

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 370

24 MARCH 2016

NUMBERING PLAN REGULATIONS

**IN TERMS OF SECTION 68 OF THE ELECTRONIC COMMUNICATIONS
ACT OF 2005 (ACT NO 36 OF 2005), AS AMENDED.**

The Independent Communications Authority of South Africa ("ICASA"), hereby publish the Numbering Plan Regulations, in terms of sections 68 of the Electronic Communications Act, 2005 (Act 36 of 2005), as amended.



Rubben Mohlaloga
Acting Chairperson

1. DEFINITIONS

In these Regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned-

“Act” means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended.

“access code” means a short non-geographic number that is used as a prefix to other numbers to access electronic communication services.

“allocated” means the status of a number as stipulated in regulations 14, 16 and 17 of these Regulations immediately after an allocation of the number.

“allocation” means the issuing of a number(s) or service code(s) by the Authority to a licensee whereby the latter is able to assign the number(s) or service code(s).

“assigned number” means a number that is issued to an end-user by a licensee.

“assignment” means the issuing of a number(s) or service code(s) under relevant terms and conditions by a licensee or

“bulk Short Message Service(SMS)/Multi Media Service(MMS)” means a subset service of Machine Related Services (MRS) which comprises of communication, sent in large volumes, that originates from a device or machine to other devices or machines and from a device or machine to persons”.

“calling line identification” means a facility that permits any person or licensees to transmit accurate originating caller identification information. Caller identification information being the calling party’s assigned number.

“communication” means the use of electronic communications services that is originated through the input of a number.

“country code” means the combination of one, two or three digits identifying a specific country or countries in an integrated numbering plan, or a specific geographic area assigned by the ITU-T in accordance with Recommendation E.164, Telephone network and ISDN Operation, Numbering, Routing and Mobile service.

“geographic number” means a national number that is used to provide a geographic service, where the first three (3) digit of its structure contains geographic significance.

“geographic significance” means the geographically indicative numbers that indicate the geographic location.

“harmonised number” means a number used to provide a service meeting a common description, as authorized by the Authority.

“Inbound services” means a service used only to receive communication.

“international prefix” means a combination of digits to be dialled by a caller making a call to a recipient in another country.

“ITU TSB” means the Telecommunication Standardization Bureau of the International Telecommunication Union.

“length” means the quantity of digits that constitutes a number.

“machine related number” means a non-geographic number that is used to provide a machine related service.

“machine related service” means a service whereby:

- (a) the transmission of communication in wireless and/or wired systems is between devices or machines; and
- (b) communication originating from a device or machine to a person and vice versa.

“mandated number” means a receiving number to which communications must be routed irrespective of the electronic communication network used in originating the communications.

“mass calling service” means a service whereby instantaneous, high volume traffic that is routed to one or more destinations.

“mobile number” means a non-geographic number used to provide a mobile service.

“mobile service” means a service as defined by the National Radio Frequency Plan developed by the Authority in terms of section 34(2) of the ECA.

“national number” means a 10-digit number to be dialled including the national prefix.

“non-geographic number” means a number that is used to identify a type of a service and has no geographic significance.

“number” means a sequence of digits.

“numbering plan” means a scheme of identification by numbers prescribed in these Regulations or other regulations made by the Authority for ensuring that electronic communications are correctly and efficiently routed to their intended destination.

“originating number” means a number that identifies to the recipient of communication the point at which the communication is originated.

“originator” means a person or device originating a communication through the input of a number.

“premium rate number” means a non-geographic number that is used to provide a premium rate service.

“premium rate service” means a service provided by means of premium rated numbers or short codes in level 3 and 4, where the charge is higher than standard rate and in some instances, where a portion of the charge is passed to a premium rate service content licensee, irrespective of the originating electronic communications network used.

“licensee” means a person or entity that has an individual electronic communications services (I-ECS) using numbers from the numbering plan.

“protected” means the status of a number that has not been released for allocation by the Authority.

“receiving number” means a number that identifies where a communication, through the input of the number, the point at which the communication should be received.

“recipient” means a person or device that can receive a communication.

“release” means a process where the Authority publish a notice indicating numbers to be released.

“released” means the status of numbers which permits licensees to -.

- (a) request the allocation or reservation of the number(s), if the number(s) are national number(s) or access code(s); or
- (b) request the allocation of the number(s), if the number(s) are service code(s)

“reservation” means a temporary allocation of number(s) by the Authority to a licensee. Numbers allocated under this provision cannot be assigned by the licensee.

“reserved” means the status of a number(s) immediately after approval of a reservation.

“routing” means the conveyance of communications originated or received at points identified by numbers.

“service code” means a short code that may be a receiving number for a service.

“short code” means any non-geographic number less than 10 digits in length.

“status” means, ‘protected’, ‘released’, ‘allocated’ or ‘reserved’.

“supplementary code” means a number that begins with ‘*’ or ‘#’.

“toll free number” means a non-geographic number that is designated to provide a toll free service.

“toll free service” means a service such that for every communication made available, no charge is incurred by the callers, irrespective of the electronic communication network used in originating the communication.

“usage condition” means a restriction in these Regulations or other regulations made by the Authority on the ways in which numbers may be used.

“VoIP number” means a non-geographic number used to provide a VoIP service.

“VoIP service” means the provision of unmanaged voice communication services over the Internet Protocol (IP).

2. PURPOSE OF THESE REGULATIONS

The purpose of these Regulations are to:

- (a) provide for the efficient use and allocation of numbers;
- (b) provide a scheme of identification to ensure that electronic communications are correctly and efficiently directed to the point of reception for which they are intended;
- (c) accommodate the varied protocols used and services provided by licensees under the Act;
- (d) ensure that numbering allocations are fair and non-discriminatory;
- (e) provide a framework for toll-free services; and
- (f) provide a short code strategy.

3. RELEASING NUMBERS

- (1) Only numbers that have the status 'protected' in terms of regulation 15, 16 and 17 may be released.
- (2) When releasing numbers, the Authority shall have regard to:
 - (a) the need to satisfy constraints on network systems;
 - (b) avoidance of conflicts with past usage of numbers; and
 - (c) retention of the numbers for possible future uses.
- (3) The Authority will publish numbers intended for release in a notice.

