

GOVERNMENT OF ZAMBIA
STATUTORY INSTRUMENT NO. 29 OF 2010

**The Information and Communication Technologies
Act, 2009**

(Act No. 15 of 2010)

**The Information and Communication Technologies
(National Numbering Plan) Regulations, 2010**

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IN EXERCISE of the powers contained in section *fifty-five* of the Information and Communication Technologies Act, 2009, and in consultation with the Authority, the following Regulations are hereby made:

PART I

PRELIMINARY

Title 1. These Regulations may be cited as the Information and Communication Technologies (National Numbering Plan) Regulations, 2010.

Interpretation 2. In these Regulations, unless the context otherwise requires

“allocated” means the status of a block assigned to a resource user for a particular purpose;

“allocated for migration only” means the status of a block allocated for a temporary period during migration from one numbering scheme to another;

“allocation” means the broad definition of categories of telephone numbers and codes determined by the Authority in the National Numbering Plan, according to various classifications of services, resource users, and applications to which different

numbering groups are applied;

“allocation certificate” means a formal document of the allocation of a block to a resource user for a particular purpose;

“annual numbering report” means a report produced by the Authority on an annual basis that summarises the current position regarding the national numbering plan;

“annual numbering return” means information supplied by a resource user annually to the Authority under regulation 12;

“Authority” means the Zambia Information and Communication Technology Authority continued under section four of the Act;

“code block” means a sequence of contiguous numbers used as a basis for allocating codes to resource users;

“country code” means the combination of one, two or three digits that identifies a specific country or countries in an integrated numbering plan or a specific geographic area;

“National Numbering Plan” means a document issued by the Authority that specifies a structure which designates specific numbers or number ranges and the use to which

they may be put and sets out policies and rules for the allocation and use of numbers in Zambia;

“resource user” means a licensee who is eligible to be assigned numbers or codes under these Regulations, or a third party re-seller of numbering related services, as determined by the Authority; and

“short code” means short, generally memorable three to five numbers that allow end-users access to a wide range of services.

Application 3. These Regulations apply to the allocation and use in Zambia of numbers in the National Numbering Plan administered by the Authority.

PART II

NATIONAL NUMBERING PLAN

Administration of numbering resource 4. The Authority shall be responsible for the primary assignment of numbers to resource users in accordance with the allocation categories identified in the National Numbering Plan.

Application for assignment 5. (1) A resource user shall apply for the assignment or reservation of numbering resources in Form I set out in the First Schedule.

(2) An application for the assignment of numbers shall, except with the approval of the Authority, be made at least sixty days before the planned in service date.

(3) The Authority shall determine an application for the assignment of numbering resources within a period of thirty days from the receipt of the application.

(4) The Authority may request for additional information from an applicant as the Authority may consider necessary for purposes of these Regulations in Form II set out in the First Schedule.

(5) In counting the thirty days referred to in sub-regulation (3), no account shall be taken of the period in which the Authority requests for more particulars or information under sub-regulation (4).

(4) . Consideration of application for assignment of numbers

6. (1) The Authority shall reject an application for an assignment of numbering resources where---

(a) the applicant has not used the previous assignment of numbers in an efficient manner or has mismanaged the assigned numbers; or

(b) the application does not meet the requirements of these Regulations.

(2) The Authority shall, where it rejects an application, partially grants an application or attaches any conditions to an allocation of numbers, inform the applicant in Form III set out in the First Schedule.

7. (1) The Authority may approve an application under these Regulations with or without any conditions.

Assignment
of numbers

(2) The Authority shall assign the numbering resources in proportion to the needs of the applicant and in a transparent and equitable manner, with priority in the assignment of the available numbering resource being given on the basis of the order of receipt of the applications.

(3) The Authority may, in consultation with an applicant, make an alternative assignment of numbers on the application that meets the applicant's requirements.

(4) The Authority may determine, on a case by case basis, the quantity of number assignments required for particular resource users, based upon demonstrated end-user demand.

(5) The Authority shall assign the numbers in an opened block prior to the numbers in any un-opened block.

(6) The Authority may, upon the request of a resource user, assign separate blocks of numbers to the resource user, where the Authority determines that the assignment would enhance market competition and not unduly diminish the non discriminatory availability of numbering resources.

(7) The Authority shall, upon the grant of an assignment, issue a resource user with an allocation certificate in Form IV set out in the First Schedule.

8. (1) A resource user shall use the numbers assigned for the purpose specified in the application.

Terms and
conditions
for use of
primary
assignment

(2) Subject to such modifications as the Authority may determine on number portability, any numbers assigned to a resource user shall remain under the control of the resource user.

(3) The Authority may, at the time of assigning the numbering resources, or at any time thereafter, impose conditions on the use of the numbering resources where it considers that it is necessary or reasonable to do so in the interests of the National Numbering Plan:

(4) Any conditions imposed under sub-regulation (3) shall be consistent with these Regulations and relate only to the use and management of the assigned numbering resources.

9. (1) The Authority may reserve numbering resources where—

Reservation
of numbering
resources.

