Telecommunications Numbering Plan
Variation 2004 (No. 8)

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

Dated 24 November 2004

R HORTON
Chair

A HORSLEY
Deputy Chair

Australian Communications Authority

1 Name of Variation
This Variation is the Telecommunications Numbering Plan Variation 2004 (No. 8).

2 Commencement
This Variation commences on the date of its notification in the Gazette.

3 Variation of Telecommunications Numbering Plan 1997
Schedule 1 varies the Telecommunications Numbering Plan 1997.
Schedule 1 Variations

(.section 3)

[1] After subsection 6.2 (3)

insert

(4) In allocating numbers, the ACA must take into account the information obtained during monitoring under Chapter 7A.

[2] Section 6.14

substitute

6.14 Numbers to be in use within 12 months

A carriage service provider to which numbers have been allocated must ensure that the numbers are in use within 12 months after the allocation.

Examples of a number being in use

• The number has been issued to a customer.
• The number is being used for network testing.

Note The ACA may withdraw the numbers if it is satisfied that they will not be in use within a certain time — see section 7.23.

[3] Subsection 6.23 (1), table, entry for geographic numbers, column 2

substitute

A block of 1 000 numbers

[4] Paragraph 7.15 (1) (a)

omit

10 000 numbers; and

insert

1 000 numbers; and
Section 7.23  

Withdrawal of numbers not in use

[5]  

7.23  

Withdrawal of numbers not in use

(1) The ACA may withdraw the numbers:

(a) if:

(i) at a time in the 12 months after the numbers are allocated, the ACA believes, on reasonable grounds, that the numbers will not be in use before the end of that period; or

(ii) at a time after the end of 12 months after the numbers are allocated, the numbers have not been in use since the numbers were allocated; or

(iii) at a time after the end of 12 months after the numbers are allocated:

(A) the numbers have been in use since the numbers were allocated but are no longer in use; and

(B) the numbers have been quarantined and released from quarantine; and

(C) either:

(I) at a time in the 12 months after the numbers were released from quarantine, the ACA believes, on reasonable grounds, that the numbers will not be in use before the end of that period; or

(II) at a time after the end of 12 months after the numbers were released from quarantine, the numbers have not been in use since the numbers were released from quarantine; and

(b) if the ACA believes, on reasonable grounds, that:

(i) the numbers are additional to those reasonable for the carriage service provider to hold to service its on-going business needs; and

(ii) the benefits or problems to be avoided by withdrawal are greater than the costs of withdrawal.

Example of costs for subparagraph (b) (ii)

The technical and financial consequences of withdrawal for end-users and carriage service providers.

Note  It is the ACA’s intention that the ACA will usually withdraw blocks of 1 000 contiguous numbers that are not in use.

(2) If the ACA is considering withdrawing numbers under subsection (1), the ACA must:

(a) give written notice of the proposed withdrawal to the carriage service provider, including:

(i) details of the numbers that the ACA is considering withdrawing; and
(ii) the grounds on which the ACA proposes to withdraw the numbers; and

(b) invite the carriage service provider to object in writing to the ACA, including the reasons why the numbers should not be withdrawn.

(3) A written objection given to the ACA under paragraph (2) (b):

(a) must be given to the ACA within the objection period; and

(b) must include the following:

(i) an explanation of why the numbers are not in use;

(ii) the date by which the carriage service provider expects that the numbers will be in use;

(iii) the grounds on which the carriage service provider believes that the numbers will be used by the date mentioned in subparagraph (ii);

(iv) evidence of the grounds mentioned in subparagraph (iii); and

(c) may include the following:

(i) evidence that the numbers are reasonable for the carriage service provider to hold to service its on-going business needs;

(ii) evidence that the costs of withdrawal are greater than the benefits or problems to be avoided by withdrawal.

Example for subparagraph (b) (iv)

Evidence of an increase in the number of customers requesting local services for which the numbers could be used in accordance with this plan.

(4) The ACA must, after considering any written objection given to it by the carriage service provider in accordance with subsection (3):

(a) decide whether to withdraw the numbers; and

(b) if the ACA decides to withdraw the numbers — give written notice of the withdrawal to the carriage service provider as soon as practicable after making the decision.

(5) For subsection (4), the period within which the ACA must make a decision is:

(a) if the ACA does not receive a written objection from the carriage service provider in accordance with subsection (3) — 20 working days after the end of the objection period; or

(b) if the ACA receives a written objection from the carriage service provider in accordance with subsection (3) — 20 working days after receiving the objection.