- (4) Numbers will have the status 'released' immediately after the Authority releases such numbers through a notice in the Government Gazette.

4. HARMONISING AND MANDATING NUMBERS

- (1) Only numbers that have the status 'protected' or 'released' may be harmonised or mandated;
- (2) When harmonising or mandating numbers, due regard must be given to the avoidance of discrimination in favour of or against a particular licensee; and
- (3) When harmonising or mandating numbers, the authority shall:
 - (a) notifying affected licensees of changes; and
 - (b) publish a notice specifying numbers that are harmonised or mandated and describing the services for which the numbers must be used to receive communication.

5. ALLOCATING AND RESERVING NUMBERS

- (1) A licensee must apply to the Authority for an allocation or reservation of numbers that have status 'released'.
- (2) The application set out in sub-regulation (1) must be furnished in the format as set out in **Schedule 3** of these Regulations.
- (3) Within twenty (20) days of receipt of an application by the Authority, an application may be:
 - (a) approved or it may be approved with such variations as the Authority deems necessary;

- (b) declined and in such an instance, the Authority shall provide reasons in writing for declining the application; or
 - (c) consulted upon as set out in sub-regulation (5).
- (4) The Authority may consult with the relevant licensee on details of its application for numbers prior to deciding on the application.
- (5) Should the Authority consult with a relevant licensee in terms of sub-regulation (4), the 20 days contemplated in sub-regulation (3) shall be extended on condition that:
- (a) additional information is required from the applicant; or
 - (b) there are significant issues relating to the application that the Authority cannot process and or obtain clarity within the 20 days processing period; or
 - (c) the Authority considers that the utilisation of the numbers already allocated to the licensee and subject to the same usage conditions as the numbers requested is less than 80% for mobile and machine related numbers and less than 60% for geographic and other non-geographic numbers, calculated as follows:

- (i) For geographic and other non-geographic numbers, the degree of usage shall be calculated as follows:

$$\text{Degree of usage} = \frac{\text{total numbers assigned to customers within an NDC}}{100} \times$$

**Total numbers allocated
Within an NDC**

- (ii) For mobile and machine related numbers, the degree of usage shall be calculated as follows:

$$\text{Degree of usage} = \frac{\text{total numbers assigned to customers and used for internal network purposes.}}{X 100}$$

**Total numbers allocated
to a licensee**

- (6) The following number ranges are subject to individual number allocation or reservation: 080; 086 0 and 086 1.
- (7) The Authority reserves the right to declare certain non-geographic number ranges or sub-ranges for individual number allocations. The Authority shall publish the relevant ranges in a notice.

6. CONDITIONS OF USE OF AN ALLOCATION OF THE NUMBERING RESOURCE

- (1) Numbers are a national resource and are not owned by a licensee to whom they are allocated nor by the subscriber to whom they are assigned.
- (2) A subscriber to whom a number has been legitimately assigned may enjoy the beneficial use of the number, freely and without hindrance.
- (3) The following general conditions relating to the use and management of the assignment of numbers apply to all allocations made by the Authority:
 - (a) the allocation must be used for the purpose specified in the application and within the designated range for use;
 - (b) the allocation must be controlled by the licensee to whom the Authority has made the allocation to;
 - (c) the holder of the allocation shall maintain a record of the percentage of numbers in use and reserved;
 - (d) assigned numbers must not be traded;
 - (e) the allocation shall be used in accordance with any specific conditions made by the Authority;
 - (f) a licensee shall not make use of numbers that have not been allocated to them or which the Authority has not authorised them to use;
 - (g) a licensee shall ensure that all numbers allocated to them are used efficiently and effectively; and
 - (h) MSISDNless SIM starter packs shall apply to all allocated mobile numbers as well as recycled numbers;
- (4) Specific conditions may be imposed on the use of numbers, at the time of allocating the numbers or at any time thereafter, where the Authority considers that it is in the interest of the numbering plan to impose such conditions.

7. WITHDRAWING NUMBERS

- (1) Numbers that have status 'released', 'allocated' or 'reserved' may be withdrawn by the Authority only if –
 - (a) the numbers have been used in ways contrary to their usage conditions; or
 - (b) the numbers or part thereof have not been assigned one (1) year after being allocated; and
 - (c) the reservation period has expired and the licensee has not requested for an allocation of the same numbers.

- (2) When withdrawing numbers, the Authority shall give due regard to the following factors -
 - (a) the need to avoid inconvenience and disproportionate cost effects vis-à-vis the benefits of the withdrawal;
 - (b) the requirement to ensure non-discrimination between licensees; and
 - (c) maintenance of consumer protection in relation to a consumer' right to beneficial use of numbers.

- (3) Any withdrawal of numbers shall be subject to -
 - (a) notification and consultation with the affected licensee(s) about the intended withdrawal at least 6 months before the withdrawal; and
 - (b) publication of a notice in the Government Gazette about the withdrawal.

- (4) In the case where the Authority notifies a licensee in writing about the withdrawal of the numbers that are released or that are allocated to the licensee, the licensee must-
 - (a) refrain from assigning any of the numbers that are not already assigned;
 - (b) inform all persons to whom the numbers are already assigned about any replacements for the numbers-

- (i) at least 6 months before the withdrawal if it affects numbers for business subscribers; and
 - (ii) at least 6 months before the withdrawal if it affects numbers for residential subscribers.
- (c) introduce a period of 3 months parallel running, during which both those numbers and any migration to new numbers can be used; and
- (d) supply audible or visible indications about any replacements for the numbers until the Authority withdraws the numbers.
- (5) Numbers have status 'protected' immediately after the Authority withdraws them.
- (6) The withdrawal of numbers does not necessarily require the withdrawal of all the numbers that were allocated or reserved at the same time.

8. AUDITING NUMBERING USAGE

- (1) Unless otherwise specified, every licensee must submit its number audit data to the Authority, annually, on a date which must not be later than 31 March.
- (2) The format in which the information set out in sub-regulation (1) must be supplied in conformance with the relevant 'Number Audit Format'.
- (3) A licensee may be required to submit further information needed by the Authority for the purposes of completing the number audit process.