-
- (a) a resource user does not wish to be identified by the public at the time of the application;
 - (b) the reason for the application is commercially-sensitive at the time of the application;
 - (c) the reason for the application should not be divulged prior to an application for the allocation;
 - (d) a matter in respect of which the numbering resources are required has not been finalised; or
 - (e) a resource user anticipates that an application will be made for numbering capacity.
- (2) The Authority shall, where it makes a reservation of any numbering resources under this regulation, determine an application for the assignment of the reserved numbering resources in accordance with regulation 6.
- (3) A resource user may apply for the reservation of numbering resources in Form I set out in the First Schedule where -
- (a) the resource user has applied for a licence under the Act;
 - or
 - (b) a route for migrating numbers from another block or code needs to be identified.
- (4) The Authority shall, within a period of thirty days from the receipt of an application under sub-regulation (2), determine the application and inform the applicant of its decision.
- (5) Except for the purpose for which, and to the person by whom, the reservation of numbering resources is made under this regulation, where a reservation of numbering resources is made, the numbering resources shall not be available for assignment to any other person for the period of the reservation.
- (6) The reservation of numbering resources under this regulation does not guarantee that a corresponding assignment shall be made.
- (7) Unless longer reservation is needed for the effective management of the National Numbering Plan, the limit for reservations for fixed and mobile ranges of numbers shall be six months.
- (8) A reservation may be renewed with the approval of the Authority.
- (9) The Authority may terminate a reservation awarded to a person who has applied for a license under the Act where the person does not meet the criteria for the assignment of numbers within such period as the Authority may determine.
- (10) The Authority shall make public all applications for reservations in the same manner as for number allocation, except where an applicant requests otherwise.

10. A resource user shall notify the Authority, other resource users and all the institutions involved in the administration of the National Numbering Plan of the dates on which the resource user activates the assigned numbers and codes within the time-scales agreed with the other resource users.

Notification
by resource
user

11. (1) The Authority shall withdraw the assigned numbers from a resource user where—

Withdrawal
of numbers

- (a) the resource user misuses, hoards or deals with the numbers in an illegal manner;
- (b) the resource user contravenes the Act or these Regulations; or
- (c) the public interest so requires.

(2) The Authority may, in consultation with other stakeholders and any end-user who is likely to be affected by the withdrawal, withdraw any number in use by a resource user.

12. (1) A resource user shall, within thirty days of the end of the calendar year, submit an annual numbering return to the Authority in Form V set out in the First Schedule.

Annual
numbering
return

(2) An annual numbering return submitted under sub-regulation (1) shall accurately reflect the status of the numbering resources assigned to the resource user by the end of the prior calendar year.

(3) The Authority shall consolidate the data collected from the annual numbering returns submitted under this regulation in a non commercially sensitive form in the annual numbering report .

13. (1) The Authority shall annually publish, in a daily newspaper of general circulation in Zambia and on its website, an annual numbering report containing information relating to—

Publication
of annual
numbering
report

- (a) the numbering resources allocated by the Authority;
- (b) the recipients of the numbering resources;
- (c) the conditions for use of the numbering resources which do not relate to any confidential or commercially-sensitive data; and
- (d) the status of each resource indicating whether it is free, reserved, assigned or unavailable and the period of unavailability.

(2) The Authority shall update on its website the information referred to in sub-regulation (1) at least every six months.

14. (1) A resource user shall maintain a directory of all telephone numbers assigned to the resource user's subscribers, with the exception of pre paid service customers for which listings

Maintenance
of telephone
directory by
resource
user

information is not practically available.

(2) A resource user shall, upon request by any other resource user or directory publisher, provide a full list of numbers maintained by the resource user.

(3) An end-user may request a resource user not to publish the end-user's telephone number or to avail it for any directory publication or inquiry.

(4) A resource user or directory publisher shall not publish a telephone number without the approval of the subscriber, except where the publication of such information is authorised under any other law.

PART III

SHORT CORDS AND OTHER NUMBERS

Designation of short codes 15. (1) The Authority may, in accordance with the National Numbering Plan, determine national uniform short codes to be used by all or any class of resource users in order to access emergency or inquiry services.

(2) The National Numbering Plan shall include distinctions of Type A, Type B and Type C short codes to be associated with the various types of resource user and services, in a manner consistent with the requirements of the National Numbering Plan.

Carrier identification codes

16. (1) A resource user may apply to the Authority in Form I set out in the First Schedule for a carrier identification code within the appropriate range that the resource user wishes to be assigned and in line with the designations in the National Numbering Plan.

(2) The Authority may assign a resource user a different code to the one applied for where it determines that the assignment applied for or the preference of the applicant shall-

- (a) violate the National Numbering Plan;
- (b) not be consistent with these Regulations;
- (c) unduly erode, or lead to under-utilisation of the numbering resources;
- (d) cause interference; or
- (e) bring significant and unfair competitive advantage to any person.

(3) The Authority shall, where there is competition for a particular carrier identification code, organise a transparent and equitable lottery under which the code in question shall be awarded.

