

**COMMUNICATIONS
ALLIANCE LTD**



INDUSTRY CODE

C566:2023

NUMBER MANAGEMENT – USE OF NUMBERS
BY CUSTOMERS

C566:2023 Number Management – Use of Numbers By Customers Industry Code

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INTRODUCTORY STATEMENT

The C566:2023 Number Management – Use of Numbers By Customers Industry Code (the Code), replaces two former Industry Codes. These are:

- C566:2005 Rights of Use of Numbers Industry Code and
- C554:2004 Rights of Use of Premium Rate Service Numbers Industry Code.

The Code relates to the CSP and Customer activities (second tier) that arise from a CSP Holding Numbers and the CSP Issuing Numbers to Customers for their use (third tier).

The Explanatory Statement outlines the background, scope, objectives, processes and procedures described in this document. The anticipated costs and benefits are also discussed.

Expressions and abbreviations used in this Explanatory Statement have the same meaning as in this document.

Background

Telecommunications Numbers are regarded as a national resource and are not in any sense owned by any party to whom they are Allocated, Assigned, Transferred or Issued. Ownership of Numbers is never passed to a Carriage Service Provider (CSP) upon Allocation, or to a Customer upon Issue, but remains with the Commonwealth of Australia.

A previous telecommunications regulator, AUSTEL, developed a national numbering plan for Australia in 1993. AUSTEL's subsequent changes to the 1993 plan included a statement of policy which would guide AUSTEL in its management of numbering and regulate the use of Numbers by telecommunications providers and others who Issue or use the Numbers.

On its establishment in 1997, the Australian Communications Authority (ACA) was given legislative responsibility for the specification and Allocation of Numbers under the *Telecommunications Act 1997* (the Act) and is required to manage Numbers as a national resource for public good for the benefit of end users.

In 1997 the ACA determined the *Telecommunications Numbering Plan 1997*. The Numbering Plan was based on previous numbering plans developed by AUSTEL but did not include the detailed policy statements and guidance of previous plans, instead adopting a higher-level approach towards setting out the processes involved in the Allocation, Assignment, Churn, Issue, Porting, Quarantine, Reservation, and Transfer of Numbers.

In 2015 the ACMA determined the *Telecommunications Numbering Plan 2015* (the Plan), this was a simplified version of the *Telecommunications Numbering Plan 1997*, that removed redundant obligations and made allowances for certain matters to be included in an Industry Code.

Distribution of Numbers

The Act and the Plan explain that the distribution of Numbers to the industry and users is a three-tier process (see the matrix in Appendix D).

In the first-tier process, the ACMA:

- determines a Plan which specifies Numbers that are for use in connection with the supply of different types of Listed Carriage Services to the public;
- reviews and guides the development and any necessary changes to the Plan;
- gives direction to and monitors the activities of compliance to industry regulation relating to numbering.

In the second-tier process:

- the ACMA manages Number Allocation, Transfers and Surrender for CSPs, for the purpose of providing access to Listed Carriage Services.
- CSPs may Issue, Assign, Transfer or Surrender Numbers in accordance with the Code.

When a CSP is in receipt of a Number Allocated or Transferred to it via the ACMA, the CSP has an obligation to manage that Number until such time as that Number is either Transferred to another CSP or Assigned to another CSP, Surrendered to the ACMA, or Ported.

In the case of a Number being Assigned to another CSP, the arrangement needs to be consistent with obligations in this Code and any other regulatory instrument.

A CSP who Holds a Number that has been Ported will continue to have certain responsibilities associated with that Number, such as recognising the Customers ongoing ROU of that Number and maintaining a Ported Number Register and any other obligations as required under the relevant Number Portability Code.

In the third-tier process, CSPs may Issue Numbers to their Customers from the Numbers Allocated, Assigned, or Transferred to them (2nd tier Allocation) of Numbers.

In the context of this Code, only the second and third tiers are relevant.

Current Regulatory Arrangements

Numbering of Listed Carriage Services is regulated under Part 22 of the Act, and by the Plan, made by the ACMA

The Plan provides the broad policies for Number Allocation, CSP Issuing of Numbers, the Transfer of Numbers, and the placement in/Withdrawal of Numbers from Quarantine, etc. which apply to the various Number categories including, but not limited to, Freephone Numbers, Geographic Numbers, Local Rate Numbers and Mobile Numbers, etc.

How the Number Management Code Operates

While the Act and Plan provide CSPs with high level principles on the use, Allocation, Issue, Transfer, Withdrawal, and Quarantine of some number types, other number types have insufficient information to identify what is expected of other number types, the Plan does not provide a consistent level of detail to ensure CSP consistency in the

various numbering processes. The Code provides a deeper level of detail to ensure consistent industry views and practices in relation to a Customer's Rights of Use of Numbers.

The Code is designed to clarify the rights and obligations of all parties, particularly covering those issues and processes that are not included in the Plan.

The Code clarifies a number of issues including those related to a CSPs role in managing Numbers Allocated to them and numbering matters related to consumers such as when:

- CSPs must consider that a Customer has Reserved a Number,;
- a Number must be considered as Issued by a CSP,;
- a Listed Carriage Service is considered as Disconnected and therefore placed in Quarantine; and
- a Number can be taken out of Quarantine for re-Issue to either to the last ROU Holder or a new Customer.

The Code clarifies that a Customer gains Rights of Use (ROU) of a Number when a CSP Issues a Number in association with a Listed Carriage Service and may enjoy beneficial use of the Number freely and without hindrance while a Listed Carriage Service is provided in association with the Number. Customers have an interest in the Numbers that are Issued to them. For example, individuals or organisations might advertise their Number in a public number directory. These Customers therefore have an interest in the advertised Number, irrespective of any change in their CSP.

The Code requires that Customers are informed of important processes which may affect their ROU of their Number(s).

A Customer, who is the ROU Holder, may also Port their Number to another CSP if the Number is identified as a Portable Number under the Plan.

The Code also clarifies that ROU does not mean that the ROU Holder owns the Number, nor has any rights to trade the Number, except in circumstances allowed under the Plan. For example, Numbers such as Smartnumbers have Extended Rights of Use and Extended Rights of Use Holders (EROU Holder) who are allowed to trade Smartnumbers. Customers should consult with their CSP to discuss any potential Movement of a Number to another person.

How the Objectives will be Achieved

The Code will provide guidance for CSPs for the various processes involving Numbers, ensuring that all CSPs can have a common understanding of those processes, and can incorporate those understandings into their internal processes. The Code will also ensure that Customers can share a common understanding of the ROU, or EROU, of their Number(s).

Anticipated Benefits to Consumers

The Code will ensure that CSPs and ROU Holders have access to information about Numbers and the Customers ROU of Numbers and, as a result, can expect a consistent, industry wide approach to the various processes followed by CSPs in the Reservation, Issuing, Quarantine and re-Issuing of Numbers.

Anticipated Benefits to Industry

The industry will benefit from the introduction of a consistent view of the three tiers of numbering processes, particularly to identify when a Customer's ROU of Numbers arise for Number portability. The Code also provides information to enable identification of which CSP or person has the authority to Issue or Reserve a Number to a Customer. This will ensure there are consistent and correct industry mechanisms regarding the Reservation, Issuing, Transfer and Quarantine of Numbers, allowing simplified industry processes, which will avoid disputes or make them easier to settle and lead to less legal disputation.

Anticipated Cost to industry

The Code envisages that CSPs will be required to support a single industry view of the three-tier numbering process that clearly identifies requirements for arrangements with numbering management, particularly where Numbers have been Ported, Assigned, Transferred or are to be Recalled from one Customer and Issued to another. This may involve some industry members changing their internal systems and processes and require additional staff training.

2023 Code Revision

This issue of the Code:

- combines the former Industry Codes C566:2005 Rights of Use of Numbers and C554:2004 Rights of Use of Premium Rate Service Numbers into a single document detailing arrangement for use of Numbers by Customers;
- changes arrangements for Number Quarantine and Give Back of Ported local and Mobile Numbers, to bring them into alignment to have a common approach for number management and enable a defined person to access a Number that is no longer associated with an Active Service;
- supports arrangements for those affected by domestic and family violence as set out in Industry Guideline G660:2023 Assisting Customers Experiencing Domestic and Family Violence;
- aligns arrangements for use of Numbers across various number types relating to the Issue, Transfer, Assignment, Churn and Disconnection arrangements;
- improves traceability of Assigned Numbers through new record keeping rules; and
- contains editorial changes to improve clarity in the definitions and various sections of the Code.

Alexander R. Osborne
Chair

WC101 Rights of Use of Numbers Working Committee

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1 GENERAL

1.1 Introduction

The *Telecommunications Act 1997* (the Act) and Plan for Telecommunications Numbers (the Plan) provide Carriage Service Providers (CSPs) with high level principles on the use, Allocation, Issue, Transfer, Withdrawal, and Quarantine of Numbers. It is the intent of the Code to clarify the rights and obligations of all parties, particularly covering those Issues and processes that are not included in the Plan and to provide the necessary level of detail in relation to Number management and a Customer's Rights of Use of Numbers.

- 1.1.1 The development of the Code has been facilitated by Communications Alliance (CA) through a Working Committee comprised of representatives from the telecommunications industry.
- 1.1.2 The Code should be read in conjunction with related legislation and related instruments, including the:
 - (a) *Telecommunications Act 1997*;
 - (b) *Telecommunications Service Provider (Customer Identity Authentication) Determination 2022*;
 - (c) *Telecommunications Numbering Plan 2015*; and
 - (d) *Telecommunications (Numbering Charges) Act 1997*.
- 1.1.3 The Code should also be read in the context of other relevant Industry Codes, including:
 - (a) C525 Handling of Life Threatening and Unwelcome Communications Industry Code;
 - (b) C540 Local Number Portability Industry Code;
 - (c) C570 Mobile Number Portability Industry Code;
 - (d) C628 Telecommunications Consumer Protections (TCP) Industry Code;
 - (e) C657 Inbound Number Portability Industry Code;
 - (f) C661 Reducing Scam Calls and Scam SMS Industry Code; and
 - (g) G660 Assisting Customers Experiencing Domestic and Family Violence Industry Guideline.
- 1.1.4 If there is a conflict between the requirements of the Code and any requirements imposed on a CSP by statute, the CSP will not be in breach of the Code by complying with the requirements of the statute.
- 1.1.5 Any personal information collected under the Code must be handled in accordance with the Privacy Act 1988.
- 1.1.6 Statements in boxed text are a guide to interpretation only and not binding as Code rules.