9. BARRING NUMBERS

- (1) A licensee is prohibited from routing communications from or to numbers, if the Authority has consulted with the licensee (s) affected and determined that the numbers have been used in ways that could harm consumers or other licensees.

-
- (2) In order to stop routing of communications from or to barred numbers, the Authority shall-
 - (a) firstly notify a licensee to whom the numbers are allocated about its intentions; and
 - (b) then notify all other licensees that they must stop routing communications from or to the number(s).
 - (3) Upon publication of the notice by the Authority to stop routing communications from or to barred numbers, all licensees must comply with the notice within seven (7) days from the date of publication.
 - (4) Upon publication of a notice by the Authority to resume routing communications from or to barred numbers, all licensees must comply with the notice within 7 days from the date of publication.

10. RETURNING NUMBERS

- (1) A licensee must return numbers to the Authority only if the numbers are not assigned 1 year after the date of allocation.
- (2) If the licensee intends assigning the numbers, provide the Authority with reasons for not assigning the numbers and propose new timelines for assignment.
- (3) A licensee must return to the Authority numbers that have been reserved for it upon the expiry of the reservation period.
- (4) The return of numbers does not necessarily require the return of all the numbers that were previously allocated.

11. TRANSFERRING NUMBERS

- (1) A licensee that transfers its I-ECS license must:
 - (a) apply to the Authority for the transfer of numbers granted under the licence to the licensee acquiring the service licence if any part of the block(s) is assigned to end-users; or
 - (b) return the numbers granted under the licence to the Authority if any part of the block(s) of numbers is not assigned to end-users.
- (2) If the licensee intends transferring the numbers to another licensee other than the one acquiring the service license, the licensee must request the Authority's approval first.

12. SUPPLYING INFORMATION ABOUT NUMBERS

- (1) A licensee must:
 - (a) refrain from publishing directory information about a number assigned to a subscriber, if the licensee concerned has not obtained prior written permission in which a subscriber consents to the publication of their assigned number;
 - (b) change the directory information about the number assigned to a subscriber if the subscriber has so requested in writing;
 - (c) change the numbers assigned to a subscriber if the subscriber has so requested in writing after receiving incorrectly or mischievously dialled communications and;

(d) Prohibit the transmission of an inaccurate Calling Line Identification (CLI) as the originator of communication.

(2) Numbers that are reported and found to be used in the manipulation of the CLI, shall be barred as per sub-regulation 9(2).

13. PREFIXES

(1) The first two digits or characters of a number signifies that the number is either an international number, a national number, a short code or a supplementary code, as set out in Table 1.

Table 1: First digits or characters of numbers

Character	Significance and/or status
0	International numbers (beginning with '00' and in most instances represented by the plus sign '+') and national numbers (beginning with '01', '02', '03', '04', '05', '06', '07', '08' and '09')
1	Short codes 'released'
2	'protected'
3	Premium rate services (Short codes) 'released'
4	
5	'Protected'
6	
7	
8	
9	
*	Supplementary codes 'released'
#	

(2) The international prefix is '00' and in most instances represented by the plus sign '+'. It must precede an international number that is dialled inside the Republic to originate a communication with a destination outside the Republic.

- (3) The national prefix is '0'. It must precede a national significant number that is dialled inside the Republic to originate a communication with a destination inside the Republic.
- (4) The country code for the Republic issued by the ITU TSB is '27'. It must precede a national significant number without the national prefix that is dialled outside the Republic to originate a communication with a destination inside the Republic.
- (5) An access code may be allocated by the Authority to a licensee subject to an application by the licensee. It may precede a number that is dialled inside the Republic to originate a communication that is first conveyed to the licensee and then treated as if it is originated using an electronic communications service of the licensee.

14. INTERNATIONAL AND NATIONAL NUMBERS

The first and second digits of a number beginning with '0' signify that the number is either an international number, a geographic number or a non-geographic number, as set out in table 2.

Table 2: First and second digits of numbers beginning with '0'

Digits	Significance
00	International prefix
01	Geographic numbers
02	
03	
04	
05	
06	Non-geographic numbers
07	
08	
09	

15. GEOGRAPHIC NUMBERS

- (1) The first three digits of a geographic number correspond with a geographic area.
- (2) A geographic number must be assigned to a subscriber if the subscriber provides a business or postal address in the geographic area corresponding with its first three digits.
- (3) A geographic number must have a length of ten (10) digits.

Table 3: Area codes of geographic numbers

Digits	Status	Area
010	Released	Johannesburg region
011	Released	
012	Released	Tshwane region (including Pretoria)
013	Released	Northern and western parts of Mpumalanga (including Middelburg, Witbank and Nelspruit)
014	Released	Northern part of North West and southern and western parts of Limpopo (including Rustenburg and Nylstroom)
015	Released	Northern and eastern parts of Limpopo (including Polokwane)
016	Released	Vaal Triangle (including Vereeniging, Vanderbijlpark and Sasolburg)
017	Released	Southern part of Mpumalanga (including Ermelo)
018	Released	Southern part of North West (including Potchefstroom and Klerksdorp)
019	Protected	'Protected'
020	Protected	'Protected'
021	Released	Cape Town region (including Stellenbosch, Somerset West and Gordons Bay)
022	Released	Western coast of Western Cape and Boland (including Malmesbury)
023	Released	Karoo (including Worcester and Beaufort West)
024	Protected	'Protected'
025	Protected	
026	Protected	
027	Released	Namaqualand (including Vredendal, Calvinia, Clanwilliam, Springbok, Alexander Bay and Port Nolloth)
028	Released	Southern coast of Western Cape (including Swellendam, Caledon and Hermanus)
029	Protected	'Protected'
030	Protected	
031	Released	Durban region
032	Released	KwaZulu Natal central coast (including Stanger)
033	Released	KwaZulu Natal Midlands (including Pietermaritzburg)

