

REGULATION

2.4 GHz and 5GHz Light Licensing Regulation

Regulation on the Light Licensing Regime for the 2.4 GHz and 5 GHz frequency spectrum bands

A Regulation issued by the Telecommunications Regulatory Authority

30 July 2006

Regulation 1 of 2006

Purpose: To set out the terms under which the Authority will grant or be deemed to have granted a license pursuant to section 44 of the Telecommunications Law in connection with frequency spectrum in the 2.4 GHz and 5 GHz bands.



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Unless otherwise defined in this Regulation, 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:

“Application” means an application for a Frequency License made in accordance with Article 2 of this Regulation;

“Commercial Company Law” means the commercial companies law promulgated by Legislative Decree No. 21 of 2001;

“2.4 GHz and 5 GHz License” means the form of license for spectrum in the 2.4 GHz and 5 GHz bands, being the terms under which a Person will be deemed to be licensed by the Authority on completing an application;

“2.4 GHz and 5 GHz Licensee” means a Person deemed to be a holder of a 2.4 GHz and 5 GHz License pursuant to the terms of this Regulation;

“Regulation” means this Regulation No. 1 of 2006 on 2.4 GHz and 5 GHz Frequency Licensing;

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

“WiFi Hotspot” means a wideband transmission system using spread spectrum modulation techniques (and for the avoidance of doubt, the use of the label “WiFi” in this definition shall not imply any particular standard or technology); and

“WiMAX/WLAN Equipment” means equipment for wireless metropolitan area networks or for wireless local area networks on a fixed or nomadic basis (and for the avoidance of doubt, the use of the label “WiMAX/WLAN” in this definition shall not imply any particular standard or technology).

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Article 1 - Scope

- 1.1 Pursuant to 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, whether for Public Telecommunications Services or for private use only. Consequently, any Person wishing to operate a WiFi Hotspot or WiMAX/WLAN Equipment in the Kingdom must obtain a Frequency License.
- 1.2 Persons wishing to obtain a 2.4 GHz and 5 GHz License may apply by way of an online application mechanism or by submission of an application in hard copy under which the Authority will consider for the grant pursuant to section 44 of the Telecommunications Law and the powers of the Authority under sections 3 and 45 of the Telecommunications Law Frequency Licenses for spectrum in the 2.4 GHz and 5 GHz bands, being in the frequency ranges 2400 – 2483.5 MHz, 5150 – 5350 MHz (Band A) and 5725 – 5850 MHz (Band C), provided that use of the licensed spectrum is within the power limits set out in this Regulation.

Article 2 – Application Process

- 2.1 The following classes of Persons shall be entitled to apply for a 2.4 GHz and 5 GHz License pursuant to this Regulation:
 - (a) juristic entities incorporated in the Kingdom or branches of foreign companies licensed to operate in the Kingdom in accordance with the Commercial Companies Law; and
 - (b) nationals of the Kingdom or any other Gulf Co-operation Council member state or holders of a Central Population Registry card issued by the Kingdom's Central Informatics Organization.

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2.2 Any Person who wishes to apply for a 2.4 GHz and 5 GHz License pursuant to this Regulation must complete the application form for that purpose, made available by the Authority on its website (<http://www.tra.org.bh>), and available at the TRA office. Any Person who wishes to apply for a license must provide, as a minimum, the following information:

- (a) the name of the individual applicant or company;
- (b) the Person's Central Population Registry or Commercial Registry Number (for a company);
- (c) the Person's contact details;
- (d) location and address of where the Person will be operating the radiocommunications equipment using the assigned spectrum; and
- (e) details of other licenses issued by the Authority and held by that Person and the license number.

2.3 Once a Person has provided all the information requested in the Authority's application form and submitted the Authority's application form in accordance with its requirements then:

- (a) that Person shall be deemed to have made a written application for the purposes of section 44 of the Telecommunications Law (an "**Application**");
- (b) that application will be approved by the Authority and the Person will be the holder of the relevant 2.4 GHz and 5 GHz License, unless the Authority notifies the Person that the application has been rejected within fourteen (14) days of the date of the application.

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- (c) If any applicant requires confirmation after the 14 days have elapsed, he/she may ask the TRA, in writing, to provide him/her with confirmation that the licence has been granted.
- 2.4 Upon completion of an Application, the Person's details will be entered onto the Authority's register of holders of Frequency Licenses, which register shall be made available for inspection by the public at the offices of the Authority during the Authority's normal business hours.
- 2.5 Persons who use with the permission of the 2.4 GHz and 5 GHz Licensee terminal Radiocommunications Equipment in connection with WiFi Hotspots or in connection with WiMAX/WLAN Equipment operating under a 2.4 GHz and 5 GHz License shall be deemed by the Authority to be sub-licensees of the 2.4 GHz and 5 GHz Licensee. The 2.4 GHz and 5 GHz Licensee shall be at all times responsible and liable for the acts and omissions of sub-licensees who use its WiFi Hotspots or WiMAX/WLAN Equipment.

Article 3 – Technical Criteria

A 2.4 GHz and 5 GHz Licensee may only operate Radiocommunications Equipment under a 2.4 GHz and 5 GHz License if that Radio Equipment adheres to the applicable emission standards and technical specifications or requirements specified by the Authority for the purposes of section 4.1(a) of the 2.4 GHz and 5 GHz License, as set out in Schedule B to the 2.4 GHz and 5 GHz License.

Article 4 – Type Approvals

Nothing in this Regulation 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.

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Article 5 – Adherence to the Licensing Conditions

- 5.1 The Authority expressly reserves its right to enforce the provisions of the Telecommunications Law against any Person using Radiocommunications Equipment without a Frequency License.
- 5.2 Nothing in this Regulation shall exempt any holder of any other telecommunications license or license for the provision of telecommunications services or Frequency License from complying in full with the terms and conditions of that license.

Article 6 – Applicable Fees

- 6.1 There shall be no license fees payable in respect of the 2.4 GHz and 5 GHz License (whether for the initial year or subsequent years thereafter).
- 6.2 No fee shall be payable in respect of an application for the issue of a 2.4 GHz and 5 GHz License.
- 6.3 Nothing in this Regulation shall be implied to relieve any Person from paying the applicable fees to the relevant authority, as may be the case, in respect of the spectrum as distinct from the 2.4 GHz and 5 GHz License to use such spectrum.
- 6.4 Nothing in this Regulation shall be implied to limit or prevent the Authority from amending the above provisions should and as may become necessary.