1.2 Scope

- 1.2.1 The Code is applicable to the following sections of the telecommunications industry under section 110 of the Act:
- (a) Carriers; and
 - (b) Carriage Service Providers.
- 1.2.2 The Code deals with the telecommunications activities of Carriers and CSPs, as defined in section 109 of the Act, including the following:
- (a) carrying on business as a Carrier; or
 - (b) carrying on business as a Carriage Service Provider.
- 1.2.3 The Code sets out arrangements relating to:
- (a) CSPs either Holding, or wanting to Hold, Numbers for use by them in connection with the supply of a Listed Carriage Service to a Customer; and
 - (b) Carriers in their role of supplying Listed Carriage Services using Numbers.
- 1.2.4 This Code includes arrangements for Number:
- (a) Churn;
 - (b) Reservation;
 - (c) Issue;
 - (d) Transfer;
 - (e) Assignment;
 - (f) Porting;
 - (g) Give Back;
 - (h) Quarantine;
 - (i) Recall;
 - (j) obligations in regard to ROU, including EROU, of Numbers;
 - (k) Movement of Numbers between Customers; and
 - (l) EROU Holders seeking to apply for Allocation, Reservation or Withdrawal of Smartnumbers.
- 1.2.5 The Code does not cover arrangements for:
- (a) CSP obligations in relation to the imposition of annual numbering charges by the Commonwealth of Australia, which are covered by the *Telecommunications Numbering Charges Act 1997*;
 - (b) payments between CSPs, between Customers and CSPs, or between Customers, in relation to the use of Numbers;

- (c) Use of numbers that are outside the control of the Plan, such as those numbers that do not cross Network inter-connect boundaries, or numbers that are not used in connection with the supply of Listed Carriage Services to a Customer;
- (d) regulating the Content of a PRS; or
- (e) Number Portability processes (i.e. where a ROU Holder Moves a Number between CSPs whether on the same or a different Network) as these are covered in relevant industry codes.

1.3 Objectives

1.3.1 The objectives of the Code are to:

- (a) define the arrangements between CSPs and their Customers when a Number is Issued to a Customer in association with supply of a Listed Carriage Service;
- (b) clarify the CSP obligations in providing ROU when a Number is Issued;
- (c) enable ROU Holders to understand how they can use a Number Issued to them and what is and is not permitted; and
- (d) ensure Numbers are used by C/CSPs in a way that is consistent with other regulatory obligations, including the obligations relating to the IPND and its end user community, data retention and interception arrangements.

1.4 Commencement date

1.4.1 Except as provided in this clause 1.4, this Code will commence on the day of registration with the ACMA.

1.4.2 The obligations under clause 7.2.2 will commence at the same time as clause 6.1.2 in industry code C540 Local Number Portability within 12 months from the day of registration.

1.5 Number Management Code Review

Review of the Code will be conducted five years after the Code is published and every five years subsequently, or when changes are made to the Plan that significantly impact on the Code, or when other numbering matters require the Code to be revised.

1.6 Registration with the ACMA

The Code is to be registered with the Australian Communications and Media Authority (ACMA) pursuant to section 117 of the Act.

1.7 Powers of the Telecommunications Industry Ombudsman to handle complaints under the Code

Under section 114 of the Telecommunications Act 1997 and, subject to consent by the Telecommunications Industry Ombudsman, the Code confers on the Telecommunications Industry Ombudsman the functions and powers of:

- (a) receiving;
- (b) investigating;
- (c) facilitating the resolution of;
- (d) making determinations in relation to;
- (e) giving directions in relation to; and
- (f) reporting on

complaints made by the end users of carriage services about matters arising under or in relation to the Code, including compliance with the Code by those industry participants to whom the Code applies.

2 ACRONYMS, DEFINITIONS AND INTERPRETATIONS

2.1 Acronyms

For the purposes of the Code:

ACMA

means the Australian Communications and Media Authority.

CA

means Communications Alliance.

CSP

means Carriage Service Provider.

EROU

means Enhanced Rights Of Use.

IP

means Information Provider.

OTT

means Over the Top.

PABX

means Private Automatic Branch Exchange.

PMTS

means Public Mobile Telecommunications Service.

PRS

means Premium Rate Service.

PRSP

means Premium Rate Service Provider.

ROU

means Rights of Use.

SFOA

means Standard Forms of Agreement.

SZU

means Standard Zone Unit.

VoIP

means Voice over Internet Protocol

VPN

means Virtual Private Network

2.2 Definitions

For the purposes of the Code:

Act

means the *Telecommunications Act 1997 (Cth)*.

Active Service

means the Listed Carriage Service associated with a Number, or Numbers in a Managed Number Block, that can be used by the Customer for the purpose for which it was provided. Activate and Activation have corresponding meaning.

Allocate

means the process by which a Number passes from the ACMA Numbering pool to a CSP.

Assign

means the process of a commercial transfer of a Number from one CSP to another CSP on the same Network. Assigned and Assignment have corresponding meaning.

Assigned Unallocated Smartnumber

means a Smartnumber for which there is an EROU Holder, but which is not held by a CSP.

Associated Number

means a Number that is part of a Managed Number Block or a Number used for a Listed Carriage Service and there is an association with other Numbers for that Listed Carriage Service.

NOTE: Examples of Associated Numbers could include Numbers that are associated with:

(a) a number of single Listed Carriage Services that have no other association to their use (e.g. voice, fax and data services);

(b) a Service using a block of contiguous or non-contiguous numbers (e.g. individual numbers, partial number blocks or a block of Geographic Numbers associated with a PABX); or

(c) a Service using a Managed Number Block. This may be made up of contiguous or non-contiguous Numbers (e.g. VPN, 3G-mobile managed block features, etc.).

Australia

has the same meaning as in the Act.

Business Day

means any day Monday to Friday (inclusive) other than a National Public Holiday or as otherwise agreed in Bilateral Agreements.

Carriage Service Provider (CSP)

has the meaning given by section 87 of the Act.

Carrier

has the meaning given by section 7 of the Act.

Churn

means the switching of a Number associated with a Listed Carriage Service between CSPs on the same Network, which is at the request of the Customer.

Content Service Provider

has the meaning given by section 97 of the Act.

Customer

means a person to whom a CSP Issues a Number in conjunction with supply of a Listed Carriage Service.

NOTE: Upon being Issued a Number the Customer gains Rights of Use of that Number.

Disconnected (Service)

means that the Service to which the Number is associated has been disabled from making and receiving communications, either at the request of the Customer, or as a result of CSP action (e.g. the culmination of credit management activity). Disconnection has corresponding meaning.

NOTE: After the Service is Disconnected, the Number is Recalled and placed in Quarantine.

A Disconnected PMTS can still make a call to an Emergency Service Number.

Donor CSP

means the CSP to which a Number has been Allocated or Transferred under the Plan or Assigned under the Code.

Donor Carrier

means the Carrier who provides Network capability on behalf of the CSP that Holds the Number as a result of the Allocation or Transfer of the Number.

End User

means a person that the ROU Holder allowed to use the Number and the associated Listed Carriage Service.

Enhanced Rights Of Use

has the same meaning as defined in the Plan.

EROU Holder

means the holder of the Enhanced Rights Of Use for a Smartnumber.

Facility

has the same meaning as in the Act.

Freephone Number

has the same meaning as defined in the Plan.

Geographic Number

has the same meaning as defined in the Plan.

Give Back

means the process as described in the relevant Number Portability code of returning a Ported Number to the Donor CSP after the Listed Carriage Service has been Disconnected and subjected to Quarantine. Given Back has corresponding meaning.

Hold (a Number)

has the meaning as specified in 3.1.1. Hold, Held and Holding have corresponding meaning.

Information Provider

means a person who has entered into a Contractual agreement with a PRSP/CSP to distribute Content in association with a Premium Rate Service.

Issued (Number)

means the action of the CSP, that in agreeing to supply a Listed Carriage Service to the Consumer, provides the Consumer with a Number consistent with clause 4.3. Issue and Issuing have corresponding meaning.

<i>NOTE: Reserved Number(s) are not Issued.</i>

Life Threatening Communication

has the same meaning as Industry Code C525 Handling of Life Threatening and Unwelcome Communications.

Listed Carriage Services

has the meaning given by section 16 of the Act.

Local Number

has the same meaning as defined in the Plan.

Local Rate Number

has the same meaning as defined in the Plan.

Local Service

means a Listed Carriage Service that:

- (a) is capable of voice telephony; and
- (b) is provided for one or both of the following:
 - (i) receiving incoming calls at a location that is in an area identifiable, by the CSP with which the call originates, from the Number called;
 - (ii) making outgoing calls at a location that is in an area identifiable by the Customer's CSP;

where that location is:

- (iii) a switching Facility; or
- (iv) the premises occupied or used by a Customer; or
- (v) in the vicinity of the premises occupied or used by a Customer.

NOTE: VoIP and OTT services using Geographic Numbers are considered a Local Service, while not being associated with a location.

Managed Number Block

means a block of Numbers a CSP has agreed to manage for a ROU Holder as an integral block of Numbers for their Listed Carriage Service.

NOTE: Numbers in a Managed Number Block do not have to be contiguous. The Managed Number Block remains in existence while any of the Associated Numbers provide a working Listed Carriage Service on any Network or until the ROU Holder no longer requires the Managed Number Block. (see Appendix B).

Mobile Number

has the same meaning as defined in the Plan.

Move

means the Movement of a Number from one Customer to another. Moved and Movement have corresponding meaning.

NOTE: For EROU means where the EROU Holder changes to a gaining PRSP for supply of the PRS using the same Number and where the gaining PRSP uses the same Carrier Network as the donor PRSP (refer to the figure in Appendix E). This is often referred to as a Change of Ownership.

Movement Advice Form

means a form completed by a ROU Holder and a gaining PRSP to Move a Number from the ROU Holder's current PRSP.

Network

means a network made up of one or more network units as defined in Part 2 of the Act, that is used to supply Listed Carriage Services to the public.

Number

means those public numbers as defined in section 16 of the Plan and taken be used to supply a Listed Carriage Service to a CSP or a Customer as in section 44 of the Act.

Number Portability Industry Code

means an industry code that sets out the arrangements for Porting Numbers declared portable in the Numbering Plan.

NOTE: At the time this Code was registered these included
[C540 Local Number Portability](#)
[C570 Mobile Number Portability](#)
[C657 Inbound Number Portability](#)

Numbering System

means the system used for managing the Allocation, Surrender, Transfer and Withdrawal of Numbers in the Plan.

NOTE: The Numbering System is currently provided by ZOAK Solutions.

Plan

means the Plan for Telecommunications Numbering 2015.

Port

means the Movement of a Number between CSPs on different Carrier Networks, where the Number is associated with a Listed Carriage Service which has been declared as Portable under the Act. Portable, Ported and Porting have corresponding meaning.

NOTE: On completion of a Port back or Give Back to the Donor Carrier the Number is no longer considered Ported.

Portable Number

means an Allocated Number that is used in connection with the supply of a portable service.

NOTE: Portable services include:
a Local (Geographic) Number; or
a Freephone Number; or
a Local Rate Number; or
a Mobile Number.

Premium Rate Number

has the same meaning as defined in the Plan.

Premium Rate Service

has the same meaning as defined in the Plan.

Premium Rate Service Provider

means a CSP who supplies or arranges for the supply of a Premium Rate Service to an Information Provider and Issues the Premium Rate Number.

Public Mobile Telecommunications Service

means as defined in the Act.