(6) A notice under paragraph (4) (b) must include:

(a) a statement of reasons for the decision; and

(b) the date on which the numbers will be withdrawn.

(7) The date on which the numbers will be withdrawn must be at least 20 working days after the date of the notice under paragraph (4) (b).

Note Under Chapter 7A, the ACA must monitor the use of geographic numbers by carriage service providers.
(8) In this section:

*objection period* means the period of 20 working days after the day when a notice mentioned in paragraph (2) (a) is given to a carriage service provider.

[6] Section 7.24, heading

*substitute*

7.24 Withdrawal of numbers — inconsistency with conditions on issue, transfer or use

[7] After Chapter 7

*insert*

Chapter 7A Monitoring and reporting use of geographic numbers

Part 1 Preliminary

7A.1 Purpose of Chapter 7A

This Chapter sets out rules relating to monitoring and reporting the use of geographic numbers by carriage service providers.

7A.2 Definitions for Chapter 7A

In this Chapter:

*protection area* means an area in relation to which the ACA has made a decision under subsection 7A.4 (1).

*watch area* means an area in relation to which the ACA has made a decision under subsection 7A.4 (2).

Part 2 Obligations of ACA

7A.3 Monitoring use of geographic numbers

The ACA must monitor the use of geographic numbers by carriage service providers.
7A.4 Watch areas and protection areas

(1) If, at a particular time, the ACA believes, on reasonable grounds, that there is a significant risk that the numbers specified for use in an area will run out within the next 18 months, the ACA must decide that the area is a protection area.

(2) If, at a particular time, the ACA believes, on reasonable grounds, that there is a significant risk that the numbers specified for use in an area will run out within the next 3 years, the ACA must decide that the area is a watch area.

(3) Before making a decision under subsection (1) or (2), the ACA must consult the Numbering Advisory Committee.

(4) In making a decision under subsection (1) or (2), the ACA must consider:
   (a) the views of the Numbering Advisory Committee; and
   (b) the information obtained during monitoring.

(5) The ACA must publish the details of each protection area and watch area on an Internet website operated by or for the ACA.

Part 3 Obligations of carriage service providers

7A.5 Reporting first use of numbers in protection and watch areas

(1) A carriage service provider that holds a block of numbers in a watch area or a protection area must give the ACA a written report when the carriage service provider first uses a number from that block of numbers.

(2) A report under subsection (1) must include the following details:
   (a) the block of numbers from which the number was taken;
   (b) the date when the block of numbers was allocated to the carriage service provider;
   (c) the quantity of numbers from the block of numbers that are in use;
   (d) the date when the number was first used;
   (e) a description of how the number was first used.

Examples of a number being in use
- The number has been issued to a customer.
- The number is being used for network testing.

Note 1 Failure to comply with section 7A.5 may be a ground for a refusal of additional allocation under subsection 6.16 (1).

Note 2 The ACA may withdraw the numbers if it is satisfied that they will not be used within a certain time — see section 7.23.

Note 3 Under section 521 of the Act, the ACA may obtain information and documents from carriers and service providers in certain circumstances.
7A.6 Annual reporting of numbers

(1) A carriage service provider that holds a block of numbers in a protection area must give the ACA a written report on 1 July in each year.

(2) A report under subsection (1) must include, for each quantity of numbers that can be identified by reference to the smallest of the following areas in each protection area, the information mentioned in subsection (3):
(a) exchange service area;
(b) sector;
(c) standard zone unit.

Note A carriage service provider’s network infrastructure will determine which of the 3 areas mentioned in subsection (2) is the smallest area for the carriage service provider. Different carriage service providers have different network infrastructure.

(3) For subsection (2), the information is:
(a) the relevant exchange service area, sector or standard zone unit; and
(b) the quantity of numbers held by the carriage service provider that is available for issue to end-users in the exchange service area, sector or standard zone unit; and
(c) the time by which the carriage service provider believes the quantity of numbers mentioned in paragraph (b) will run out; and
(d) whether the carriage service provider expects that it may need to apply for further allocations of numbers during the next 12 months for use in the exchange service area, sector or standard zone unit, and if so, how many numbers the carriage service provider expects that it will need to apply for.

Note 1 Failure to comply with section 7A.6 may be a ground for a refusal of additional allocation under subsection 6.16 (1).

Note 2 The ACA may withdraw the numbers if it is satisfied that they will not be used within a certain time — see section 7.23.

Note 3 Under section 521 of the Act, the ACA may obtain information and documents from carriers and service providers in certain circumstances.

[8] Schedule 11, items 24 and 25

substitute

24. A decision under subsection 7.23 (4) to withdraw numbers.