Telecommunications Numbering Plan
Variation 2004 (No. 9)

The AUSTRALIAN COMMUNICATIONS AUTHORITY makes this Variation under subsection 455 (1) 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. 9)*.

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*, as varied by *Telecommunications Numbering Plan Variation 2004 (No. 8)*.
Schedule 1 Variations

(Section 3)

[1] Chapter 3, Part 1, after heading

*insert*

Division 1 Information about geographic numbers


*insert*

Division 2 Creating standard zone units

3.8A Application for creation of standard zone unit

(1) A carriage service provider may apply to the ACA, in writing, for the creation of a standard zone unit in an area that is not a standard zone unit.

(2) The application must include a statement that the carriage service provider proposes:

(a) to allow existing end-users who will receive service in the proposed standard zone unit to keep their existing numbers; or

(b) to issue existing end-users with new numbers.

(3) The application must include the following information:

(a) a description of the area;

(b) a unique name for the proposed standard zone unit;

(c) the name of each standard zone unit adjacent to the proposed standard zone unit;
(d) the charging district within which the proposed standard zone unit would be located;

(e) both:
   (i) the longitude and latitude of a point within the proposed standard zone unit by which the unit can be identified; and
   (ii) a description of the boundaries of the proposed standard zone unit;

(f) for end-users (if any) who reside in the area:
   (i) the numbers issued to the end-users; and
   (ii) the standard zone unit for which the numbers were originally allocated for use; and
   (iii) an explanation of the way (if any) in which the creation of a new standard zone unit is likely to impact on the end-users.

(4) If either or both of the following apply:
   (a) the carriage service provider:
      (i) has issued numbers that are allocated for use in another standard zone unit to end-users in the area of the proposed standard zone unit; and
      (ii) proposes that the end-users should keep their numbers for use in the proposed standard zone unit;
   (b) the carriage service provider:
      (i) has a block of numbers, from a unit of numbers allocated to it for use in another standard zone unit, which have not yet been issued to customers; and
      (ii) proposes to use those numbers in the proposed standard zone unit;

the application must include a request to the ACA to rezone the numbers so that they are appropriate for use in the proposed standard zone unit.

Note If a carriage service provider does not wish to rezone numbers in an existing allocation, or does not hold any numbers that are able to be rezoned, the carriage service provider should apply for an allocation of numbers to be used in the new standard zone unit in accordance with the rules set out in Chapter 6.

If the carriage service provider wishes to recover and replace a number from an end-user that was issued prior to the area being zoned in accordance with Division 2, the carriage service provider must comply with the rules on recovery and replacement of numbers set out in Chapter 10.

(5) If subsection (4) applies, the application must include:
   (a) details of the units of numbers that were allocated for use in another standard zone unit; and
   (b) confirmation that the proposed standard zone unit will be in the same charging district as that other standard zone unit to which the numbers had been allocated.

Note The arrangements in this section are consistent with the requirements for rezoning numbers under section 6.33, which is located in Part 3 of Chapter 6.
3.8B  Notification of application for creation of standard zone unit

(1) As soon as practicable after receiving an application under subsection 3.8A (1), the ACA must place a copy of the application on an Internet website operated by or for the ACA.

(2) As soon as practicable after receiving an application under subsection 3.8A (1), the ACA must notify, in writing:
   (a) each carriage service provider that holds geographic numbers in the proposed standard zone unit at the time the ACA receives the application; and
   (b) any other carriage service provider that the ACA considers may be disadvantaged or otherwise inconvenienced by the creation of the proposed standard zone unit;
that the ACA has received the application.

(3) The notification under subsection (2) must also include statements that:
   (a) the application has been placed on a website operated by or for the ACA; and
   (b) the carriage service provider may make an objection to the creation of the standard zone unit in accordance with section 3.8C.

3.8C  Objections to application for creation of standard zone unit

(1) A carriage service provider that:
   (a) is notified under subsection 3.8B (2); or
   (b) considers that it may be disadvantaged, or otherwise inconvenienced, by the creation of a proposed standard zone unit;
may object to the creation of the proposed standard zone unit.

(2) An objection by a carriage service provider must:
   (a) be made in writing; and
   (b) be received by the ACA not later than:
      (i) 20 working days after the day on which the ACA placed a copy of the application on a website under subsection 3.8B (1); or
      (ii) if the ACA, in writing, allows the carriage service provider to make an objection after the end of that period — the time allowed by the ACA; and
   (c) include a statement that the creation of the standard zone unit:
      (i) is likely to affect the capacity of the carriage service provider to fulfil its obligations in respect of untimed local calls set out in Part 4 of the Telecommunications (Consumer Protection and Service Standards) Act 1999; or
      (ii) is likely to affect the capacity of the carriage service provider to comply with the arrangements made under section 3.4 in relation to geographic numbers; or
(iii) will impose undue costs on the carriage service provider’s capacity to route, or bill for, calls to or from the proposed standard zone unit; and

(d) give reasons in support of the objection.