Quarantine

means that process by which following Disconnection of a Listed Carriage Service the Number is held in a status that makes the Number unavailable, except in specified circumstances, until such time has passed following which the Number is made available to be Issued, or in the case of a Ported Number, Given Back.

NOTE: A Number in Quarantine is not available to be re-Issued for use for a minimum period of time, other than subject to exceptions permitted in section 7.

Recall

means that process by which a Number is recalled (recovered) from a Customer by the CSP. Recalled has a corresponding meaning.

NOTES: 1. For example, following the termination of a contract between a Customer and a CSP, or its delegate, or
2. Withdrawal of a Number range by the ACMA, following a change to the Plan whereby the Number is Withdrawn and no longer available to be Allocated or Issued.
3. The Recall of a Number can apply to a Number which is Reserved or has been Issued.
Recover is the term used in the 1997 version of the Plan. The 2015 version of the Plan used the term 'Recall'. Recover has the same meaning as 'Recall' as used in the 2015 version of the Plan.

Recipient CSP

means the CSP Holding a Number which has been Ported.

Register

means the table that identifies Numbers Allocated, Transferred, Surrendered or Withdrawn and the details of the relevant CSP's involved.

NOTE: Under the Act the ACMA must keep a Register of Allocated and Permanently Transferred Numbers. Ported numbers are identified on the Donor CSP's Ported Number registers.

Registration Premium Rate Service

has the same meaning as defined in the Plan.

Replacement

means the process by which a Number, or Number range, is Replaced by another Number, or Number range as the former Number is no longer available for use and is required to be Recalled and Replaced. Replaced has a corresponding meaning.

NOTE: For example, a change to the Plan may require the former Number range to be Withdrawn and replaced by another Number range.

Reserved (Number)

means the state of a Number as a result of a contract between a Customer and a CSP or its delegate, where the Customer requests an option to use the Number for the supply of a Listed Carriage Service at some time in the future and the CSP agrees to keep that Number for that Customer's future use. Reserved and Reservation have corresponding meaning.

NOTE: Reserved Numbers are not considered as Issued. Numbers that are Ported or Moved cannot be Reserved.

Rights Of Use

means the Customer's right, subject to certain provisions of the Code, the Plan and the Act, to enjoy the use of an Issued Number, and includes the ability to authorise a Port of the Number (where Portability exists) and the Customer's ongoing use of that Number while a Listed Carriage Service is provided on that Number.

NOTE: To avoid any doubt, a Customer only has a right to use a Number while the Listed Carriage Service provided by the CSP that Holds that Number is an Active Service.

Disconnection of the Listed Carriage Services initiated by either the Customer, or the CSP, extinguishes all Rights Of Use of a Number previously Issued to a Customer. Rights Of Use are also extinguished if there is a need to Recall a Number.

ROU Holder

means the person to whom a Number is Issued and has ROU of that Number.

NOTES:

1. A ROU Holder is analogous to the defined term Customer, used in C540 Local Number Portability Industry Code and C570 Mobile Number Portability Industry Code.
2. For avoidance of doubt, the ROU Holder is the person with a contractual relationship with the CSP and to whom the CSP has Issued the Number. The ROU Holder is not necessarily the End User of that Listed Carriage Service.
3. Where the ROU Holder changes CSP, either as a result of Porting, entering into a reseller arrangement, Assignment or Transfer of the Number range to another CSP, the new CSP recognises the ROU Holder's ROU. The ROU Holder maintains ROU with the new CSP.

Smartnumber

means a Number that is of the following type:

- (a) a Freephone Number (1800) that is specified in the Plan; or
- (b) a Local Rate Number (13,1300) that is specified in the Plan, that has either a distinctive patterned numbers or can make up a phone word to which EROU applies.

Standard Zone Unit

has the same meaning as defined in the Plan.

Surrender

means the return of the Number, or block of Numbers to the Numbering System.

Suspended

means the state of a Listed Carriage Service that is restricted as a result of Customer request or CSP action (e.g. credit management activity). Suspension has corresponding meaning.

NOTE: For example, restrictions may include disabling of certain call types.

Transfer

means a Transfer of a Number or block of Numbers between CSPs using the Numbering System. Transferred has corresponding meaning.

NOTE: There are two types of transfer of Numbers between CSPs

- (a) Transfers via the Numbering System; and*
- (b) Assignment which is where the transfer is a commercial arrangement between CSPs.*

The definition of Transfer does not include Porting or Churn.

Unassign

means the process of reversing or terminating a commercial Transfer of a Number from one CSP to another CSP. Unassigned has corresponding meaning.

Unassigned Unallocated Smartnumber

means a Smartnumber for which there is not an EROU Holder and which is not held by any CSP.

Unwelcome Communication

has the same meaning as Industry Code C525 Handling of Life Threatening and Unwelcome Communications.

Withdrawal

means the action whereby the ACMA withdraws the Allocation of a Number, or Number block from a CSP or ROU Holder. Withdrawn has corresponding meaning.

NOTE: For example, where a Number, or Number block, has been Allocated, Assigned, Transferred, Issued or used in a way that is in conflict with the Plan or the Code.

2.3 Interpretations

In this Code, unless the contrary appears:

- (a) headings are for convenience only and do not affect interpretation;
- (b) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (c) words in the singular includes the plural and vice versa;
- (d) words importing persons include a body whether corporate, politic or otherwise;
- (e) where a word or phrase is defined, its other grammatical forms have a corresponding meaning;
- (f) mentioning anything after include, includes or including does not limit what else might be included;
- (g) words and expressions which are not defined have the meanings given to them in the Act; and
- (h) a reference to a person includes a reference to the person's executors, administrators, successors, agents, assignees and novatees.

3 CSP AUTHORITY TO ISSUE AND RECOVER PUBLIC NUMBERS (2ND TIER)

3.1 CSP Holding the Number

- 3.1.1 A CSP must recognise that it only Holds a Number in the following circumstances:
- (a) when a Number has been Allocated or Transferred to it;
 - (b) when a ROU Holder contracts with a CSP to provide service on a Smartnumber for which they have ROU;
 - (c) when a Number has been Assigned to it;
 - (d) when a Number has been Churned to it; or
 - (e) when a Number has been Ported to the CSP in accordance with the Plan and the relevant Industry Code for Number Portability.
- 3.1.2 Before a CSP Assigns or Churns a Number(s) to another CSP, it must obtain the name and contact details of that CSP.
- 3.1.3 A CSP that Assigns, or Churns an Allocated Number(s) to another CSP outside of the Numbering System, must maintain a record, for as long as that Number is Assigned or Churned, including the:
- (a) Number Assigned or Churned;
 - (b) date of the assignment or Churn; and
 - (c) name and contact details of the CSP.

NOTE: This is to ensure that solutions are in place to readily identify the CSP to whom the Number(s) have been Assigned or Churned, such that at any time a CSP that has Numbers identified as Allocated, Transferred, Assigned or Churned to it can readily identify the CSP to whom Number(s) have been Assigned or Churned.

For example: CSP A is Allocated Numbers via the Numbering System and Assigns some of those Numbers to CSP B. CSP A will keep records of the Assignment of Numbers to CSP B.

CSP B is Assigned numbers by CSP A and Assigns some of those Numbers to CSP C. CSP B will keep records of the Assignment of Numbers to CSP C.

This is to ensure that equivalent records to those held in the Numbering System are available to identify the CSP Holding a Number at a particular point in time.

To establish whether a Number was correctly Issued to a Customer, it may be necessary to establish the identity of the CSP which Held the Number at the relevant time, and whether that CSP, or someone authorised by that CSP, had the authority to Issue the Number to the Customer.

This is to facilitate compliance processes aimed at ensuring that Numbers are used in accordance with ROU provisions

and not used in a way that is inconsistent with obligations relating to scam controls, data retention, IPND obligations and interception.

See Appendix F for examples of Churn scenarios.

3.2 Authority to Issue and Recall Numbers

- 3.2.1 A CSP must only Issue a Number that has been Allocated, Assigned or Transferred to them.
- 3.2.2 A CSP that Holds a Number as a result of the Number being Ported or Churned to them must only Issue a Ported or Churned Number subject to clause 4.7.3.

NOTE: The CSP who Holds a Number has the authority to Issue and Recall a Number until such time as the Number is either:

- (a) Transferred to another CSP;*
- (b) Churned;*
- (c) Unassigned;*
- (d) Given Back;*
- (e) Ported; or*
- (f) Withdrawn.*

A CSP that has a Number Allocated, Assigned or Transferred to it may enter into an arrangement to authorise another person to Issue and Recall Numbers on its behalf.

3.3 Notice of Geographic Number that may terminate in different locality (Out of Area Numbers)

- 3.3.1 Where a CSP offers to supply a Local Service using a Geographic Number; and
- (a) calls made to the Local Service may not terminate in the SZU for which the Geographic Number is Allocated; and
 - (b) charges for outgoing calls may be incurred by the customer that may not be included in their Active Service bundle,

the CSP must, at the time of offering to supply the Local Service, give written notice to all potential Customers that:

- (c) if the Customer's service is located outside the SZU for which the Geographic Number Issued to the Customer was Allocated, calls to the Geographic Number may be charged as if the Customer's service was located within the SZU.
- (d) the Customer may not be able to Port the Geographic Number to another CSP.

NOTE: Whether a Customer is able to Port a Geographic Number to another CSP would be determined by the gaining CSP.

- 3.3.2 If the offer in accordance with clause 3.3.1 is made online, the CSP must ensure that the notice is prominently displayed on the primary webpage used to make the offer in legible text with a font size of at least 10 points, written in plain English.
- 3.3.3 At the time of entering into an arrangement with a Customer for supply of the Local Service, the CSP must obtain an acknowledgement from the Customer that the Customer understands the Local Service may be limited as described in the notice given under clause 3.3.1.

4 CSP OBLIGATIONS REGARDING USE OF NUMBERS FOR CUSTOMERS (3RD TIER)

4.1 3rd Tier Processes

The 3rd tier processes in the use and management of Numbers are those involving CSPs and Customers.

In the 3rd tier processes, a CSP that Holds Numbers Allocated, Assigned or Transferred to them can:

- (a) Reserve a Number for future Issue to a Customer;
- (b) Issue a Number to a Customer in association with the supply of a Listed Carriage Service and provide ROU of that Number; and
- (c) Recall an Issued Number and place the Number into Quarantine.

NOTE: The Rights of Use Matrix in Appendix C (the Matrix) provides a chart showing when Numbers are considered to be Reserved, Issued and in Quarantine, and the implications for ROU arising from each state. It is recommended that the rules in this Code are read in conjunction with the Matrix.

4.2 Number Reservation

NOTE: A CSP may agree with a person to Reserve a Number for the future use of that person. (See Step 2 of the Matrix in Appendix C for a description of the implications of numbers in this state.) Such Reservation of a Number does not infer ROU of that Number to the person.