Digits	Status	Area
034	Released	Northern KwaZulu Natal (including Vryheid and Newcastle)
035	Released	Zululand (including St. Lucia and Richards Bay)
036	Released	Drakensberg (including Ladysmith)
037	Protected	'Protected'
038	Protected	
039	Released	Eastern Pondoland and southern coast of KwaZulu Natal (including Port Shepstone)
040	Released	Bhisho region
041	Released	Port Elizabeth region (including Uitenhage)
042	Released	Southern and central parts of Eastern Cape (including Humansdorp)
043	Released	East London region
044	Released	Garden Route (including Oudtshoorn, Knysna, Plettenberg Bay, Mossel Bay and George)
045	Released	Northern and eastern parts of Eastern Cape (including Queenstown)
046	Released	Southern and eastern parts of Eastern Cape (including Grahamstown)
047	Released	Eastern part of Eastern Cape (including Mthatha)
048	Released	Northern part of Eastern Cape (including Steynsburg)
049	Released	Western part of Eastern Cape (including Graaff-Reinet)
050	Protected	Not assigned
051	Released	Southern and central parts of Free State (including Bloemfontein) and far eastern part of Eastern Cape (including Aliwal North)
052	Protected	'Protected'
053	Released	Eastern part of Northern Cape (including Kimberley) and far western part of North West
054	Released	Gordonia (including Upington)
055	Protected	'Protected'
056	Released	Northern part of Free State (including Kroonstad)
057	Released	Free State Goldfields (including Welkom)
058	Released	Eastern part of Free State (including Bethlehem)
059	Protected	'Protected'

- (4) The following geographic numbering ranges are reserved for testing purposes: 0XX 114; 0XX 115; 0XX 116 and 0XX 117. All licensees with network testing requirements may utilize these numbers and need not apply to the Authority.

16. NON-GEOGRAPHIC NUMBERS

- (1) The first three digits of a non-geographic number indicate the designated service as set out in Table 4.
- (2) A non-geographic number other than a short code and machine related number must have a length of ten (10) digits.
- (3) A machine related number must have a length of fourteen (14) digits.

Table 4: First, second and third digits of non-geographic numbers

Digits	Status	Significance
060	Released	Mobile services
061	Released	
062	Released	
063	Released	
064	Released	
065	Released	
066	Released	
067	Released	
068	Released	
069	Released	
070	Released	
071	Released	
072	Released	
073	Released	
074	Released	
075	Protected	'Protected'
076	Released	Mobile services
077	Released	
078	Released	
079	Released	
080	Released	Toll free services
081	Released	Mobile services
082	Released	
083	Released	
084	Released	
085	Protected	'Protected'
086	Released	Inbound services
087	Released	Voice over the internet services (VoIP)
088	Released	Future non-geographic services

089	Released	Mass calling services
090	Released	Premium rate services (090 2 reserved for adult content)
091	Released	Premium rate services
092	Released	Premium rate services
093	Protected	'Protected'
094	Protected	
095	Protected	
096	Released	Machine related services
097	Released	
098	Released	
099	Protected	'Protected'

17. SHORT CODES BEGINNING WITH '1'

- (1) The first three digits of a short code beginning with '1' signify that the short code is an access code or a service code, as set out in Table 5.
- (2) An access code beginning with '1' must have at least four (4) digits.
- (3) A service code beginning with '1' must have at least three (3) digits.
- (4) On the day these Regulations come into force-
 - (a) an access code beginning with '16' and '19' has status 'released';
 - (b) an access code beginning with '15', and '17' has status 'protected';
 - (c) a service code beginning with '10', '11', '12', '14', '17' and '18' has status 'released';
 - (d) a service code beginning with '13' or '15' has status 'protected';
 - (e) the service code '112' is a mandated number for all emergency call services;

- (f) the service code '1020' is a mandated number for a government information directory service;
- (g) the service code '10111' is a harmonised number for a police emergency call service;
- (h) the service code '10177' is a harmonised number for an ambulance emergency call service;
- (i) the service code '17737' is a mandated number for a presidential hot line service.

Table 5: First and second digits of short codes beginning with '1':

Digits	Significance
10	Service codes
11	
12	
13	
14	
18	
15	Access codes (beginning with '152', '153', '154', '156', '157', '158' and '159') and service codes (beginning with '150', '151' and '155')
16	Access codes
17	Access codes (beginning with '170', '171', '172', '174', '175', '176', '178' and '179') and service codes (beginning with '173' and '177')
19	Access codes

- (5) The assignment of service codes beginning with "1" shall be made in conformance with **Schedule 1** of these Regulations.

18. SHORT CODES BEGINNING WITH '3' OR '4'

- (1) A short code beginning with '3' or '4' is a service code.
- (2) A service code beginning with '3' or '4' must have at least five (5) digits.
- (3) On the day these Regulations come into force, a service code beginning with '3' or '4' shall have the status 'released' as set out in Table 1.

19. SUPPLEMENTARY CODES

A supplementary code will have the status 'released'.

20. TOLL FREE SERVICE IMPLEMENTATION

- (1) Calls to toll free numbers must be such that no charge is incurred, irrespective of the electronic communication service used in originating the communication.
- (2) Toll-free framework should be implemented within a period not exceeding 6 months from the date of the Regulations coming into force.
- (3) Toll-free services shall be provided in conformance with **Schedule 2** of these Regulations.

21. PREMIUM RATE NUMBER CHANGES AND MIGRATION

- (1) Upon finalisation of the Premium Rated Service Code of Conduct, a number shall be a receiving number for a premium rate service if-
 - (a) the number is a premium rate number (10 digits) or a machine related number (14 digits); or

(b) a short code that begins with '3' or '4'.

- (2) Premium rate services shall be provided in conformance with the premium rate service Code of Conduct.

22. MACHINE RELATED NUMBER CHANGES AND MIGRATION

- (1) All machine related number changes must be migrated to the new number range within a period not exceeding 12 months from the date of the Regulations coming into force;
- (2) Bulk SMS/MMS services, which are provided within the previously allocated numbers are exempt from the MRS migration; and
- (3) Future assignments for bulk SMS/MMS services, that extend beyond the numbering capacities provisioned by licensees as submitted to the Authority, must be in the designated numbering range for MRS.

23. FEES

Fees payable by licensees for the allocation of numbers to recover the administration costs shall be prescribed.

24. COMPLAINTS

The process and procedures for resolving subscriber complaints are provided for in the regulations developed in terms of section 69 (3) of the ECA.

25. CONTRAVENTIONS AND PENALTIES

A licensee that contravenes these regulations is liable to a fine not less than R300 000 (three hundred thousand rands) but not exceeding R3 000 000 (three million rands) once off per infringement.

