

Guidelines For Licensing Procedures of Maritime Radiocommunications Stations

Guidelines Issued by the Telecommunications Regulatory Authority

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Introduction

Article 38 of the Telecommunications Law states that "<u>Telecommunications Equipment may be approved by the Authority for connection to a Telecommunications Network either by way of:</u>
1. regulations issued by the Authority in accordance with this Law.

2. a certificate issued by the Authority (or any Person or entity approved to undertake this purpose by virtue of a resolution issued by the Authority, including, the manufacturer of the equipment) in respect of any type of Telecommunications Equipment based on the application of the Licensee or the manufacturer or supplier of the equipment".

Moreover, Article 43 of the Telecommunications Law states that "No Person shall operate a Telecommunications Network which uses frequency spectrum in the Kingdom, or operate or use any Radiocommunications Equipment associated with such a network without obtaining a License therefore from the Authority".

On the basis of the above Articles, no Person shall operate a Maritime Radiocommunications Station or import maritime Radiocommunications Equipment without obtaining a Licence or a certificate from the Authority, whichever applies.

These Guidelines for Licensing Procedures for Maritime Radiocommunications Stations (the "Guidelines") are issued to provide guidance to any Person that intends to apply for a Licence to operate a Maritime Radiocommunications Station as further detailed in section 2 of these Guidelines or to obtain a No-Objection Certificate ("NOC") from the Authority for the importation of maritime Radiocommunications Equipment.

The Authority reserves the right to consider other elements and to depart or amend the Guidelines where appropriate or necessary.

1. Definitions

Any word, phrase or expression used in these Guidelines shall, unless the context requires otherwise or it is expressly defined herein, have the same meaning set forth in the Telecommunications Law promulgated by Legislative Decree No. 48 of 2002 and the terms below shall have the following meaning for the purpose of these Guidelines:

Applicant: a Person who submits an application to the Authority to obtain a Maritime Station Licence or a NOC for the purposes of importing maritime Radiocommunications Equipment.

Coast Station: a land station used for Maritime Mobile Services.

Maritime Radiocommunications Station: refers to both Coast Stations and Ship Stations that are used for transmitting or receiving radio frequencies to transfer data, messages, sounds or visual images, to operate or to control machines and devices.

Maritime Station Licence: a Licence issued by the Authority for the operation of a Maritime Radiocommunications Station.

Maritime Mobile Service: a Mobile Service between Coast Stations and Ship Stations; or between Ship Stations; or between associated on-board communication stations; survival craft stations and emergency position-indicating radio-beacon stations.

Mobile Service: a radiocommunication service between mobile and land stations, or between mobile stations.

Port Operations Service: a Maritime Mobile Service in or near a port between a Coast Station and Ship Station or between Ship Stations in which messages are restricted to those relating to the operational handling, movement and the safety of ships and, in emergencies, for the safety of persons.

Radio Regulations: decisions of world radiocommunication conferences issued by the International Telecommunications Union, including all appendices, resolutions and recommendations in relation to radiocommunications matters.

Ship Station: a mobile station providing Maritime Mobile Services located onboard a vessel which is not permanently moored, other than survival craft station.

2. Scope of these Guidelines

These Guidelines are applied to the importation of the maritime Radiocommunications Equipment and the operation of the following stations:

- a. Ship Station:
 - i. in a commercial vessel licensed by the Ports and Maritime Affairs;
 - ii. in a small non-commercial vessel¹ licensed by the Ports and Maritime Affairs which is restricted to the usage of the maritime radiocommunications channels of VHF6, 63 and 88; and
- iii. which include earth station(s) installed onboard.

¹ As per Law No.2 of 2018 on Registration and Safety Rules for Small Ships

- b. Coast Station, including the following:
 - i. private mobile radio equipment used for terrestrial mobile systems (ground-to-ground) in ports;
 - ii. private mobile radio equipment used for maritime mobile stations (shore-to-ship); and
- iii. private mobile radio equipment used for maritime mobile onboard communications, in accordance with provisions of the latest version of the Radio Regulation, if the effective radiated power exceeds (1) watt.

3. Maritime Station Licences

3.1 Types of Maritime Station Licences

- a. The Authority grants two types of Maritime Station Licences, a Ship Station Licence and a Coast Station Licence.
- b. A Ship Station Licence may be granted to any maritime vessel. A Coast Station Licence may be granted to ports, Coast Stations, marine clubs, private agencies which provide marine services, and companies that own ships operating within or outside the territorial waters of the Kingdom.
- c. The applicable licence fees are set out in the Authority's Schedule of Fees which is published on the Authority's website².