3.8D ACA decision on application for creation of standard zone unit

(1) The ACA must decide whether or not to create the standard zone unit proposed in the application within 40 working days after receiving the application.

Note The ACA creates a standard zone unit in accordance with section 3.8G.

(2) If the ACA receives an application under subsection 3.8A (1), the ACA may ask the carriage service provider, in writing, to give it further information on matters mentioned in the application to allow it to consider the application.

Example
The ACA may ask the applicant for further information about numbers that:
- are already in use in another standard zone unit within the same charging district; and
- may also be appropriate to use in the proposed standard zone unit.

(3) The 40 days mentioned in subsection (1) do not include a period:
(a) starting when the ACA asks the carriage service provider under subsection (2) for further information; and
(b) ending when the ACA receives the information.

(4) In deciding whether or not to create the standard zone unit, the ACA must have regard to:
(a) the objects of this plan; and
(b) the ability of any carriage service provider to fulfil its obligations in respect of untimed local calls set out in Part 4 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* if the standard zone unit were created; and
(c) the ability of any carriage service provider to comply with the arrangements made under section 3.4 in relation to geographic numbers if the standard zone unit were created; and
(d) the reasons given in support of any objection made by a carriage service provider under section 3.8C; and
(e) the extent to which the creation of the new standard zone unit would impose undue costs on carriage service providers, and whether the imposition of the costs would outweigh the advantages of creating the new standard zone unit.

(5) The ACA must notify the applicant of a decision under subsection (1), in writing, as soon as practicable after making the decision.
3.8E Register of standard zone units

(1) The ACA must make and keep a register to record standard zone created after decisions under subsection 3.8D (1).

(2) The ACA must make the register available for inspection by the public at reasonable times.

(3) The ACA must update the register as soon as practicable if:
   (a) the details recorded in the register have changed; or
   (b) the ACA makes a decision, in relation to a carriage service provider or a standard zone unit, that affects a matter recorded in the register.

3.8F Creation of standard zone unit by registration

(1) If the ACA decides under subsection 3.8D (1) to create a standard zone unit, the ACA must create the standard zone unit in accordance with this section as soon as practicable after making the decision.

(2) The ACA must include in the register kept under section 3.8E:
   (a) the details of the standard zone unit; and
   (b) the information for the standard zone unit given under subsection 3.8A (2) by the applicant for the creation of the standard zone unit.

(3) The standard zone unit is taken to have been created when the ACA completes the arrangements set out in subsection (2).

(4) The ACA may, at any time, include other information about the standard zone unit in the register.

3.8G ACA decision on request to rezone numbers to be used in new standard zone unit

(1) If an application under subsection 3.8A (1) includes a request for the ACA to rezone numbers so that they are appropriate for use in a proposed standard zone unit:
   (a) the ACA is not required to make a decision if the ACA refuses to create the standard zone unit proposed in the application; and
   (b) if the ACA decides to create the standard zone unit, the ACA must decide whether to approve or refuse the request within 5 working days after making that decision.

Note There are several processes by which a carriage service provider may be provided with numbers that can be used in a new standard zone unit.

One process is to rezone numbers allocated for use in a new standard zone unit in the same charging district as the charging district in which the new standard zone unit is to be created. This section provides the ACA with the discretion to rezone a block of contiguous numbers in an allocation for use in the new standard zone unit.

If a carriage service provider has already issued numbers to customers that are in areas that are to be rezoned under Division 2, the provider may choose to request the ACA to rezone a block of numbers which includes those customers’ numbers. The ACA may only make a decision to rezone numbers where the carriage service provider has made an application for the ACA to do so under section 3.8A.
(2) In deciding whether to make a decision under subsection (1), the ACA must have regard to:
(a) the objects of this plan; and
(b) the ability of any carriage service provider to fulfil its obligations in respect of untimed local calls set out in Part 4 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* if the standard zone unit were created; and
(c) the ability of any carriage service provider to comply with the arrangements made under section 3.4 in relation to geographic numbers if the standard zone unit were created; and
(d) the reasons given in support of any objection made by a carriage service provider under section 3.8C; and
(e) whether the new standard zone unit will be in the same charging district as the other standard zone unit to which the numbers had been allocated.

(3) The ACA must notify the applicant of a decision under subsection (1), in writing, as soon as practicable after making the decision.

(4) The ACA must update the Register, maintained under section 465 of the Act, to reflect an approval of a request.

