

EXPLANATORY STATEMENT

Issued by the authority of the Australian Communications and Media Authority

Telecommunications Act 1997

Telecommunications Numbering Plan Variation 2006 (No. 2)

Statutory basis

Subsection 455(1) of the *Telecommunications Act 1997* (the Act) provides that the Australian Communications and Media Authority (ACMA) must, by written instrument, make a plan for the numbering of carriage services in Australia and the use of numbers in connection with the supply of such services. This is the *Telecommunications Numbering Plan 1997* (the Plan).

Purpose of variation

The purpose of the *Telecommunications Numbering Plan Variation 2006* (No. 2) (Variation) is to amend the Plan to correct errors in the standard zone unit (SZU)¹ for some blocks of geographic listed in Schedule 12 of the Plan.

Background

Geographic numbers are used in connection with the supply of local telephone services. ACMA allocates geographic numbers to carriage service providers (CSPs). CSPs then issue numbers to telephone users who have requested access to local services.

The rules governing the allocation and use of numbers, including geographic numbers, are set out in the Plan. The Plan specifies geographic numbers for use in specified SZUs. CSPs must not issue numbers except to telephone users located within the SZU specified for those numbers in the Plan.

This relationship between geographic numbers and SZUs serves two purposes. The relationship facilitates call routing and delivery, and supports the untimed local call arrangements set out in Part 4 of the *Telecommunications (Consumer Protection and Service Standards) Act 1997* (the TCPSS Act). The TCPSS Act provides that telephone users have the option to be billed for untimed calls between two users within a standard zone. SZUs are defined by reference to the areas within which Telecom provided untimed local calls before 1 July 1991. It follows that all CSPs use SZUs to determine which calls must be charged as local calls.

Schedule 12 of the Plan specifies SZUs for numbers taken to have been allocated on the day the Plan commenced. These numbers and the relevant SZUs are included in

¹ A SZU is defined in the Plan as the area of a charging precinct, or the area of a charging zone excluding the area of any charging precinct within the charging zone. Charging zones and charging precincts are set out in the Telecom Australia Public Switched Telephone Service Tariff which was part of the Basic Carriage Service Tariff in force immediately before 1 July 1997.

ACMA's register of allocated numbers (the Register), maintained under section 465 of the Act. ACMA makes the Register available to assist CSPs with meeting their obligation for untimed local calls set out in the TCPSS Act.

Schedule 12 of the Plan contains errors in that the SZUs for 664 blocks of numbers are not the same as the areas within which Telecom provided untimed local calls before 1 July 1991.

ACMA is advised that CSPs, though they are able to use the Register's information to comply with the untimed local call obligation, have not done so to date. Instead they obtain their geographic information from other sources. As a result, the errors in the Plan and the Register have not resulted in telephone users being incorrectly charged for local call calls to and from the blocks of numbers in question.

The variation amends the Plan to correct the errors. Following the variation, ACMA will amend the Register to ensure that, in the event that CSPs use the Register, they comply with their untimed local call obligations.

Consultation

The variation does not alter existing arrangements. It is, in effect, a machinery measure to correct previous drafting errors. However, ACMA sought the views of members of the Numbering Advisory Committee (NAC). NAC membership is drawn from the telecommunications industry, business and consumer groups, customer equipment suppliers and government agencies. NAC members supported the making of the Variation.

Section 460 of the Act requires public consultation where a variation to the Plan will

- affect a number issued to a customer and is not declared by ACMA to be a minor variation; or
- if it is otherwise considered in the public interest to consult.

Public consultation under section 460 of the Act was not conducted as the changes proposed to the Register because:

- ACMA declared that the variation is minor; and
- found that it was not otherwise in the public interest.

Section 461 of the Act separately requires ACMA to formally consult the ACCC before varying the Plan. The ACCC indicated that it has no comments on the Variation.

The Office of Regulation Review, in Regulation Impact Statement (RIS) Exception Notice 8039 dated 28 February 2006, stated that a RIS was not required for the Variation.

DETAILS OF VARIATION

Section 1 specifies that the name of the Variation as the *Telecommunications Numbering Plan Variation 2006 (No. 2)*.

Section 2 specifies that the commencement of the Variation as the day after it is registered.

Section 3 gives effect to Schedule 1 of the Variation.

Schedule 1 Variations

Item 1 – Schedule 12, Part 1

The amendment substitutes the schedule in the Variation for Schedule 12 of the Plan which contains numbers taken to have been allocated on the commencement day of the Plan.

The new schedule contains the amended SZUs for the 664 blocks of geographic numbers, but otherwise replicates the old Schedule 12 of the Plan.