26. SHORT TITLE AND COMMENCEMENT

These regulations are called the Numbering Plan Regulations, 2016, and will come into effect on the date of publication in the Government Gazette.

27. AMENDMENT OF OTHER REGULATIONS

The Numbering Plan Regulations, 2012, published in the Government Gazette number 35737 dated 02 October 2012, are hereby repealed.

SCHEDULE 1: SHORT CODE STRATEGY

1. BACKGROUND

The aim of this strategy is to:

- (a) cater for the demand of short codes; and
- (b) provide a guidance on the future assignment of short codes; and
- (c) provide support on the consistent foundation for the use of short codes.

2. USAGE OF SHORT CODES

- (1) Short Codes that have been assigned pre 31 March 2013 have been recorded and are not subject to the short code migration, with the exception of:
 - (a) codes that have been assigned within the levels that have the status protected;
 - (b) codes assigned to services that have been harmonized; and
 - (c) service codes that have been assigned within the levels classified as access codes.

- (2) Short codes that begin with “1”, “3” and “4” have the status released.
- (3) Short codes that begin with ‘1’ shall be structured as either 3, 4, 5 or 6-digit codes.
- (4) Short codes that begin with “1” are classified as follows:

(a) **Access Codes**

- (i) These codes are used by the subscribers of one licensee to select the services of another licensee on a call by call basis by adding an access code before dialling the recipient number.
- (ii) Access codes designated for Carrier Pre-Selection (CPS):
- 4-digit codes “16XX” and “19XX”

(b) **Service Codes**

- (i) These codes are used to access:
1. on-net or off-net services; and
 2. harmonized services.
- (ii) Service codes designated for on-net services and internal routing purposes.
- **109 xxx** (total of 1000 codes)
 - **122 xxx** (total of 1000 codes)
 - **143 xxx** (total of 1000 codes)
- (iii) Service designated for harmonized services

Harmonized Codes

Service	Code
Voicemail retrieval	132
Voicemail deposit	134
Customer care\service	135
Prepaid recharge and balance enquiry	136
Account Enquiries	137

- (iv) Service codes designated for Government services – Provincial offices. These short codes are accessible off-net and are reserved for the designated provincial offices as shown.

Government services – Provincial offices

Eastern Cape	1PR-EC	17732
Free State	1PR-FE	17733
Gauteng	1PR-GP	17747
Limpopo	1PR-LP	17757
Northern Cape	1PR-NC	17762
Mpumalanga	1PR-MP	17767
North West	1PR-NW	17769
Western Cape	1PR-WC	17792
KwaZulu Natal	1PR-ZN	17796

SCHEDULE 2: TOLL-FREE FRAMEWORK

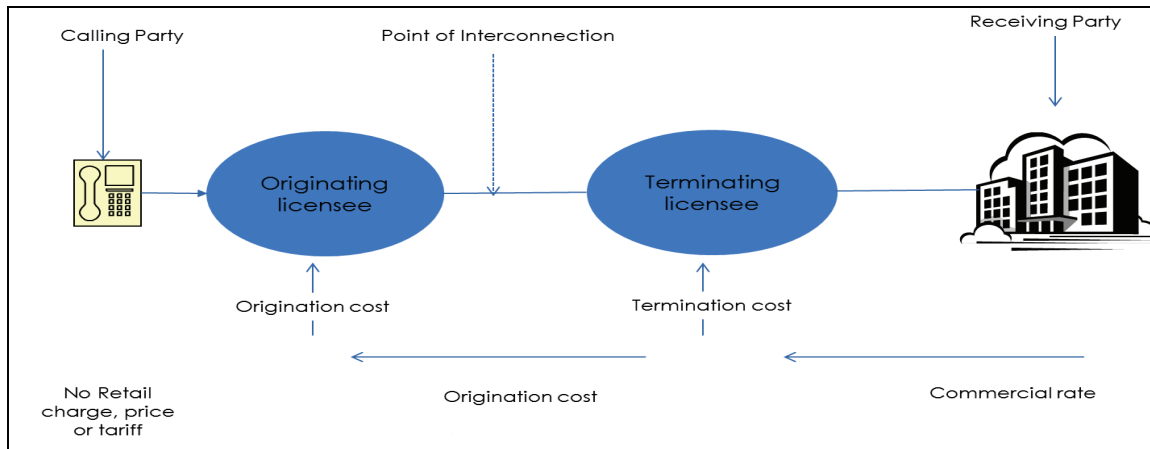
1. PURPOSE OF THE 080 TOLL-FREE IMPLEMENTATION FRAMEWORK

The purpose of this framework is to ensure that in every communication made available to a toll-free number, no charge is incurred by the caller irrespective of the electronic communication network used in originating the communication.

2. TOLL-FREE MODEL

- (1) The single direct connection model shall be used as the toll-free model to achieve the objectives of the Regulations.
- (2) The following principles shall apply to the single direct connection model:
 - (a) the receiver of toll-free communication will have commercial and technical relationship with a licensee of their choice;
 - (b) calls are free to all callers, irrespective of the electronic communication network used in originating the communication;
 - (c) the terminating licensee will in turn pay the originating licensee a commercially agreed upon charge towards the cost of originating the call;
 - (d) negotiations and payment of the agreed upon charge should be fair and non-discriminatory;
 - (e) any commercial negotiations disputes should be addressed within 30 days; and
 - (f) failure to resolve the dispute within 30 days, the dispute should be lodged with the Authority.