[4] Schedule 11

*substitute*

**Schedule 11**

*Reviewable decisions of the ACA*

*(section 12.2)*

The following kinds of decisions are mentioned for section 12.2:

1. A decision under subparagraph 3.8C (2) (b) (ii) not to allow a carriage service provider to make an objection after the end of the period mentioned in subparagraph 3.8C (2) (b) (i).
2. A decision under subsection 3.8D (1) not to create a standard zone unit.
3. A decision under subsection 3.8G (1) not to approve a request for the ACA to rezone numbers so that they are appropriate for use in a proposed standard zone unit.
4. A decision under subsection 3.93 (3) to withdraw a freephone number or a local rate number.
5. A decision under subsection 3.95 (2) to withdraw a freephone number or a local rate number.
6. A decision under subsection 3.96 (2) to withdraw a freephone number or a local rate number.
7. A decision under subsection 5A.9 (1) to refuse to allocate an international signalling point code.
8. A decision under subsection 5A.15 (3) to refuse to extend a period.
9. A decision under paragraph 5A.18 (3) (b) to refuse permission to use an international signalling point code to perform a new function.
10. A decision under paragraph 5A.27 (2) (a) to withdraw an international signalling point code.
11. A decision under subsection 6.22 (4) to allocate a number that is not a pooled number if there is more than 1 request for the number.
12. A decision under subsection 6.24 (5) to allocate fewer numbers, that are not pooled numbers, than the unit size.
13. A decision under subsection 6.26 (1) to allocate a number, that is not a pooled number, with effect from, or until, a particular date.
14. A decision under subsection 6.26 (3) to extend, or make permanent, an allocation of a number that is not a pooled number.
15. A decision under subsection 6.27 (1) to allocate a number subject to conditions (general).
16. A decision under subsection 6.28 (2) to allocate a number subject to a condition about an information program.
17. A decision under subsection 6.29 (1) to approve or refuse a routine application for allocation of a number that is not a pooled number.
18. A decision under subsection 6.30 (1) to approve or refuse a complex application for allocation of a number that is not a pooled number.
19. A decision under section 6.33 to refuse an application to vary an allocation of numbers.
20. A decision under subsection 7.11 (6) to approve a transfer of a number.
21. A decision under subsection 7.17 (4) or (6) to refuse an application for approval to surrender numbers.
22. A decision under subsection 7.20 (1) to withdraw numbers.
23. A decision under subsection 7.21 (1) to withdraw numbers.
24. A decision under subsection 7.23 (4) to withdraw numbers.
25. A decision under subsection 7.24 (1) to withdraw numbers.
26. A decision under subsection 10.5 (2) to allow a carriage service provider to recover and replace a number.
27. A decision under subsection 10.18 (2) to grant an exemption from an obligation in Chapter 10.
28. A decision under subsection 11.19 (1) to grant an exemption for a carriage service provider or class of carriage service providers.
[5] **Dictionary, definition of charging district, charging precinct and charging zone**

*substitute*

- **charging district** means a district specified in Attachment 2 (Telephone Charging Districts) to the document known as the ‘Telstra Public Switched Telephone Service Tariff’, forming part of the document known as the ‘Telstra Basic Carriage Service Tariff’, as in force immediately before 1 July 1997.

*Note* A charging district is a geographic district in Australia that includes charging zones. It may also include charging precincts.

- **charging precinct** means a district specified in Attachment 4 (Telephone Charging Precincts) to the document known as the ‘Telstra Public Switched Telephone Service Tariff’, forming part of the document known as the ‘Telstra Basic Carriage Service Tariff’, as in force immediately before 1 July 1997.

*Note* A charging precinct is a geographic district in Australia that is located inside a charging zone. A charging precinct is usually created:

(a) to increase the distance from which a call from a standard telephone service is an eligible local call to be charged for on an untimed basis (to be applied in metropolitan areas); and

(b) to provide for calls from a standard telephone service to be eligible local calls when they otherwise would not be (applicable in rural areas).

- **charging zone** means a district specified in Attachment 3 (Telephone Charging Zones) to the document known as the ‘Telstra Public Switched Telephone Service Tariff’, forming part of the document known as the ‘Telstra Basic Carriage Service Tariff’, as in force immediately before 1 July 1997.

*Note* A charging zone is a geographic district in Australia that:

(a) was created, and is used, by carriage service providers for determining whether a call from a standard telephone service is a local call charged on an untimed basis or a long distance call charged on a timed basis based (at least in part) on the distance between calling and called parties; and

(b) can be identified by reference to a charging point with a specified latitude and longitude that lies within the geographic area.

[6] **Dictionary, definition of standard zone unit**

*substitute*

- **standard zone unit** means:

(a) the area of a charging zone, excluding the area of any charging precincts in the zone; or

(b) the area of a charging precinct; or

(c) a new standard zone unit created in accordance with subsection 3.8F (3).
Note This plan commenced on 31 December 1997. Until the commencement of Division 2 of Part 1 of Chapter 3, charging zones and charging precincts were based solely on the areas specified in attachments to the document known as the ‘Telstra Public Switched Telephone Service Tariff’, forming part of the document known as the ‘Telstra Basic Carriage Service Tariff’, as in force immediately before 1 July 1997.

A new standard zone unit will not be listed in those documents.