- 4.2.1 When a CSP agrees with a person to Reserve a Number, it must not Issue or Reserve that Number to another person or CSP for the duration of the agreement.
- 4.2.2 A CSP must advise the person who has Reserved a Number not to trade the Number or make it available to another person unless they have obtained prior approval from the CSP.

NOTE: If the person trades or makes available a reserved Number without prior approval of the CSP, the CSP is not required to recognise the Reservation of that Number for the second person.

4.3 Issue of a Number

NOTE: A CSP Issues a Number to a Customer in association with the provision of a Listed Carriage Service(s) to that Customer. (See Step 3 of the Matrix in Appendix C for the implications of a Number being Issued.)

- 4.3.1 CSPs must acknowledge (or recognise) that the Customer gains Rights of Use of that Number upon being Issued that Number.

- 4.3.2 A CSP must not make the use of a Number by a Customer subject to a condition that the Customer must:
- (a) discharge a debt owed to the CSP by a Customer who was previously Issued the Number;
 - (b) not request to Port the Number to another CSP (where Portability exists);
 - (c) discharge a debt before Porting;
 - (d) not change CSP.

- 4.3.3 A CSP may make a Listed Carriage Service subject to terms and conditions as outlined in a Standard Form of Agreement and a breach of these terms or conditions may result in Disconnection of the Listed Carriage Service and the Customer will lose ROU of that Number.

NOTE: e.g. In the case of a domestic or family violence situation, a CSP may consider this a breach of its terms and conditions and Disconnect a Number and remove ROU from a Customer and Issue that Number to an authenticated former End User of the Listed Carriage Service, regardless of how that CSP became the Holder of the Number. Refer to Industry Guideline G660 Assisting Customers Experiencing Domestic and Family Violence.

- 4.3.4 CSPs must consider a Number as Issued at the time that a CSP or its delegate and the Customer agree to the provision of a specific Number for the Customer's use in association with a Listed Carriage Service, to be provided on the Network provided by that CSP.

NOTES: 1. A CSP that Holds Allocated, Assigned or Transferred Numbers can Issue a Number to itself in association with a Listed Carriage Service supplied to itself.

2. The information that a Number is Issued when agreement is reached for the provision of a Listed Carriage Service in association with the Number can be provided to Customers in the standard terms and conditions of service or in SFOAs. See also Clause 8.1 on information provision.

- 4.3.5 A CSP must consider a Customer's request to provide a specific Number that it Holds but is under no obligation to accept the request.

NOTE: Where a CSP Issues multiple Numbers for use with a Listed Carriage Service, the CSP may agree to manage the Numbers as a Managed Number Block.

- 4.3.6 A CSP must manage a Managed Number Block in accordance with the Code.

- 4.3.7 Where a Managed Number Block has been Issued, the CSP must treat all Numbers in that Managed Number Block as Issued while any Associated Number in the Managed Number Block is Issued (see Appendix B) or until the ROU Holder

advises the CSP that it no longer requires the Managed Number Block.

NOTE: A Customer becomes the ROU Holder of all the Associated Numbers in a Managed Number Block when the CSP Issues the Managed Number Block.

4.4 Issue of Premium Rate Numbers

- 4.4.1 A PRSP must not supply a PRS in relation to a Premium rate Number unless that Premium Rate Number has been Issued.

NOTE: A PRSP may Issue a Premium Rate Number to itself.

- 4.4.2 A PRSP must not do anything that is inconsistent with the rights of a person who has been Issued a Premium Rate Number to enjoy the beneficial use of that Number.

NOTE: The ROU to the Premium Rate Number are created when the Premium Rate Number is Issued. From that time, a Premium Rate Number can only be taken away from the ROU Holder if the Plan or the Code allows this to happen.

- 4.4.3 A PRSP must Issue a Premium Rate Number by means of a ROU Record.

- 4.4.4 A PRSP must issue a ROU Record in writing, signed by or on behalf of both parties, and in the form at Appendix E.

NOTE: The form at Appendix E:

- (a) specifies the Premium Rate Number to which the ROU Record applies;*
- (b) identifies the parties;*
- (c) clearly and unambiguously records whether it is the IP or PRSP to whom the Premium rate Number has been Issued;*
- (d) specifies the date on which the Premium Rate Number is Issued;*
- (e) must be executed and dated by the PRSP and the IP;*
- (f) if executed by a corporation, must be executed by a person having the authority to do so.*

- 4.4.5 A PRSP must retain an original of the ROU Record and provide either an original or a copy of the ROU Record to the other party nominated in that ROU Record.

- 4.4.6 If a PRSP Issues a Premium Rate Number to itself, it must complete a ROU Record and, given the absence of a second party nominated in that ROU Record, the PRSP must strike out the fields which are not applicable.

- 4.4.7 A PRSP must keep a copy of each executed ROU Record until the Premium Rate Number to which it applies is Recalled.

4.5 Issue of Smartnumbers

- 4.5.1 Where a CSP and the Smartnumber EROU Holder have agreed about the delivery of services for the Smartnumber and the Smartnumber has been Allocated to the CSP, the CSP must Issue the Smartnumber to the EROU Holder as soon as practicable.

4.6 Change of Number

- 4.6.1 When a Customer requests a change of Number, the CSP must Issue a new Number to the Customer, as soon as practicable, and the new Number will be subject to the same obligations set out in clause 4.3, except in cases where a Customer has made multiple requests for a change of Number(s) and the requests are vexatious, or malicious.
- 4.6.2 A CSP must issue a new Number when a Customer requests a change of Number in circumstances where the Number has been compromised in a way that affects the Customers mental or physical safety, such as in cases of domestic or family violence, Life Threatening, or Unwelcome Communications being received via that Number.
- 4.6.3 A CSP must not charge a fee or apply any form of financial penalty in providing the new Number, under clause 4.6.2.

4.7 Issuing Numbers Held in Quarantine to a Customer

CSP Issuing a Number held in Quarantine from a Number Range Allocated, Assigned or Transferred to them.

- 4.7.1 A Number being held in Quarantine that has been Allocated, Assigned or Transferred to that CSP must not be removed from Quarantine by that CSP and Issued to another Customer (the new Customer), unless:
- (a) the Number was Recalled for a reason other than Life Threatening or Unwelcome Communications; and
 - (b) the CSP does not Hold any other suitable Numbers Allocated, Assigned or Transferred to them of that type and the new Customer:
 - (i) is informed that the Number has been Recalled from the previous Customer within the previous 6 months; and
 - (ii) agrees to be Issued the new Number;
 - (c) the new Customer moves into premises at which calls to the Geographic Number previously terminated, and does not ask for a new Geographic Number when service is established;
 - (d) the Number was Issued for a business that is still operating; and the ownership of the business has changed; or

- (e) the Number is to be Moved from a Customer to another Customer; and the new Customer and the CSP agree to the Issue.

NOTES: 1. For example; a company's Mobile Number that is no longer needed by the company may be Moved 'intact' to a staff member, or another person.

2. The CSP that Holds a Number may for example, on the sale of a business, Recall the Number from the Customer to whom it was Issued, and then Issue it to the new Customer.

When a Number is Recalled from a Customer, the Customer loses ROU to the Number.

- 4.7.2 The CSP may remove a Number from Quarantine and Issue a Recalled Number to a Customer in a shorter period if the Customer is the previous ROU Holder or authenticated former End User.

NOTE: Examples that may constitute a reasonable request for when a CSP may remove a Number from Quarantine and Reissue to a Customer can include when:

- *a CSP has recalled a Number for a breach of its terms and conditions and Issues the Number(s) to a previous End User of the Number(s), such as in a domestic or family violence situation;*
- *a Customer Disconnected their Number prior to moving overseas, but has since returned and seeks their previous Number; or*
- *the Customer did not maintain the required credit balance for a pre-paid service and the Number is Disconnected.*

CSP Issuing a Number held in Quarantine from a Churned or Ported Number they Hold

- 4.7.3 A CSP Holding a Churned or Ported Number in Quarantine following Disconnection of the Listed Carriage Service must not Issue a Churned or Ported Number to a Customer, except where the CSP is Issuing the Number to:

- (a) the former Customer;
- (b) a member of the family of the former Customer;
- (c) a former authenticated End User of that Number; or
- (d) a person taking over the business that formerly used that Number.

NOTE: For example, a Listed Carriage Service that uses a Churned or Ported number may be Disconnected in error, or the CSP may recall a Number for a breach of its terms and conditions, such as in a domestic or family violence situation.

In these cases, the CSP may remove the Number from Quarantine and Issue the Number(s) as above.

Where the Customer wants to Churn or Port a Number held in Quarantine to a CSP other than the current Holder of the Number, the CSP Holding the Number will need to authenticate the Customer under the Telecommunications Service Provider (Customer Identity Authentication) Determination 2022 and, where satisfied of the authenticity of the request, may Issue the Number as per 4.7.3, and following this action, the Number may then be Ported or Churned to a different CSP, as per processes in the relevant industry code.

4.8 Number Portability

NOTE: The Plan identifies the Numbers that are Portable.

- 4.8.1 A CSP or Carrier that is involved with providing a Portable Listed Carriage Service to a Customer must ensure that the Customer is able to exercise the Customer's ROU in relation to Number Portability.
- 4.8.2 A CSP must Port the Customer's Portable Number to another CSP, if the other CSP has a valid Customer Authority, for the Number to be Ported.
- 4.8.3 CSPs or Carriers must use a Porting solution as described in the relevant Inbound, Local or Mobile Number Portability Industry Code.

NOTE: At the time this Code was registered these included [C540 Local Number Portability](#), [C570 Mobile Number Portability](#), and [C657 Inbound Number Portability](#).

- 4.8.4 The losing CSP must, to the extent that it is within the CSPs control, ensure that no action or inaction on its part prevents:
 - (a) the Customer from keeping the same Portable Number when changing to the new CSP.
 - (b) the gaining CSP from providing an equivalent Listed Carriage Service, in relation to the Ported Number, to the Customer to whom the Ported Number has been Issued; and
 - (c) an end-user, when using or calling the Ported Number, from receiving a Listed Carriage Service that is an equivalent Listed Carriage Service.

4.9 Providing an Equivalent Porting Capability for a Listed Carriage Service

- 4.9.1 A CSP or Carrier that is involved with providing a Listed Carriage Service using a Portable Number must ensure that it has:

- (a) the technical capability required to give effect to Number Portability for the Portable Number; and
- (b) technology available for use within its Network to give effect to the requirements of this instrument relating to Number Portability in a way that provides an equivalent Listed Carriage Service and enables end-to-end connectivity.

4.9.2 In determining whether a Listed Carriage Service is an equivalent Listed Carriage Service, CSPs must have regard to the following matters:

- (a) any relevant criteria that have been specified by the ACMA for the purpose of identifying an equivalent Listed Carriage Service;
- (b) the Network capacity of the CSPs and Carriers concerned;
- (c) the support systems available to Carriers and CSPs;
- (d) any other matters relevant to providing Number Portability.