Figure 1 shows the schematic diagram of flow of funds:



3. INTERCONNECTION CONSIDERATIONS

- (1) Licensees must file amended interconnection agreements, including 080 toll free services, with the Authority within six (6) months of this framework coming into force;
- (2) Failure to file amended interconnection agreements as required should not affect the implementation of this framework;

SCHEDULE 3: APLOCATION FORM FOR NUMBERING APPLICATION**APPLICATION FORM FOR NUMBERING APPLICATION**

Office use only	
Application ref No	

Application for Allocation, Assignment & Reservation of Codes or Blocks of Numbers	Date

1. Application Type:

e.g 080, Geographic, 086, Mobile. Do not mix types on this application

Application for:	Allocation <input type="checkbox"/>	Assignment <input type="checkbox"/>	Reservation <input type="checkbox"/>
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2 Applicant's Information

Company Name	
Company Reg. No.	
License No.	
Tel	
Web Site	
Internal Numbering Representative	
Name and Surname	
Contact No	
Fax	
Email	
External Numbering Representative (In case of an applicant's using an external adviser e.g. consultant)	
Company Name	
Name and Surname	
Contact No	
Fax	
Email	

Business Address	
Street Address	
Suburb	
Postal Code	
City	
Postal Address	
P.O. Box	
Suburb	
Postal code	

3 Technical Information

Numbering code, block, individual number requested	
(Where appropriate second and third preferences should be indicated. (NB: allocation of preferred requested numbering is not guaranteed)	
1	
2	
3	
4	
5	
6	
Description of service	
(For Individual number requests i.e 080 and 086 include the name of the person or entity requesting the number)	

4 Previous Allocations (Relevant to this application)

Data date: (if date differs from the date of application)			
	Service Description of Numbers	Quantity (Allocated)	Quantity (Active)
A	Allocated by The Authority		
B	Internal Network Services		
C	Contract Services		
D	Pre-Paid Services		
E	Total used for services/network (B+C+D)		
F	Degree of usage ((E/A)*100)		
Numbers in Time Window Lock (i.e. numbers in recycling)			
Numbers Reserved			

4.1 Report on utilization for the past 6 months

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Actual numbers activated						
Actual numbers churned						

I declare that all the information in this Application Form and any the attachments provided are true and correct. I understand that the approval from ICASA for this Application is based on the information as declared in this Application Form. Should any of the information declared, found to be inaccurate or incorrect after approval has been granted to the Applicant, ICASA reserves the right to suspend or revoke such approval without compensation. I declare that the numbers will be used in accordance with the numbering conventions.

Name:

Date:

Signature:

Note:

Reservations will lapse after **six months** unless covered by an application for an allocation or a further period of reservation.

REASONS DOCUMENT FOR THE NUMBERING PLAN REGULATIONS, 2016

The Independent Communications Authority of South Africa (the Authority) has approved the Numbering Plan Regulations, 2016, in terms of sections 4(4) and 68 of the Electronic Communications Act, 2005 as amended.

In preparing the Numbering Plan Regulations the Authority has taken into consideration the views of all consultative forums and engagement with stakeholders since 2013. The attached reasons document is intended to highlight matters raised during the consultation process and to outline related reasons for decisions taken by the Authority.

1. BACKGROUND

- 1.1. The Independent Communications Authority of South Africa (“ICASA”) published the Numbering Plan Regulations (“the Regulations”), GG 35737 of 2012, in terms of sections 4(4) and 68 of the Electronic Communications Act, 2005 (Act 36 of 2005), as amended.
- 1.2. The 2012 Regulations made provisions for the implementation of a Toll-Free Framework (TFF), Machine Related Services (MRS) and Premium Rated Services (PRS) migrations within 2 years after the Regulations came into force. Effectively 02 October 2014 was the implementation date of all 3 provisions.
- 1.3. In anticipation of the implementation date, the Authority published a notice, GG 36722 of 2013 on 1 August 2013 inviting written proposal towards the development of a supporting implementation framework for toll-free services (080 numbering range). The initial deadline for written submissions was on 09 September 2013 but due to requests for an extension, the deadline was extended to 18

September 2013 as published in a notice, GG 36821 of 2013. The Authority received 8 submissions from the following stakeholders:

- 1.3.1. Cell C (Pty) Ltd 'Cell C';
- 1.3.2. Numbering Plan Implementation Stakeholders Forum 'Industry Forum';
- 1.3.3. Internet Solutions 'IS';
- 1.3.4. Neotel (Pty) Ltd 'Neotel';
- 1.3.5. Reunert Limited 'Reunert';
- 1.3.6. Switch Telecom (Pty) Ltd 'Switchtel';
- 1.3.7. Telkom SA SOC Limited 'Telkom'; and
- 1.3.8. Vodacom (Pty) Ltd 'Vodacom'.

- 1.4. In order to ensure a smooth MRS process and compliance, on 13 June 2014 the Authority requested licensees to submit their migration plans. The Authority received responses from the following licensees:

- 1.4.1. Cell C
- 1.4.2. Mobile Telephone Networks (Pty) Ltd 'MTN'
- 1.4.3. Neotel
- 1.4.4. Telkom
- 1.4.5. Vodacom

- 1.5. The Authority also attended Industry Forum meetings where the implementation of TFF, MRS and PRS frameworks was discussed. From these discussions, it became evident that the 02 October 2014 deadline would not be met and as a result the Industry Forum and some licensees requested an extension. The Authority considered the requests and extended the implementation deadline for TFF and PRS to 31 July 2015 and MRS to 31 December 2015 as published in a notice (GG 38065 of 2014).

- 1.6. In December 2014, the Authority held meetings with affected licensees and 3rd parties affected by MRS migration, this was in response to their requests for the exclusion of bulk SMS/MMS from the migration process. It became evident during these engagements that the 2012 Regulations will have to be amended to incorporate the TFF for enforceability.

- 1.7. On 26 June 2015, the Authority published amended draft Numbering Plan Regulations, GG 38908 (“draft Regulations”) for public comments. The main objective for the amendment was the incorporation of the Toll-free framework to ensure enforceability and to release an additional 40 million numbers to cater for the growing demand of mobile services. The due date for written representations was 07 August 2015 and the Authority received 7 submissions from the following stakeholders:
 - 1.7.1. Cell C;
 - 1.7.2. Internet Service Licensees’ Association ‘ISPA’;
 - 1.7.3. Mobile Telephone Networks (Pty) Ltd ‘MTN’;
 - 1.7.4. Neotel;
 - 1.7.5. Switchtel;
 - 1.7.6. Telkom; and
 - 1.7.7. Vodacom.

- 1.8. On 21 August 2015, the Authority published a notice (GG 39125 of 2015) postponing the implementation timelines for the 3 frameworks until the finalisation of the draft Regulations of 2015. On the other hand the Authority was still considering the requests made by licensees affected by MRS migration for the exclusion of bulk SMS/MMS from the migration process.

