

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS No.14 OF 2002

REGULATIONS

MADE by the Minister under Section 74 of the Telecommunications Act, 2000 (Act No. 8 of 2000).

(Gazetted April 18, 2002).

PART I

PRELIMINARY

1. These Regulations may be cited as the -

Short title.

**TELECOMMUNICATIONS
(NUMBERING) REGULATIONS 2002.**

2. These Regulations shall come into force on the date of publication in the *Gazette*.

Commencement.

3. In these Regulations -

Interpretation.

“Act” means the Telecommunications Act, 2000;

8 of 2000.

“ANI” means Automatic Number Identification ;

“area code” means the first three digits (NXX) of a ten-digit telephone number in the form NXX-NXX-XXXX, where N represents any one of the numbers 2 through 9 and X represents any one of the numbers 0 through 9;

“central office code” means the second three digits (NXX) of a ten-digit telephone number in the form NXX-NXX-XXXX, where N represents any one of the numbers 2 through 9 and X represents any one of the numbers 0 through 9;

“North American Numbering Plan” means the numbering plan for the public switched telephone network in the United States and its territories, Canada, Anguilla, Antigua and Barbuda, Bahamas, Barbados, Bermuda, British Virgin Islands, Cayman Islands, Dominica, Dominican Republic, Grenada, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago and Turks and Caicos.

PART II

National plan for numbers.

4. The national plan for allocating numbers among telecommunication providers shall be managed by the Commission in accordance with the regional numbering plan established by ECTEL.

Administration of area codes.

5. (1) The Commission is hereby designated as the Area Code Administrator for Dominica.

(2) In addition to administering the area codes, the Area Code Administrator shall also administer the allocation of central office codes.

Functions of Commission.

- 6.** The Commission shall, in the exercise of its functions -
- (a) avoid the favouring of or discriminating against any particular segment of the telecommunications industry or group of telecommunications consumers;
 - (b) determine that the procedures for allocating individual numbers or numbering ranges or both are transparent, equitable and timely;
 - (c) encourage the earliest possible introduction of the number portability facility whereby end users who so request can retain the numbers on the fixed telephone network at a specific location independent of the operator providing service;

- (d) where necessary prescribe conditions for the use of certain prefixes or certain short codes, in particular where these are used for services of general public interest;
- (e) ensure that numbering plans and procedures are applied in a manner that gives fair and equal treatment to all providers of public telecommunications services;
- (f) ensure that the allocation of numbers is carried out in an objective, transparent and non-discriminatory manner;
- (g) ensure the provision of adequate numbers and numbering ranges for all publicly available telecommunications services;
- (h) make certain that no telecommunications technology is unduly favored over another; and
- (i) ensure that a provider of public telecommunications services who has been allocated a range of numbers, shall avoid undue discrimination in the numbers to give access to the services of other public operators;

7. (1) In order to facilitate the inter-operation of telecommunications networks in Dominica, the Commission may administer -

Administration of numbering resources by Commission.

- (a) databases, administrative, information or operational systems relating to the functioning of telecommunications networks; and
- (b) numbering resources used in the functioning of telecommunications networks, including the portion of the North American numbering plan relating to telecommunications networks in Dominica.

(2) The Commission may determine any matter and make any order regarding the databases, administrative information or operational systems, and numbering resources referred to in regulation 1.

(3) The Commission may assign one of its members to any Advisory Board or Committee established by ECTEL for the purpose of providing advice and recommendations on matters relating to numbering.

Duties of
Commission.

8. (1) The Commission shall discharge its duties with respect to the Eastern Caribbean Numbering Plan in an independent and impartial manner.

(2) The duties referred to in regulation 1 shall include but not be limited to -

- (a) assigning the numbers and codes specified in paragraph (f);
- (b) carrying out any additional duties relating to numbering;
- (c) ensuring that any action taken in respect of the administration of numbering is consistent with these Regulations;
- (d) ensuring that the interests of all OECS contracting states are represented and protected;
- (e) maintaining and monitoring administrative number data bases;
- (f) processing applications for number assignment regarding but not limited to -
 - (i) all central office codes which are assignable under the area codes;
 - (ii) ANI;
 - (iii) area codes;
 - (iv) carrier identification codes;
 - (v) N11 codes; and
 - (vi) signaling system 7 network codes.

(g) reassigning and reallocating numbers for the purpose of administering or implementing the national numbering plan.

(3) The Commission shall be guided by the recommendations of ECTEL in the discharge of its duties under these Regulations.

9. (1) A telecommunications provider shall submit an application on an approved form for number assignment to the ECTEL for review, at least 30 days prior to filing the application with the Area Code Administrator.

Application procedures.

(2) Where regulatory certification is required, the applicant shall prove by documentary evidence that the necessary regulatory authorisation has been obtained for the service where the code is to be used.

10. (1) A telecommunications provider may be required to contribute towards the costs of establishing and sustaining the administration of the numbering process.

Administrative costs of numbering.

11. A telecommunications provider, or its affiliate or agent, in order to conserve scarce toll free numbers shall not:

Prohibitions relating to toll free numbers.

- (a) hoard toll free numbers by obtaining more toll free numbers than are necessary for use by a toll free subscriber;
- (b) sell toll free numbers to another telecommunications provider, or affiliate or agent; or
- (c) warehouse toll free numbers by reserving numbers for a toll free subscriber who does not exist.

PART III

12. All local exchange carriers in Dominica shall provide number portability which comply with criteria that:

Standard requirements for number portability.

- (a) does not have any significant adverse impact outside the geographical areas where number portability is deployed;
- (b) does not require end users to change their telecommunications numbers;
- (c) allows migration to other locations within Dominica and adaptation to service portability;
- (d) supports existing network features, capabilities and services at the time of implementation of that number portability;
- (e) uses numbering resources in an efficient manner;
- (f) will not result in any degradation in service quality or network reliability when customers switch to different telecommunications providers; and
- (g) will not result in unreasonable degradation in service quality or network reliability when implemented.

Request for
extension of time.

13. (1) A telecommunications provider who for bona fide reasons is unable to meet the prescribed deadline for implementing number portability, shall apply in writing to the Commission for an extension of time.

(2) The Commission shall grant an extension to the telecommunications provider applying for extension upon submission of the following information to the satisfaction of the Commission -

- (a) a detailed account of the activities undertaken by the carrier to implement the schedule;
- (b) an identification of the switches for which the extension is requested;
- (c) a proposed schedule listing targets for meeting the completion date;

- (d) the reasons for the inability of the telecommunications provider to meet its scheduled deadline; and
- (e) the time frame within which the telecommunications provider intends to complete work on the switches identified.

Made this 26th day of March, 2002.

REGINALD AUSTRIE
*Minister for Communications,
Works and Housing.*