4.10 Network Routing

- 4.10.1 If a CSP has Issued a Number to a Customer, that CSP must determine the appropriate Network routing arrangements for a Number that it Holds.
- 4.10.2 The CSP Holding a Number must determine the appropriate Network routing to facilitate the ability of the Customer to use that Number to communication with any other Issued Number.

4.11 Network Routing of Ported Numbers

- 4.11.1 Where a Customer has Ported a Number to a CSP, that CSP must determine the appropriate Network routing arrangements for a Number that it Holds.
- 4.11.2 If a CSP or Carrier has routing responsibility in relation to facilitating communication to a Portable Number, the CSP or Carrier must enable connectivity to the Ported Number by:
 - (a) routing the communication appropriately; or
 - (b) ensuring correct routing of communications to the appropriate CSP or Carrier for calls to the Ported Number.

4.12 Disconnection of Service to a Ported Number

- 4.12.1 If a Number was Ported from one CSP to another and the Listed Carriage Service to which the Ported Number relates is Disconnected, the following applies:
 - (a) Freephone Number:

- (i) the CSP to which the Freephone Number was Ported must Surrender the Freephone Number, which will result in the Number being Quarantined and the Freephone Number flagged as unavailable until after the Quarantine period.
- (b) Geographic Number:
 - (i) the Recipient CSP that Holds the Geographic Number must retain the Geographic Number in Quarantine for the Quarantine period as defined in section 7.2 and then;
 - (ii) at the end of the Quarantine period the Recipient CSP must Give Back the Geographic Number to the CSP that Holds the relevant Geographic Number block within two Business Days;
 - (iii) the CSP to which the Geographic Number was Ported must arrange update of the relevant Number Register that advises that the Geographic Number is no longer Ported, and the Donor Carrier that will terminate calls to the Geographic Number.
- (c) Local Rate Number:
 - (i) the CSP to which the Local Rate Number was Ported must Surrender the Local Rate Number, which will result in the Local Rate Number being Quarantined then flagged as unavailable until after the Quarantine period.
- (d) Mobile Number:
 - (i) the Recipient CSP to which the Mobile Number was Ported must retain the Mobile Number in Quarantine for the Quarantine period as defined in section 7.2 and then:
 - (ii) at the end of the Quarantine period, the Recipient CSP must give the Mobile Number back to the CSP that Holds the relevant Mobile Number block within six Business Days;
 - (iii) upon being Given Back a Mobile Number that was Ported, the Donor Carrier must update the relevant Number Register that advises that the Mobile Number is no longer Ported.

4.13 Moving Numbers Between Customers

Numbers other than Premium Rate Numbers

NOTE: A CSP may agree on request by the ROU Holder, to Recall the Number the Customer has ROU for and Issue it to a different person, however, the CSP is under no obligation to do so.

A CSP should inform their Customers not to make promises to another party to the effect that a Number can be Moved to them without first consulting with the CSP.

- 4.13.1 A CSP must have authority from both the current ROU Holder and the other person before Recalling the Number from the current ROU Holder and Issuing it to that other person.

NOTE: Subject to clause 4.13.1, a CSP may use its own process for Recalling the Number from the Customer and Issuing the Number to another person.

Premium Rate Numbers

- 4.13.2 To change the ROU Holder of a Premium Rate Service, the PRSP must:

- (a) agree to Issue the Number Recalled from the current ROU Holder to the proposed new ROU Holder;
- (b) Recall the Premium Rate Number from the current ROU Holder, and ensure that the Recovery Record clearly indicates that the Recovery is conditional on the Premium Rate Number being Issued to the proposed new ROU Holder; and
- (c) Issue the Premium Rate Number to the proposed new ROU Holder.

- 4.13.3 If a Recovery Record for a Premium Rate Number is conditional on the Issue of that Premium Rate Number to another person, the PRSP must not Recover the Premium Rate Number if it has not agreed to the provision of a PRS in relation to that Premium Rate Number, to the proposed new ROU Holder.

NOTE: In this situation, the current ROU Holder would have to Move their PRS and the associated Number to another PRSP that would agree to provide a PRS to the proposed new ROU Holder and change the ROU of the Premium Rate Number.

4.14 Premium Rate Numbers - Recovery Record

- 4.14.1 A PRSP must Recover a Premium Rate Number from a ROU Holder by means of the Recovery Record.
- 4.14.2 A PRSP must complete a Recovery Record in writing, in the form at Appendix E and signed by or on behalf of both parties.

NOTE: The minimum requirements of the Recovery Record (Appendix E) are that it:

- (a) specifies the Premium Rate Number to which the Recovery Record applies;
- (b) identifies the parties;

- (c) *clearly and unambiguously records that the Premium Rate Number has been Recalled;*
- (d) *clearly identifies if the Recovery is conditional on (re)Issue of the Premium Rate Number to a person nominated by the ROU Holder agreeing to the Recovery of the Premium Rate Number;*
- (e) *clearly identifies if the Premium Rate Number had to be Recalled by the PRSP in accordance with section 8 in the absence of the ROU Holder;*
- (f) *contains an acknowledgment that the ROU Holder loses ROU to the Premium Rate Number;*
- (g) *specifies the date on which the Premium Rate Number is Recalled and the ROU are lost;*
- (h) *must be executed and dated by the PRSP and the ROU Holder; and*
- (i) *if executed by a corporation, must be executed by a person having the authority to do so.*

4.14.3 A PRSP must:

- (a) keep a copy of each executed Recovery Record and any notices given for clauses 4.13.3 (a) and 4.13.3 (b); and
- (b) give an original or copy of the ROU Record for the Premium Rate Number and also give that person a copy of the Recovery Record in respect of the Premium Rate Number and any notices given for clauses 4.13.3 (a) and 4.13.3.(b); and
- (c) if requested at any other time, give a copy of a Recovery Record to the other person that executed it, or to the person to whom the ROU are changed.

4.15 Premium Service Cancellation and Recall of Numbers

4.15.1 If a PRS is to be cancelled by the PRSP other than at the request of the ROU Holder;

- (a) a PRSP must give a ROU Holder at least 30 Business Days written notice of its intention to cease providing a PRS in relation to a Number, unless the ROU Holder agrees to a shorter notice period;
- (b) if a Movement Advice Form is not received, the PRSP must confirm this with the Carrier in writing;
- (c) prior to Recovering the Number from the ROU Holder at the expiry of the notice period, the PRSP must complete Part B of the Recovery Record (refer to the form at Appendix E) including the section which confirms that:
 - (i) the company has provided 30 days' notice to the ROU Holder with no response;
 - (ii) a Movement Advice Form has not been received; and
 - (iii) the PRSP is Recalling the Number.

4.16 Restriction on providing Registration Premium Rate Service on other Numbers

- 4.16.1 A CSP supplying a PMTS must only supply a Registration Premium Rate Service on a Premium Rate Number beginning with "1901".

NOTE: A Premium Rate Number may only be used only for a type of Listed Carriage Service as specified in the Plan.

4.17 Application to Surrender Smartnumber

- 4.17.1 If the EROU Holder for the Smartnumber makes a request to the CSP to Surrender the Smartnumber, and there is no Listed Carriage Service being provided, the CSP must make an application to ACMA no later than 5 business days after receiving the request.

NOTE: The EROU Holder retains the rights to trade the enhanced rights of use for the Smartnumber and to ask a CSP to apply for allocation of the Smartnumber.

5 CSP'S OBLIGATIONS: RECALLING AND REPLACING NUMBERS

NOTES: 1. This Section limits the circumstances in which a CSP can Recall and Replace a Number Issued to a Customer.

2. A CSP is not required to agree to Recall a Number from the ROU Holder and Issue it to another Customer if requested. It is in the ROU Holder's interest to make arrangements with their CSP before considering such a change.

5.1 CSP must not Recall and Replace Numbers

- 5.1.1 A CSP must not Recall a Number that it does not Hold from a Customer, unless it has been authorised to do so by the ACMA.

NOTE: In some circumstances of failure of a CSP, an alternate CSP or Carrier may be requested by the failed CSP or the ACMA to assist in service Recall arrangements.

- 5.1.2 A CSP must not Recall and then Replace a Number Issued to a Customer, except where one of the following applies:
- (a) the Plan requires the Recall and Replacement of the Number;
 - (b) the Customer asks for, or agrees to, the Recall and Replacement of the Number;
 - (c) it would avoid modifying or replacing plant or equipment in a way that would:
 - (i) have significant technical and financial consequences for the CSP or Customers; or
 - (ii) cause significant difficulties for the Customer.
 - (d) the CSP applies to the ACMA to Recall and Replace the Number, giving reasons for the Number Recall and Replacement.

5.2 Deciding the application for Recall and Replacement

NOTE: The ACMA will consider any matters it considers relevant when deciding the application for Recall and Replacement. The ACMA will decide the application within 65 Business Days of receiving it.

The 65 Business Days do not include a period:

(a) starting when the ACMA asks the applicant for further information to allow it to consider the application; and

(b) ending when it receives information.

5.3 The ACMA may ask for further information about application.

NOTE: The ACMA may ask an applicant to give it further information on matters mentioned in the application to enable it to decide the application.

5.4 The ACMA may ask for advice from appropriate bodies.

NOTE: In deciding whether to grant the application, the ACMA may consider a recommendation of an advisory committee, any relevant Industry committee or Reference Panel of the ACCC.

5.5 CSP must tell the Customer about Recall and Replacement.

- 5.5.1 A CSP wishing to Recall and Replace a Customer's Number must tell the Customer, in a way that can be audited, that the CSP wishes to change the Number and the reason for doing so, along with the date on which the Recall and Replacement will occur.

5.6 Notification period

- 5.6.1 The period of notice a CSP must provide prior to Recalling and Replacing a Number is 90 calendar days, unless clause 5.6.2 applies.

NOTE: A CSP may use differing terminology for a detrimental impact notice, this will generally be included within the CSPs terms of service.

- 5.6.2 The period may be shorter if the Customer:
- (a) agrees to a shorter notice period;
 - (b) asks for the Number to be Recalled.
 - (c) has not used the Number for a continuous period, ending immediately before notification, that is at least as long as the period of notice.
 - (d) is the ROU Holder of a PRS and the CSP provides at least 90 calendar days' notice of its intention to cease providing a PRS in relation to a Number, unless the ROU Holder agrees to a shorter notice period.
 - (i) a notice given under clause 5.6.2(d) must contain advice that if the Number is not Moved to another PRSP, the service will be terminated and the current PRSP may Recall the Number.

NOTES:1. If clause 5.6.2 (c) occurs, the ROU Holder may then seek another PRSP to provide a PRS on the same Number on the same Carrier's Network, prior to expiry of the notice. The process for Moving a Number from one PRSP to another is set out in clause 4.14.

6 CSP'S OBLIGATIONS: RECALLING NUMBERS WITHOUT REPLACING THEM

This section sets out the circumstances in which a CSP can Recall (without Replacement) a Number Issued to a Customer and the obligations imposed on a CSP that Issues a Recalled Number to a new Customer.