1.9. The Authority eventually acceded to the requests for the exclusion of bulk SMS/MMS from the migration process and on 13 November 2015 published an Erratum (GG 39404) to the draft Regulations for further public comments. The Erratum addressed the Authority's intention to exclude bulk SMS/MMS from the migration as well as supportive text for the implementation of short code strategy. The due date for written representations was 03 December 2015 and the Authority received 5 submissions from the following stakeholders:

- 1.9.1. Cell C;
- 1.9.2. Neotel;
- 1.9.3. Telkom;
- 1.9.4. Vodacom; and
- 1.9.5. Wireless Application Service Licensees' Association 'WASPA'.

1.10. In their written submissions on both the draft Regulations and the Erratum, all stakeholders indicated their willingness to engage further with the Authority before finalisation of the Regulations. To that extent, the Authority scheduled one on one meetings with stakeholders on 09 February 2016.

1.11. In the meetings, the Authority requested stakeholders to respond to the proposed timelines for implementation of TFF, Short code strategy, PRS and MRS migration. Furthermore stakeholders were requested to express their views on ISPA' submission to the TFF proposal. The responses were due on 16 February 2016 and the Authority received 3 submission from the following stakeholders:

- 1.11.1. Cell C;
- 1.11.2. ISPA; and
- 1.11.3. Vodacom.

1.12. In finalising the Regulations, the Authority has taken into consideration inputs from all the above consultation processes.

1.13. The reasons document is intended to highlight matters raised during the consultation processes and to outline related decisions taken by the Authority, especially in instances where stakeholders sought clarity or raised objections.

2. DEFINITIONS

2.1. Several respondents requested the Authority to provide clarity by revising certain definitions. In consideration of the requests, the following definitions have been revised:

- 2.1.1. Assigned number;
- 2.1.2. Assignment;
- 2.1.3. Calling Line Identification (CLI);
- 2.1.4. Geographic number;
- 2.1.5. Machine Related Service (MRS);
- 2.1.6. National number;
- 2.1.7. Premium Rate Service (PRS);
- 2.1.8. Provider;
- 2.1.9. Release;
- 2.1.10. Released;
- 2.1.11. Reservation; and
- 2.1.12. VoIP service.

2.2. The following definitions have been restored as most respondents indicated that they provide context to CLI, MRS and PRS:

2.2.1. Originating number; and

2.2.2. Originator.

2.3. The following definition has been suppressed as it is not the intention of the Authority to encourage the practice, however licensees are not prohibited to do such:

2.3.1. Sub-allocation.

3. PURPOSE OF THE REGULATIONS

3.1. Several respondents indicated that the purpose of the Regulations did not include the Authority's intentions to provide a Toll-free framework and Short code strategy.

3.2. The Authority has considered the requests and expanded the purpose. This will ensure that the purpose is aligned with the contents and context of the Regulations.

4. ALLOCATING AND RESERVING NUMBERS

4.1. Several respondents raised objections to the revised utilisation percentage from 60% to 80% for both mobile and machine related numbers. The respondents did not provide reasons as to how they will be jeopardised by the revised percentage.

4.2. The Authority would like to reiterate that the revision was due to the following considerations:

- 4.2.1. Allocations for mobile and machine related numbers are made on a larger scale (i.e. they are made in million and/or hundreds of thousands).
- 4.2.2. The quantity of the allocations did not reflect the differentiation in respect of other numbers such as geographic and non-geographic individual numbers.
- 4.2.3. The processing of applications although regulated within 20 days, our experience is that approvals have been made far much earlier than that unless the application is incomplete or further information is requested from the applicant.

5. CONDITIONS OF USE OF AN ALLOCATION OF THE NUMBERING RESOURCE

- 5.1. One respondent sought clarity on the word “traded” under sub-regulation 6 (1) (d). The Authority’s intentions are that assigned number(s) cannot be sold to end users or other licensees.
- 5.2. Numbers are used to provide access to services for end-users. End-users purchase services provided and then they are assigned numbers to access such services.

6. TRANSFERRING NUMBERS

- 6.1. One respondent mentioned that the transfer of numbers should not be linked to the transfer of a service license. Licensees are reminded that numbers are allocated under a particular service license and one of the attached conditions of allocation is that upon termination of a service by the licensee, the numbers must be returned to the Authority.

- 6.2. The Authority acknowledges that this might not be practically possible in most instances and as such, licensees are requested to seek the Authority's approval for any deviations from the conditions of allocations.

7. PREFIXES

- 7.1. One respondent requested the Authority to acknowledge that many networks and carriers have implemented or stored the international prefix '00' as the plus sign (+). The Authority has noted the request and now sub-regulation 14(1) and 14(2) acknowledges that the plus sign (+) in most instances is used to represent the international prefix '00'.

8. GEOGRAPHIC NUMBERS

- 8.1. Some respondents requested the Authority to provide detailed maps that accurately indicate exact boundaries specifying geographic areas. Throughout the consultation process, the Authority has indicated its intention to undertake a process to acquire these maps indicating geographic boundaries and make them available on request.
- 8.2. One respondent proposed that the Authority adopts 2 National Destination Codes (NDCs) for geographic numbers in the Gauteng region. It was argued that this will help reduce the cost to communicate for consumers in the region but provided no evidence of this benefit to support the argument. The Authority will therefore maintain the current NDCs in the Gauteng region but remains open for further engagements.

- 8.3. Another respondent indicated that there is an overlap of the '020' and '023' NDCs and urged the Authority to rectify the matter by changing the status of '020' to 'Protected'. This is because '023' is already implemented in the same area and the utilisation level is not high. The Authority has cleared the overlap and withdrawn '020' from the designated NDC in the area.

9. SHORT CODES BEGINNING WITH "1"

- 9.1. One respondents mentioned that lack of transitional arrangement for the allocation of short codes, especially the service codes for Provincial and Government services is adversely affecting its business growth.
- 9.2. To provide transitional arrangement will require an amendment to the Numbering Plan, followed by a consultation process. This is the same process we have followed but to provide a long term framework for the allocation and use of short codes. With the finalisation of the Regulations, any provider appointed as the electronic communications service provider by any provincial office (s) can apply for the allocation of the service codes as per Schedule 1.
- 9.3. Some respondents requested that the Authority withdraws access code '18' from the designated codes for Carrier Pre-Selection (CPS) as the code has been deployed in their internal networks for many years prior to the Regulations. They further remarked that provisioning 300 access codes for CPS is inefficient given that since the CPS Regulations came into force, there has been no request for CPS services.

