets out the percentage of each type of Legacy Station that the Authority considers must be rectified during each phase. These percentages serve as the compliance thresholds for each phase of the Rectification Process.
 5. Pursuant to Schedule 11 of the PRS Regulation, all types of Legacy Stations located in areas identified by the Authority as “Rural Locations/Low Populated Area” or “Industrial Area” are “Allowed”. To be clear, all such Legacy Stations will require a Final Permit and should be rectified as per paragraph 2(b) and 2(c) of this Decision. The Authority may determine reasonable compliance thresholds (for the purpose of Schedule A percentages) for such Legacy Stations in the future if required.

Timeline for the completion of each Rectification Phase

6. Each phase of the Rectification Process shall consist of the four Stages set out under Paragraph C of Third of Schedule 10 of the PRS Regulation.

7. The timeline for completion of each Stage within each phase is as follows:
- a. Submission of Rectification Application (Stage 1) – all Rectification Applications are to be submitted to the Authority by no later than 1 May of the relevant year;
 - b. Review of Rectification Applications (Stage 2) – all Rectification Applications reviewed by no later than 8 May of the relevant year (or the first business day thereafter) – for clarity the Authority will conduct an initial review of all Rectification Applications within 5 business days of filing;
 - c. Proposed Remedial Actions (Stage 3) – all Rectification Remedial Actions by no later than 1 June of the relevant year; and
 - d. Review of Revised Rectification (Stage 4) – all Rectification Remedial Actions approved by no later than 1 July of the relevant year.

For further clarity on the manner in which Operators are expected to file Rectification Applications, reference is made to paragraph 11 of this Decision.

8. Operators must submit a Rectification Application for each Legacy Station.
9. Consistent with Fourth of Schedule 10 of the PRS Regulation, Operators must classify each Legacy Station in the relevant Rectification Application. This will determine whether the Legacy Station is an Affected Station and therefore how the Authority will conduct its review of the respective Rectification Application.

Implementation process for each Stage

10. The detailed steps for each Stage of each phase of the Rectification Process are set out in Sixth of Schedule 10 of the PRS Regulation and remain unchanged by this Decision.
11. Consistent with Paragraph A.4 of Sixth of Schedule 10 of the PRS Regulation, Operators shall file no more than four Rectification Applications per day. Therefore, compliance with the timelines set out under paragraph 6 of this Decision will require each Operator to distribute their Rectification Applications appropriately over Stage 1 and 3 of each phase of the Rectification Process.



Nasser Bin Mohamed Al Khalifa
Acting General Director

17 September 2018

Schedule A: Percentage of Legacy Stations to be rectified by type and phase.

Type	Phase 1 (2019)	Phase 2 (2020)	Phase 3 (2021)	Phase 4 (2022)	Phase 5 (2023)	Phase 6 (2024)	Phase 7 (2025)	Phase 8 (2026)	Phase 9 (2027)	Phase 10 (2028)	Phase 11 (2029)	Phase 12 (2030)	Phase 13 (2031)	Phase 14 (2032)	Phase 15 (2033)
All Legacy Stations ("LS") that may represent Health & Safety hazard	100%														
Temporary LS	50%	50%													
LS Compliant with Schedule 11 Zoning and without Final Permit	20%	20%	30%	30%											
LS in Place of Interest, within 100m of another PRS	30%	20%	20%	30%											
LS within 200m of Major Road, within 100m of another PRS	30%	20%	20%	30%											
LS in Commercial District, within 50m of another PRS	30%	30%	20%	20%											
LS in Residential District, within 50m of another PRS	40%	20%	20%	20%											
LS in Commercial District, within 100m of another PRS		20%	40%	20%	20%					20%					
LS in Residential District, within 100m of another PRS		15%	20%	20%	45%										
LS in Place of Interest – Others						100%									
LS within 200m of Major Road - Others						40%	50%	10%							
LS in Commercial District – Others							50%	50%							
LS in Residential District – Others											15%	15%	15%	10%	10%
LS in Rural Districts– Other															
LS in Industrial Districts – Other															
COMPLIANCE THRESHOLDS TO BE DETERMINED IF NECESSARY															
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