6.1 CSP must not Recall Numbers without Replacing them.

6.1.1 A CSP must not Recall a Number Issued to a Customer (without Replacement) except in the following circumstances:

- (a) the Customer has breached the terms and conditions associated with the Listed Carriage Service or other applicable regulation; or

NOTE: As consistent with subsection 99(g) of the Plan.

- (b) the Customer asks for, or agrees to, the Recall of the Number; or
- (c) the Customer asks the CSP to Move the Number to another Customer and the CSP agrees to the Move; or

NOTES: The ACMA may give written directions to a CSP: see section 581 of the Act.

A CSP should inform their Customers not to make promises to another party to the effect that a Number can be Moved to them without first consulting with the CSP.

- (d) where the CSP ceases to offer the type of Listed Carriage Service associated with the Number; or
- (e) where the CSP ceases to offer the type of Listed Carriage Service to Customers in the same location as the Customer; or
- (f) where the CSP ceases to supply the Listed Carriage Service to the Customer; or
- (g) where the Customer does not subscribe, within a time agreed between the CSP and the Customer, to the Listed Carriage Service for which the Number was Reserved; or
- (h) where the Number was Issued on a temporary basis, or the Number was Issued to the Customer on the condition that it would be Recalled on, or from, a specified date; or
- (i) where the supply of the Listed Carriage Service to the Customer is terminated for any reason.

6.1.2 The CSP must Recall the Number (without Replacement) if the ACMA directs the CSP to Recall the Number.

7 DISCONNECTION AND QUARANTINE

7.1 Disconnection

NOTE: The Disconnection of a Listed Carriage Service can be either at the request of the ROU Holder or initiated by a CSP (see Appendix C, Table 3, Step 6 for Disconnection and Step 7 for Quarantine).

- 7.1.1 A CSP must act on the basis that the ROU Holder's rights continue until the Listed Carriage Service associated with the Number is Disconnected. A Customer ceases to be the ROU Holder of the Associated Numbers in a Managed Number Block when all the Listed Carriage Services associated with those Numbers have been Disconnected or the ROU Holder advises the CSP that it no longer requires the Managed Number Block.

NOTE: When a Managed Number Block is no longer required, the Numbers that were part of that Managed Number Block revert to the applicable status had that Managed Number Block not existed e.g. Numbers associated with a Disconnected Listed Carriage Service will go into Quarantine.

- 7.1.2 If a ROU Holder wishes to Port their Number, the gaining CSP must advise the ROU Holder not to Disconnect their Listed Carriage Service prior to Porting.

NOTE: A ROU Holder may not be aware that concurrent requests for Disconnection with their current CSP and Porting of their Number to a new CSP in the same time frame may result in a ROU Holder having to request their CSP to reactivate their Listed Carriage Service.

- 7.1.3 If a CSP identifies or is advised of an incorrectly Disconnected Listed Carriage Service and the CSP Holds the associated Number in Quarantine, the CSP must Re-Issue the Number to the ROU Holder within one Business Day of the Disconnection error coming to the CSP's attention, regardless of whether the relevant Listed Carriage Service remains Disconnected.

NOTE: The timing of any remediation by the CSP of the incorrectly Disconnected Listed Carriage Service is unaffected by the timing of the Re-Issue of the associated Number.

If the previous ROU Holder seeks access to the Number after the Quarantine period (minimum six months) has ended and the Number has been Given Back, the Number will no longer be available to the previous ROU Holder despite the Listed Carriage Service previously associated with the Number having been incorrectly Disconnected.

7.2 Number Quarantine

NOTE: Upon Disconnection of a Listed Carriage Service either at the request of the ROU Holder or initiated by a CSP, the Number is placed into Quarantine. (see Appendix C, Table 3, Step 7 for Quarantine.)

7.2.1 The CSP must upon Disconnection of a Listed Carriage Service place the Number, including Churned or Ported Numbers, into Quarantine, subject to the following:

- (a) in the case that the Listed Carriage Service has not been Disconnected as a result of Unwelcome Communication or Life-Threatening Communications, the standard Quarantine period is six months;
- (b) where the Listed Carriage Service has been Disconnected as a result of Unwelcome Communication or Life-Threatening Communications, the Number must be placed into Quarantine for a period of at least 12 months and may be longer depending upon the circumstances, where a longer period may be applied at the discretion of the CSP Holding the Number

NOTES:1. In certain circumstances the CSP may need to ensure that the Number not be made available to be Issued for a period that is longer than the 12-month Quarantine period e.g. the Number has been associated with a person, place or action and has been in the public domain and the Issue of that Number may have a detrimental effect on the Customer to whom it is Issued, the CSP or to the broader community.

2. The ACMA and the CSP may negotiate any such arrangements that would have the required result of limiting the Issue of such Numbers for the required period.

7.2.2 A Recipient CSP must not Give Back the Number until the full Quarantine period has been served.

NOTE: A Recipient CSP may remove a Number from Quarantine and Issue the Number as per clause 4.7.3.

7.2.3 After serving the relevant Quarantine period, a CSP must Give Back to the Donor CSP a Number that has been subject to Churn or Porting, subject to clause 4.7.3.

NOTES: The Give Back process is set out in the relevant Number Portability Code and associated Guidelines.

[C540 Local Number Portability](#)

[C570 Mobile Number Portability](#)

[C657 Inbound Number Portability](#)

Upon receiving a Ported Number via the Give Back process the Donor CSP is not required to hold the Number for a further Quarantine period. The Number will be available for immediate Issue to a Customer.

Subject to clauses 4.7.3 and 7.2.2, a Churned or Ported Number that is Given Back will be considered to have met the Quarantine obligations and the Number may be immediately re-issued by the Holder of that Number.

8 RIGHTS OF USE AND CUSTOMER INFORMATION

8.1 Informing Customers of their Rights Of Use

General Rights of Use and Customer Information

A ROU Holder has the right to:

- (i) use the Number while a Listed Carriage Service is provided on that Number;*
- (ii) originate communication via a Listed Carriage Service on the Network provided by that CSP;*
- (iii) have a communication of a type associated with that Listed Carriage Service terminate on that Number; and*
- (iv) Port the Number, where that Number is Portable, while the Listed Carriage Service is an Active Service.*

Where agreement has been reached with the Customer for the provision of a Listed Carriage Service at an agreed future date, in association with a specific Number, ROU of that Number arise from the commencement date of the agreement.

While a Customer has a right to Port a Number, CSP's are under no obligation to Port in a Number the Customer has ROU to.

The ROU of a Number is extinguished when the Listed Carriage Service is Disconnected, or the Number is Recalled.

8.1.1 The CSP that Issues a Number to a Customer must inform the Customer, at the time of contracting with them, that they become the ROU Holder of a Number when that Number is Issued to them and:

- (a) that the CSP has obligations (per section 8.1 above) to the Customer in relation to that Number, unless;
 - (i) the Number Issued is additional to Numbers previously Issued to the Customer by the provider; and
 - (ii) the CSP's obligations in relation to the Number Issued do not differ from the obligations applicable when the provider last Issued a Number to the Customer;
- (b) the information that must be included in any telephone directory published by the CSP.

8.1.2 The information given to a Customer by a CSP in accordance with clause 8.1.1:

- (a) must explain the CSP's obligations mentioned in this section; and

- (b) may include details of other conditions imposed by the CSP on using Numbers Issued by the provider.

NOTE: The information that a Number is Issued when agreement is reached for the provision of a Listed Carriage Service in association with the Number can be provided to Customers in the standard terms and conditions of service or in SFOAs.

- 8.1.3 Upon request by a Customer, a CSP must provide information to the Customer about ROU of a Number in a timely manner.

8.2 Re-instating Use of a Number

NOTE: Until such time as a Number Held by that CSP is Issued to a new Customer, the CSP may re-instate a Customers ROU to the Number by making the Number available to a Customer upon request but is under no obligation to do so.

8.3 Changes by a CSP or underlying Carrier

- 8.3.1 A CSP and any underlying Carrier(s) must not do anything that affects the Customers ongoing Rights of Use of the Number while the Listed Carriage Service is an Active Service.

8.4 Premium Rate Numbers – Rights of Use

General Information for Rights of Use of Premium Rate Numbers

A ROU Holder will lose ROU and the Premium Rate Number if the ACMA directs the Premium Rate Number to be Recalled.

The ROU Holder may enjoy the beneficial use of the Premium Rate Number(s) freely, and without hindrance subject to their compliance with the Code, the Contract, applicable legislation, and applicable regulations.

Financial settlements between a ROU Holder and CSPs/PRSPs involved in providing the PRS are a commercial matter and do not affect the ROU Holder's rights in respect of the Premium Rate Number. If this occurs outside the terms of the Contract, the ROU Holder may incur a charge in accordance with the contract terms.

Subject to agreement by a gaining PRSP, the ROU Holder may Move the Premium Rate Number to that PRSP for continuation of the PRS. If this occurs outside the terms of the Contract, the ROU Holder may incur a charge in accordance with the contract terms.

PRSPs cannot Move Premium Rate Numbers from one Carrier Network to another.

8.5 Premium Rate Numbers – Change of ROU Holder

NOTE: A current ROU Holder and another person (the proposed new ROU Holder) may agree that they want to Move the ROU of a Number from one to the other.

To Move a Number from a ROU Holder to another person under the Plan, it must be first Recalled by a person that has the authority to Recall it, and then Issued to the new ROU Holder. A PRSP is not required to provide a PRS to a person with whom it does not want to do business.

Premium Rate Number – Change of ROU Process

8.5.1 Where the PRSP:

- a) agrees to Issue the Number Recalled from the current ROU Holder to the proposed new ROU Holder; and
- b) Recalls the Number from current ROU Holder ensuring that the Recovery Record clearly indicates that the Recall is conditional on the Number being Issued to the proposed new ROU Holder; and
- c) Issues the Number to the proposed new ROU Holder; and
- d) a Recovery Record is conditional on the Issue of a Number to another person,

the PRSP must not Recall the Number if it has not agreed to the provision of a PRS in relation to that Number, to the proposed new ROU Holder.

NOTE: In this situation, the current ROU Holder would have to Move their PRS and the associated Premium Rate Number to another PRSP that would agree to provide a PRS to the proposed new ROU Holder and change the ROU of the Premium Rate Number.

8.6 Smartnumbers – Enhanced Rights of Use

8.6.1 A ROU Holder for a Smartnumber has the following enhanced rights of use:

- (a) the right to request a CSP (which may be the provider that was the joint applicant for the Smartnumber) to supply a Listed Carriage Service on the Smartnumber;
- (b) the right to trade the enhanced rights of use;
- (c) the right to ask a CSP to Surrender the Smartnumber
- (d) the right to give up all rights in relation to the Smartnumber;
- (e) except as set out in clause 8.10 the right to have no Active Service in place for the Smartnumber;
- (f) the right to ask a CSP to apply for the Allocation of the Smartnumber, if it is an assigned unallocated Smartnumber;
- (g) the right to Disconnection of an Active Service on the Smartnumber at any time.