3.2 Procedures for Obtaining a Maritime Station Licence

An application to obtain a Maritime Station Licence should be submitted to the Authority either in written format or electronically, using the designated form³. The application should be accompanied by the following documents:

- a. A copy of the identity card or passport of the Applicant.
- b. Only for the purposes of applying for a Ship Station Licence: a copy of the vessel's registration certificate from the relevant government agencies.
- c. A copy of the technical specifications of the wireless devices and its relevant attachments, and details of importation.
- d. Evidence of payment of the prescribed fees.

The Authority reserves the right to request any Applicant for additional information that it may deem necessary for the purposes of processing a Licence application.

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² www.tra.org.bh

³ Wireless Licensing and Frequency online services

3.3 Grant of Licence

- a. Applications will be considered promptly. If the Authority considers that an application is incomplete or that additional information is required, it will endeavour to inform the Applicant within 15 days from date of receipt of the application. The Authority will endeavour to decide on all submitted licence applications within 30 days from date of receipt of a fully and accurately completed applications or within fifteen days from receipt of any additional information which has been requested by the Authority whichever is the later.
- b. The failure by the Authority to decide on a licence application within the periods prescribed above should not be construed as an implicit acceptance of the licence application.
- c. Licence applications may be rejected by the Authority with or without reason at its absolute discretion.

3.4 Maritime Station Licence Term

- a. A Maritime Station Licence will ordinarily be valid from the date of its issuance until the end of the calendar year. However, an application may be submitted for the grant of a Maritime Station Licence for a term of up to three years.
- b. Upon the expiry of the Maritime Station Licence, the Person holding such licence shall not operate a Maritime Radiocommunication Station. Otherwise, such Person will be in breach of the provisions of the Telecommunications Law.

3.5 Renewal of the Maritime Station Licence

Maritime Station Licence will be invoiced for a further term of one (1) year unless that Licence has been cancelled or modified. Therefore, the Authority must be formally notified by 30th November of any cancellation or modification of existing Licences. Only notifications submitted after 1st of January will be considered. Provided that in the event that an invoice has not been paid by the due date, then the Authority may revoke such Licence.

4. Procedures for Obtaining a No-Objection Certificate

An application for a NOC for importing a maritime radiocommunication equipment should be submitted in writing, or electronically, to the Authority using the designated form⁴. The application should be accompanied by the following documents:

⁴ Wireless Licensing and Frequency online services

- a. A copy of the technical specifications and details of importation of the wireless devices and its relevant attachments.
- b. A copy of the Identity Card or passport, of the Applicant
- c. A copy of the residence permit in the Kingdom, valid for a period not less than 6 months, if the Applicant is not a Bahraini national.
- d. A copy of the declaration of conformity (DOC).
- e. Shipping invoice, if available.
- f. Evidence of payment of the prescribed fees.

The Authority reserves the right to request any Applicant for additional information that it may deem necessary for the purposes of processing a NOC application.

5. Coordination with Relevant Government Entities

The Authority will coordinate with the relevant government entities in its consideration of the application for a Maritime Station Licence.

6. Conditions of Using Maritime Radiocommunication Equipment

Maritime radiocommunication equipment that are installed on maritime vessels should meet the following conditions according to the frequency bands assigned to them in the latest Radio Regulations:

- a. The ability for communicating from shore to vessel or *vice versa* (Port Operations Service and public correspondence for Coast Stations and private entities);
- b. The ability for communicating between vessels and communications onboard;
- c. Distress, safety and calling channels;
- d. The ability to use a channel with a very high frequency (VHF) in accordance with the distress and safety communication frequency channels assigned in the latest version of Radio Regulations; and
- e. The ability to use carrier frequencies by Ships Stations and Coast Stations for the purposes of distress and safety in accordance with the latest version of Radio Regulations.

7. Documentation

The following documents should be carried at all times on all vessels that are licensed to use one or more onboard Maritime Radiocommunication Stations:

a. Ship Station Licence.

- b. a record (either in paper or electronic form) containing a summary of the communications made related to safety and distress.
- c. Maritime Mobile Service Identity (MMSI).

Should any Person require further information or need clarification on any of the matters listed in these Guidelines, please contact rlt@tra.org.bh.