



Telecommunications Numbering Plan Amendment 2000 (No. 1)

The AUSTRALIAN COMMUNICATIONS AUTHORITY makes this Plan under section 455 of the *Telecommunications Act 1997*.

Dated 1 May 2000

A J SHAW
Chair

R HORTON
Deputy Chair

Australian Communications Authority

1 Name of Plan

This Plan is the *Telecommunications Numbering Plan Amendment 2000 (No. 1)*.

2 Commencement

This Plan commences on gazettal.

3 Amendment of *Telecommunications Numbering Plan 1997*

Schedule 1 amends the *Telecommunications Numbering Plan 1997*.

Schedule 1 Amendments

(section 3)

[1] Chapter 7, Part 3

substitute

Part 3 Rules for surrender of numbers

7.12 Purpose of Part 3

This Part sets out rules about the way in which a carriage service provider may surrender an allocated number.

Note The rules in this Part are intended to ensure that:

- carriage service providers may surrender numbers that they do not require, with the approval of the ACA; and
- carriage service providers are able to surrender numbers before annual numbering charge becomes payable, but not for a limited period that would allow them to avoid the payment of annual numbering charge.

The rules in this Part explain:

- how carriage service providers may apply for approval to surrender numbers; and
- the preferred number of allocated numbers that should be surrendered at one time (a *unit size*).

7.13 Surrender of numbers

- (1) A carriage service provider may surrender numbers that have been:
 - (a) received by allocation; or
 - (b) received by permanent transfer; or
 - (c) taken to have been allocated by declaration in this plan.

Note A permanent transfer of a number occurs when 2 carriage service providers give a signed statement to the ACA which advises of their intention to transfer the number on a permanent basis. The statement must include details of the date of the transfer, the company or business name of each provider, and the ACN (or ARBN) and postal address of the provider that is transferring the number. See section 7.5.

- (2) However, the carriage service provider is not entitled to surrender a number unless the ACA has approved an application to surrender it.

7.14 Approved application form

- (1) The ACA must approve, in writing, an application form for the purposes of this Part.
- (2) The approved form must contain at least the following matters:
 - (a) for a carriage service provider that is a corporation:
 - (i) the provider's name; and
 - (ii) the provider's ACN or ARBN; and
 - (iii) the provider's registered business name (if any); and
 - (iv) the provider's registered office address;
 - (b) for a carriage service provider that is a partnership:
 - (i) the provider's trading or registered business name (if any); and
 - (ii) the full name and residential address of each partner;
 - (c) for a carriage service provider that is an individual:
 - (i) the provider's full name; and
 - (ii) the provider's registered business name (if any); and
 - (iii) the provider's residential address;
 - (d) the carriage service provider's principal place of business;
 - (e) the postal address of, and contact facsimile number for, the carriage service provider's principal place of business;
 - (f) the name, telephone number, facsimile number and email address of a contact person who is to represent the carriage service provider for the purposes of the application;
 - (g) whether the numbers that the carriage service provider wishes to surrender are telephone numbers, data numbers or telex numbers;
 - (h) each number that the applicant wishes to surrender, and the type of service which was supplied in connection with the use of the number;
 - (i) if the carriage service provider wishes to surrender the number from a particular date, the date;
 - (j) if the carriage service provider wishes to surrender numbers in a non-standard unit size, the reasons for the non-standard unit size;
 - (k) if the carriage service provider wishes to surrender a number that has been allocated to the provider for less than 12 months, the reason for the surrender;
 - (l) a requirement for the signature of the person who is using the application form;
 - (m) instructions for giving the completed form to the ACA.

7.15 Unit sizes

- (1) For the purposes of paragraph 7.14 (2) (j), the size of the standard unit in which allocated numbers (other than pooled numbers) may be surrendered is:
 - (a) for geographic numbers mentioned in Schedule 3, 10 000 numbers; and
 - (b) for other geographic numbers, 1 000 numbers; and
 - (c) for access codes, 1 code; and
 - (d) for a special services number mentioned in Schedule 8, the unit size set out in the Schedule for the number; and
 - (e) for special services numbers of 10 digits that are not mentioned in Schedule 8, 10 000 numbers; and
 - (f) for a data number, the number of data numbers that were allocated to the carriage service provider in the allocation that included the data number.
- (2) For a type of allocated number (other than a pooled number) that is not mentioned in subsection (1), the ACA may determine, in writing:
 - (a) the standard unit size for the type of number; or
 - (b) a standard unit size for the type of number in circumstances set out in the determination.
- (3) A carriage service provider must surrender pooled numbers individually.

Note An important objective of the surrender process is to ensure that non-pooled numbers are surrendered in useable blocks of contiguous numbers where practicable.

7.16 Application to surrender numbers

- (1) A carriage service provider that wishes to surrender allocated numbers must apply to the ACA for approval to surrender the numbers.
- (2) The carriage service provider must apply by completing the approved application form and giving it to the ACA in accordance with the instructions on the form.
- (3) An application that is not made in accordance with subsection (2) has no effect.
- (4) The ACA must acknowledge an application, in writing, within 7 days after receiving it.

7.17 Decision on application

- (1) The ACA must consider an application for approval to surrender numbers if the application has been made in accordance with subsection 7.14 (2).
- (2) The ACA must decide to approve or refuse the application:
 - (a) within 14 days after it receives the application; or
 - (b) in accordance with subsection (3).
- (3) If the ACA is satisfied, before the end of the 14 days mentioned in paragraph (2) (a), that:
 - (a) consultation is likely to be necessary before it can make a decision; and
 - (b) the consultation is not likely to be completed before the end of the 14 days —the ACA must decide to approve or refuse the application within 60 days after it receives the application.

Example

The ACA may need to undertake consultations as part of considering an application to surrender numbers in a non-standard unit size that is smaller than the standard unit size.

- (4) The ACA must refuse an application if:
 - (a) the application deals with numbers that have been allocated to the carriage service provider for less than 12 months; and
 - (b) the ACA is satisfied that the main reason for the surrender of any of the numbers is to avoid paying a charge under Part 3 of the *Telecommunications (Numbering Charges) Act 1977*.
- (5) The ACA must refuse an application if the carriage service provider has applied for the surrender of any of the numbers on, or within 21 days before, the day determined in subsection 18 (2) of the *Telecommunications (Numbering Charges) Act 1997*.
- (6) The ACA must refuse an application if:
 - (a) the carriage service provider wishes to surrender numbers in a non-standard unit size; and
 - (b) either:
 - (i) the ACA is not satisfied that the surrender will not hinder the later allocation of the numbers; or
 - (ii) the ACA is not satisfied that the carriage service provider would be significantly disadvantaged, or significantly inconvenienced, by surrendering numbers in the standard unit size; and

- (c) the ACA is not satisfied that the surrender of numbers in the non-standard unit size is consistent with the current number analysis capabilities of telecommunications networks operated in Australia.
- (7) The ACA must approve an application that it is not required to refuse under subsection (4), (5) or (6).

7.17A Notification of decision

As soon as practicable after making a decision on a carriage service provider's application, the ACA must notify the provider, in writing, of the decision.

7.17B Register

The designated authority must update the Register, maintained under section 465 of the Act, to reflect the surrender of numbers.

[2] Schedule 11, items 19 and 20

substitute

- 19. A decision under subsection 7.17 (4) or (6) to refuse an application for approval to surrender numbers.