- 8.6.2 The right to Disconnection of an Active Service does not affect the validity of any agreement for the delivery of Listed Carriage Services between the person to whom the Listed Carriage Services are provided and the CSP concerned.
- 8.6.3 A CSP need not act on a request by a person purporting to be the ROU Holder unless the CSP is satisfied that the person who made the request is the current ROU Holder.
- 8.6.4 For the purpose of being so satisfied, the CSP is entitled to rely on the Register of Smartnumbers.

8.7 Trading the enhanced rights of use and licensing a Smartnumber

- 8.7.1 A CSP must not hinder the Porting of a Smartnumber.
- 8.7.2 The CSP to which the Smartnumber is Allocated must not do anything to hinder the trading of the EROU or the licensing of the Smartnumber.

NOTE: The EROU-Holder for a Smartnumber may trade all the EROU-Holder's EROU. However, this does not entitle the EROU-Holder to trade only some of the EROU.

The Surrender of the Smartnumber does not prevent the EROU-holder from trading the EROU for the Smartnumber.

The EROU-Holder for a Smartnumber may license another person to have an Active Service on the Smartnumber.

A trade of the EROU does not come into effect until the ACMA is notified of the trade in the form approved by the ACMA.

A person who becomes the EROU-Holder as the result of a trade must ensure that the Register contains accurate information.

Strict compliance with the approved form is required.

8.8 Waiver of EROU

NOTE: The EROU-Holder for an assigned unallocated Smartnumber may notify the ACMA, in a form approved by the ACMA, that the EROU-holder no longer wants the EROU for the Smartnumber.

If an EROU-Holder wants to give a notice in respect of an Allocated Smartnumber, the EROU-Holder would need to request that the CSP Surrender the Smartnumber: see clause 4.17.1

Strict compliance with the approved form is required.

At the time when the ACMA receives a notice:

- the Smartnumber becomes an Unassigned Unallocated Smartnumber; and

- the EROU-Holder ceases to be the EROU-Holder for the Smartnumber.

An application for the initial allocation of an Unassigned Unallocated Smartnumber must be made under section 73 of the Plan.

8.9 Cancellation of EROU – false statement

NOTE: This section applies if the EROU-Holder for a Smartnumber was the joint applicant for the Smartnumber and is convicted of making a false statement (within the meaning of subsection 136(1) of the Criminal Code) in the application.

The ACMA will:

- cancel the EROU; and
- Withdraw the Smartnumber from the CSP.

The ACMA will notify the EROU-Holder for the Smartnumber of its decision in writing.

8.10 Cancellation of EROU – no allocation for 3 years

NOTE: The ACMA will cancel the EROU for a Smartnumber if it has been an assigned unallocated Smartnumber for a continuous period of 3 years.

The ACMA will notify the EROU-Holder for the Smartnumber of its decision in writing.

9 REFERENCES

Publication	Title
Industry Codes	
C513	Customer and Network Fault Management Industry Code
C525	Handling of Life Threatening and Unwelcome Communications Industry Code
C540	<i>Local Number Portability</i> Industry Code
C570	<i>Mobile Number Portability</i> Industry Code
C657	<i>Inbound Number Portability</i> Industry Code
Industry Documents	
G660	Assisting Customers Experiencing Domestic and Family Violence
Legislation	
<i>Competition and Consumer Act 2010</i>	
https://www.legislation.gov.au/Series/C2004A00109	
<i>Privacy Act 1988</i>	
https://www.legislation.gov.au/Series/C2004A03712	
<i>Telecommunications Act 1997</i>	
https://www.legislation.gov.au/Series/C2004A05145	
<i>Telecommunications Service Provider (Customer Identity Authentication) Determination 2022</i>	
https://www.legislation.gov.au/Details/F2022L00548	
<i>Telecommunications (Numbering Charges) Act 1997</i>	
https://www.legislation.gov.au/Series/C2004A05149	

APPENDIX

A CSP OBLIGATIONS TO RECOGNISE ROU

Table 1 identifies the relationship between CSPs and ROU Holders. The table does not deal with situations where the End User does not have a direct contractual relationship with a CSP for the provision of that Listed Carriage Service. Table 1 should be read in conjunction with Column 4 (Do ROU Exist) of Appendix C.

TABLE 1

Relationships between CSPs and ROU Holders

	CSP(1)	CSP(2)	ROU Holder
Provision of Listed Carriage Service by CSP(1)	Number Holder recognises ROU of the ROU Holder.	N/A	ROU Holder has commercial relationship with CSP (1)
Number Transferred from CSP(1) to CSP(2)– Listed Carriage Service provided by CSP(2)	Recognises CSP (2) as the Number Holder post-Transfer	Becomes the Number Holder and recognises ROU of the ROU Holder post-Transfer	ROU Holder has commercial relationship with CSP (2)
Number Ported to CSP(2)	Recognises CSP (2) as the Number Holder post-Porting	Becomes the Number Holder and recognises ROU of the ROU Holder post-Porting.	ROU Holder has commercial relationship with CSP (2)
Provision of Listed Carriage Service by CSP(2). CSP(2) resells CSP(1)'s Listed Carriage Service	CSP(1) has contractual relationship with CSP(2) for resale of Listed Carriage Service. CSP(1) recognises CSP(2) has contractual relationship with ROU Holder	Recognises ROU of the ROU Holder	ROU Holder has commercial relationship with CSP (2).

B STATE OF NUMBERS

Table 2 below illustrates that there is a distinction between the state of an individual Number and a Number in a Managed Number Block, in the state of a Listed Carriage Service, and the possible relationships between the two.

TABLE 2
State of Numbers

STATE OF INDIVIDUAL NUMBER	STATE OF LISTED CARRIAGE SERVICE	STATE OF MANAGED NUMBER BLOCK	STATE OF LISTED CARRIAGE SERVICES WITHIN THE MANAGED NUMBER BLOCK
Reserved	Inactive	Reserved	Inactive
Issued	Can be: <ul style="list-style-type: none"> • Pending Activation • Active; or • Suspended 	Issued	At least one Listed Carriage Service in the Managed Number Block must be: <ul style="list-style-type: none"> • Pending Activation • Active; or • Suspended. The remainder of the Listed Carriage Services in the Block can be in any of the above states or <ul style="list-style-type: none"> • Disconnected.
Quarantine	Disconnected	Quarantine	Disconnected (only when all numbers in the Managed Number Block are Disconnected)

C RIGHTS OF USE MATRIX

The matrix in Table 3 below covers activities involving all numbers except Premium Service numbers where they are covered by the Rules.

TABLE 3
Rights Of Use of Numbers Matrix

COLUMN 1: Activity	COLUMN 2: Is the Number Reserved?	COLUMN 3: Is the Number Issued?	COLUMN 4: Do ROU exist?	COLUMN 5: Can the Number be Ported or Moved?
<p>Step 1 Preliminary discussions about supply of a Listed Carriage Service</p> <p>The CSP may have a conversation with a potential Customer about supply of a Listed Carriage Service that may include discussion of the possible Number for use with the Listed Carriage Service. However, there is no agreement in place between the CSP and the Customer.</p>	No	No	No	No
<p>Step 2: Number Reservation</p> <p>(a) A person may have identified the Number that it would like to use for future Listed Carriage Service but has not entered into contractual arrangements with the CSP to Reserve the Number</p> <p>(b) The CSP enters into a contractual arrangement to Reserve the Number for that Consumer who then becomes the Customer and is assigned ROU; (e.g. a single Number, or a contiguous block of numbers</p> <p><i>NOTE: Purchase of a prepaid Listed Carriage Service does not constitute entering into a contractual arrangement for that Number until the Listed Carriage Service is Activated.</i></p>	(a) No (b) Yes	(a) No (b) No Reserved for future use and possible Issue subject to the contractual commitments being satisfied	(a) No (b) No	(a) No (b) No However, a Consumer may choose to have the Number Issued by the CSP that Reserved the Number, following which Porting may occur.

Activity	Is the Number Reserved?	Is the Number Issued?	Do ROU exist?	Can the Number be Ported or Moved?
<p>Step 3 CSP agrees to provide a Listed Carriage Service to the Customer for post-paid Listed Carriage Service.</p> <p>When the CSP agrees to provide Listed Carriage Service:</p> <ul style="list-style-type: none"> (i) associated with a Number, or (ii) where the Listed Carriage Service is associated with a Managed Number Block. (Note: Listed Carriage Services to some or all of the numbers in that Managed Number Block may be Activated at the same time, or some may be Activated at a later date.) 	<p>(a)</p> <ul style="list-style-type: none"> (i) No (ii) No. 	<p>(a)</p> <ul style="list-style-type: none"> (i) Yes (ii) Yes <p>All the numbers which are part of the Managed Number Block are Issued.</p>	<p>(a)</p> <ul style="list-style-type: none"> (i) Yes (ii) Yes <p>ROU commence when the CSP advises that they have agreed to provide a Listed Carriage Service on any Number in that Managed Number Block</p>	<p>(a)</p> <ul style="list-style-type: none"> (i) Yes (ii) Yes <p>Numbers in a Managed Number Block may be Ported or Moved.</p> <p>NOTE: In practical terms, to enable the Number to be Ported or Moved the Customer may have to wait until the Listed Carriage Service is Activated and logged into the CSP's systems.</p>
<p>Step 3 CSP agrees to provide a Listed Carriage Service to the Consumer for a prepaid Listed Carriage Service.</p> <p>The agreement from the CSP can only occur at the point when the Customer has contacted the CSP to Activate the Listed Carriage Service and the Customer has fulfilled the legislated identification obligations. The agreement must include the Number that will be used for the Listed Carriage Service and may include confirmation of the time and date for activation.</p> <p><i>Note: The Number associated with some prepaid Listed Carriage Services may be subject to an expiry date after which the Listed Carriage Service cannot be Activated on that Number. The Listed Carriage Service may also have an expiry date before which a Customer may have to apply additional credit in order to enable the Listed Carriage Service and the associated ROU to continue.</i></p>	<p>(b) No.</p> <p>Because the Number is Issued when the agreement to provide Listed Carriage Service is made by the CSP.</p>	<p>(b) Yes.</p> <p>The Number is Issued with Listed Carriage Service Activation pending. After the CSP agreement is made there may be a period of time between the actual physical Activation of the Listed Carriage Service with the Number.</p>	<p>(b) Yes</p>	<p>(b) Yes, while it is in an Activated status.</p> <p>In practical terms, to be able to give effect to the Port or Move, the Customer may have to wait until the Listed Carriage Service is Activated and logged into the CSPs systems, so Porting can occur.</p>