- 9.4. The Authority has acceded to the request to withdraw access code '18' CPS Regulations were promulgated in 2010 and the CPS Phase 1 Code of Conduct in 2012 we have allocated 11 CPS access codes to interested licensees. The code has now been reclassified as a service code and is released.
- 9.5. Several respondents requested the Authority to adopt 3-digit short code for harmonisation instead of the proposed 4-digit. The request emanates from the current practice by licensees where the services to be harmonised use 3-digit short codes and that end-users are accustomed to such services using 3-digit codes.
- 9.6. It is the Authority's intention to avoid inconvenience when introducing changes. As a result, short codes for harmonisation have now been reduced to 3-digit short codes.
- 9.7. Some respondents expressed concerns on the adoption of short code '1023' for harmonised directory services. The concern was raised because the code '1023' is currently used for directory services by one provider.
- 9.8. Upon further consultations, it was found that many licensees were routing directory enquiries to the provider using '1023'. The adoption was meant to minimise disruptions to network changes. It has been established that the routing of '1023' is a commercial arrangement and therefore the adoption discriminates against other licensees.
- 9.9. The Authority has committed during the consultations that in the adoption of short codes for harmonisation, it will avoid discrimination in favour or against any provider. As a result, directory services have been withdrawn from the harmonised services as it did not meet a common description.

- 9.10. Service codes for on-net services and internal network routing have been reduced from a total capacity of 5 000 to 3 000. Service codes 101 xxx and 102 xxx have been withdrawn. The analysis of the Number Audit submissions has shown that the 3 000 capacity will be enough to cater for such services.
- 9.11. Service codes for off-net services have been withdrawn from the short code strategy. At the moment there are no clearly defined off-net services that specifically require the use of short codes. The Authority's intention is to promote the use of 10-digit numbers until there are clearly defined off-net services.
- 9.12. Service codes for emergency services and non-profit organisations have been withdrawn. The demand for such services cannot be sustained and as a result pose a risk to the scarce national numbering resources. Such services are and can be adequately catered for in the 10-digit numbers.
- 9.13. The implementation of the short code strategy should be completed within 24 months from the date including migration of services from old to new codes.

10. TOLL FREE NUMBER CHANGES

- 10.1. Several respondents expressed concerns that the toll-free framework proposes a commercial model. Their argument is that any commercial model imposing an origination charge without following a Chapter 10 process of the ECA will be without justification. They commented that if the Authority implements the toll-free model in its current format, origination cost should be commercially negotiated and not imposed.

- 10.2. Some respondents submitted that a toll-free model that does not impose an origination charge is certainly doomed to failure. They proposed that the toll-free model adopted by the Authority should be implemented in parallel with the filing of amended interconnection agreements. In the case of a dispute, they recommend that this should not affect the provision of toll-free services.
- 10.3. All respondents to the proposal towards the development of a supporting implementation framework for Toll-Free services (080 numbering range) submitted that they have zero-rated wholesale termination fees for calls to 080 numbers. They further submitted that all calls to 080 numbers originating and terminating on the same network (on-net) are free to callers and that the receiving party pays.
- 10.4. 5 respondents submitted that they charge a standard retail rate for calls to 080 numbers terminating on other networks (off-net) despite the fact that wholesale termination fees have been zero-rated. Only 2 respondents submitted that all calls to 080 numbers are free to callers irrespective of the point of termination (on-net and off-net).
- 10.5. It is clear that the provision of toll-free services for on-net calls is line with the Authority's intention. The provision of off-net calls is not aligned with the Authority's intention and is for this fact that a framework was envisaged to guide the implementation for off-net calls.

10.6. The Authority's adopted model was chosen from the 4 models submitted by respondents. The adopted model was preferred because it maintains the zero-rated wholesale termination fees and proposes a billing mechanism of a commercially negotiated origination rate which is fair and non-discriminatory. The Authority has no intention to introduce any price control mechanisms within the Numbering Plan Regulations.

10.7. Licensees are therefore urged to commence with commercial negotiations for the provision of toll-free immediately after the publication of the Regulations to ensure compliance with the prescribed 6 months period.

10. PREMIUM RATED SERVICES

12.1. The implementation of premium rated services shall be determined upon finalisation of the Premium Rated Services Code of Conduct (CoC). The Authority has embarked on a consultation process to finalise the PRS CoC. Licensees will be afforded an opportunity to provide further inputs and suggestions during those consultations.

13. MACHINE RELATED NUMBER CHANGES AND MIGRATION

13.1. Several respondents have welcomed the implementation of machine related number changes and migration within a period not exceeding 12 months after the publication of the Regulations. Some respondents that did not support the 12 months implementation period mentioned that they found it difficult to attach an implementation timeline without clear definitions in the Regulations.

- 13.2. The Authority has maintained throughout the consultation process that the definitions were clear and address its intentions. Licensees recommended that revising the definitions will enhance the Authority's intentions further. Regulations have clearly defined what a machine related service is.
- 13.3. Some respondents commented that bulk SMS/MMS should not be defined as MRS. During the consultation process, the Authority requested licensees to submit services that fell within the scope of MRS. It was drawn from those submissions that bulk SMS/MMS is a subset of MRS.
- 13.4. This resulted in other licensees requesting the Authority to exclude bulk SMS/MMS from the MRS migration. Licensees motivated that due to efficient utilisation of numbers, complicated security detail and that the current numbers provisioned were enough to cater for medium to long term demands it will be uneconomical to migrate bulk SMS/MMS.
- 13.5. In consideration of the request, the Authority requested licensees to submit numbering ranges currently provisioned for bulk SMS/MMS provision. The submission supported the arguments presented and the Authority granted the exclusion of bulk SMS/MMS to currently provisioned numbers not entirely to bulk SMS/MMS as a subset of MRS. It is for this reason that if and when the demand for bulk SMS/MMS exhausts the current numbers provisioned, such demand should be catered for in the designated numbering range for MRS.