Activity	Is the Number Reserved?	Is the Number Issued?	Do ROU exist?	Can the Number be Ported or Moved?
Step 4: Active Listed Carriage Service	No	Yes	Yes	Yes
<p>Step 5: Listed Carriage Service Suspension</p> <p>An arrangement for the temporary cessation of Listed Carriage Service provision. This may be initiated by:</p> <ul style="list-style-type: none"> (i) the ROU Holder (e.g., holidays); (ii) the CSP (e.g., debt concern being managed or, in the case of prepaid Listed Carriage Services, the credit balance has not been maintained); or (iii) Disconnection/Suspension of a Listed Carriage Service in a block of numbers associated with a particular ROU Holder. <p>Contractual relationship continues and the Listed Carriage Service is not Disconnected. Number or Managed Number Block is still associated with the Listed Carriage Service. The Listed Carriage Service may still be enabled as an inbound calling Listed Carriage Service.</p>	No	Yes.	Yes	Yes

Activity	Is the Number Reserved?	Is the Number Issued?	Do ROU exist?	Can the Number be Ported or Moved?
<p>Step 6: Listed Carriage Service Disconnection</p> <p>The Listed Carriage Service and the Number are disassociated and the Customer no longer has a contractual arrangement with the CSP for the Listed Carriage Service.</p> <p><i>Note: Disconnection may be initiated by the ROU Holder, or the CSP as a result of credit management activity. In the case of pre-paid Listed Carriage Services, if contractual commitments, including maintaining a required credit balance, are not maintained, the CSP service eventually disconnects the Listed Carriage Service.</i></p>	No	No	No. ROU cease when the Listed Carriage Service is Disconnected	<p>No.</p> <p>The ability to Port or Move ceases when the Listed Carriage Service is Disconnected. A ROU Holder wishing to Port or Move a Number in the process of Disconnection may request the CSP to stop the Disconnection to allow the Number to be Ported.</p>
<p>Step 7: Quarantine</p> <p>After Listed Carriage Service Disconnection, the Numbers is taken out of circulation and put into Quarantine in accordance with requirements in the Code and the Plan. Minimum period is 6 months (12 months for nuisance calls). Numbers can be made available for use earlier subject to the Code.</p>	No	No	No	<p>No.</p> <p>A Customer wishing to reactivate their Listed Carriage Service, or Port or Move a Number they previously used may request the CSP to Issue the Number to them in association with a Listed Carriage Service, following Activation the Number can be Ported or Moved.</p>

D THE NUMBERING PROCESS

First Tier

The ACMA specifies numbers in the Plan for Telecommunications Numbering.

Second Tier (multi-level)

Activity:

(a) CSPs may Hold Numbers based on an Allocation from the ACMA or are transferred/Assigned Number(s) from another CSP.

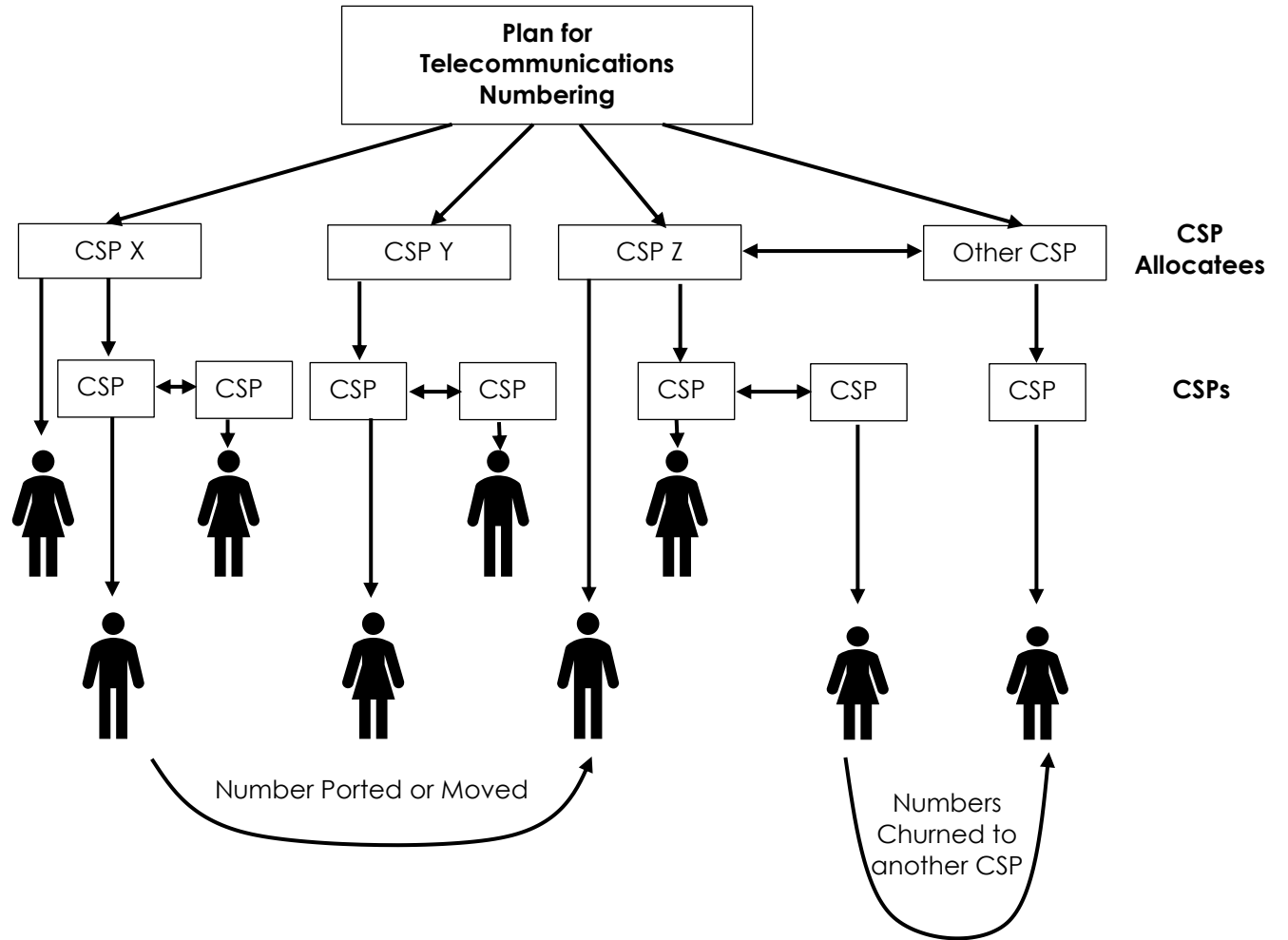
(b) The CSP (Allocatee) makes Numbers available for use by another CSP, either via the Numbering System (Transfer), or commercial arrangement (Assignment).

Third Tier

A CSP Issues numbers it Holds to Customers in association with providing a Listed Carriage Service.

The Consumer becomes the Customer and has the Rights Of Use (RoU) of their Number. The Customer is the "ROU Holder".

A Customer can change CSP providing the Listed Carriage Service on that Number via a Port or Move.g. Customer changes their number from 'CSP X' to 'CSP Z'.



E ROU RECORD PROFORMA

RIGHTS OF USE RECORD	
For the Issue & Rights of Use of a Premium Rate Service Number	
The Number is Issued by the Premium Rate Service Provider identified below.	
NUMBER _____	
I _____ (State Name and/or Company (if applicable) to whom the Number is Issued) agree to HAVE Rights of Use and have been Issued with the above Number on _____/_____/_____ (Date)	
I _____ (State Name and/or Company (if applicable) of the other party) acknowledge that I do NOT HAVE Rights of Use and have NOT been Issued with the above Number.	
_____ (Print name of signatory for Information Provider)	_____ (Print name of signatory for Premium Rate Service Provider)
_____ (Signature for Information Provider)	_____ (Signature for Premium Rate Service Provider)
_____ (Company Name of Information Provider (if applicable))	_____ (Company name of Premium Rate Service Provider)
_____ (ABN of Information Provider)	_____ (ABN of Premium Rate Service Provider)
_____ (Date)	_____ (Date)

F CHURN EXAMPLES

For the purposes of considering when a Churn scenario may occur in relation to clause 3.1.3, the below examples are provided.

Scenario 1: CSP A is Allocated Numbers via the Numbering System. CSP A Issues a Number to a Customer. The Customer of CSP A then decides to change provider and the new provider, CSP B uses the same underlying network as CSP A – this is a Churn. While the number and Listed Carriage Service is with CSP B, CSP A must maintain a record in accordance with clause 3.1.3 (a), (b) and (c) for as long as that Number is with CSP B. If the Customer decides to take their Number back to CSP A, CSP A is no longer required to maintain a record as per above.

Scenario 2: CSP A is Allocated Numbers via the Numbering System. CSP A Issues a Number to a Customer. The Customer of CSP A then decides to change provider and the new provider, CSP B uses the same underlying network as CSP A – this is a Churn. The customer of CSP B decides to change provider and the new provider, CSP C uses the same underlying network as CSP B – this is also a Churn. While the Number and Listed Carriage Service is with CSP C, CSP A must maintain a record in accordance with clause 3.1.3 (a), (b) and (c) for as long as that Number is with CSP C. If the Customer decides to take their Number back to CSP A, CSP A is no longer required to maintain a record as per above.

Scenario 3: CSP A is Allocated Numbers via the Numbering System. CSP A Assigns Numbers to CSP B. CSP B Issues a Number to a Customer. The Customer of CSP B decides to change provider and the new provider, CSP C uses the same underlying network as CSP B – this is a Churn. While the number and Listed Carriage Service is with CSP C, CSP A must maintain a record in accordance with clause 3.1.3 (a), (b) and (c) for as long as that Number is with CSP C (but only if CSP C is on the same network as CSP A). If the Customer decides to take their Number back to CSP B, CSP A is still required to maintain a record as per above because the Number is still Assigned.

PARTICIPANTS

The working committee that developed the Code consisted of the following organisations and their representatives:

Organisation	Membership	Representative
ACMA	Non-voting	Emma Bain
Aussie Broadband	Voting	Eric Erickson
Macquarie Telecom	Voting	Matthew O'Rourke
Optus	Voting	Dan Mandaru
Optus	Non-voting	Warren Hudson
Paradigm One	Voting	Devendra Gupta
Pivotel	Voting	Lachlan Highett
Symbio	Voting	Geoff Brann
Telstra	Voting	David Fabbian
TPG Telecom	Non-voting	Alexander R. Osborne
TPG Telecom	Voting	Annie Leahy
Twilio	Voting	Annemaree McDonough
Verizon	Voting	MJ Salier
Vocus	Voting	John Sexton

This Working Committee was chaired by Alexander R. Osborne. Craig Purdon of Communications Alliance provided project management support.

Communications Alliance was formed in 1997 to provide a unified voice for the Australian communications industry and to lead it into the next generation of converging networks, technologies and services.

In pursuing its goals, Communications Alliance offers a forum for the industry to make coherent and constructive contributions to policy development and debate.

Communications Alliance seeks to facilitate open, effective and ethical competition between service providers while ensuring efficient, safe operation of networks, the provision of innovative services and the enhancement of consumer outcomes.

It is committed to the achievement of the policy objective of the *Telecommunications Act 1997* - the greatest practicable use of industry self-regulation without imposing undue financial and administrative burdens on industry.



**Published by:
COMMUNICATIONS
ALLIANCE LTD**

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