Prescribed fees

17. The fees set out in the Second Schedule are payable in respect of the matters specified therein.

FIRST SCHEDULE
(Regulations 5(1), 5(4), 6(2), 9(3), 12 and 16(1))

Form I
(Regulation 5(1),9(3)and 16(1))
(To be completed in triplicate)

(LOGO)

THE ZAMBIA INFORMATION AND COMMUNICATION TECHNOLOGY AUTHORITY

The Information and Communication Technologies Act, 2009

(Act No. 11 of 2009)

**The Information and Communication Technologies
(National Numbering Plan) Regulations, 2010**

APPLICATION FOR NUMBER ASSIGNMENT/RESERVATION/ CARRIER IDENTIFICATION CORD			
<input type="checkbox"/> I <input type="checkbox"/> Individual or <input type="checkbox"/> class licence (Tick as appropriate)	Shaded fields for official use only	Licence code Date/Time	
<i>Information Required</i>	<i>Information Provided</i>		
1. Type of service			
2. Application Type (Tick as appropriate)	<input type="checkbox"/> Allocation <input type="checkbox"/> De-allocation <input type="checkbox"/> Reservation		
Reservation only*	<input type="checkbox"/> Commercially Sensitive* <input type="checkbox"/> Commercially non- sensitive* <input type="checkbox"/> Carrier Identification code		
3. (a) Name(s) of applicant (s)			
(b) Type of applicant	Individual	Company	Partnership
4. (a) Nationality (b) Identity card (National Registration Card No. or Passport No.) – Attach certified copies			
5. (a) Notification address Tel: Fax: E-mail:			
(b) Information of contact person authorised to represent the applicant Tel: Fax: E-mail:			

(a) Company name (b) Company address (c) Company registration No. (Attach certified copies of certificate of registration)						
(d) Shareholders	Shareholder	Shares held	Nationality	NRC/ Passport No.		
(e) Directors	Director	Address	Shares held	Nationality	NRC/ Passport No.	
(f) Partners						
7. Previously held numbers in Zambia, if any, by applicant issued under the Information and Communication Technologies Act, 2009	Number (Type and Number Range)					
	(a) (b) (c) (d) (e) (f)					

8.	Currently held numbers in Zambia, if any, by applicant issued under the Information and Communication Technologies Act, 2009	Number (Type and Number Range)				
		From		To		Inclusive (Tick as applicable)
		(a)		(a)		<input type="checkbox"/>
		(b)		(b)		<input type="checkbox"/>
		(c)		(c)		<input type="checkbox"/>
		(d)		(d)		<input type="checkbox"/>
9.	Currently held numbers in Zambia, if any, by subsidiary companies issued under the Information and Communication Technologies Act, 2009	Number (Type and Number Range)				
		From		To		Inclusive (Tick as applicable)
		(a)		(a)		<input type="checkbox"/>
		(b)		(b)		<input type="checkbox"/>
		(c)		(c)		<input type="checkbox"/>
		(d)		(d)		<input type="checkbox"/>
10.	Have you ever applied for a number assignment in Zambia? If yes, please give details below					
	Number assignment applied for (tick as applicable)	Geographic	Non-geographic	Special	Premium	Other
11.	Details of Numbers requested					
	Number assignment applied for (tick as applicable)	Non-geographic	Special	Premium	Other	
	(b) Brief description					
	(c) Date required					
	(d) Range of numbers requested					

	1 st choice	To		Inclusive	
	2 nd choice	To		Inclusive	
	3 rd choice	To		Inclusive	
12.	Appendices*				
	Appendix No. 1	Details of commercially sensitive information to enable Authority to make an assessment on the merits			
	Appendix No. 2	Detailed description of intended use			
	Appendix No. 3	Investment certificate issued by the Zambia Development Agency, where applicable			
	Appendix No. 4	Such other information which the Authority may require			

* The information required to be included in the various appendices

Note:

—If an allocation or part of an allocation is not brought into service within six months from the date of allocation, it shall be withdrawn by the Authority.

—Reservations will lapse after six months unless covered by an application for an allocation or a further period of reservation.

DECLARATION

I/we declare that all the particulars and information provided in this application are complete, correct and true and I/we agree that in the event that any of the said particulars and information provided is found to be untrue or fraudulent, the assignment/reservation will be revoked.

I/we agree that in the event of the revocation of the assignment/reservation, any fee paid to the Authority in respect of the same shall be forfeited. I/we declare that in the event that the nature of my/our business changes, or I/we no longer carry out operations in terms of the assignment/reservation.

I/we will notify the Authority in which case my/our assignment/reservation may be revoked or revised. Declared at this day of 20 by the following persons who are duly authorised to sign for and on behalf of the applicant under the authority of the Power of Attorney or Board Resolution which is hereby attached.

Applicant's name

Date

Applicant's signature

FOR OFFICIAL USE ONLY

Received by: _____ RECEIPT No. _____
Officer

Date Received _____

Amount Received _____

Serial No. of application _____

STAMP

(LOGO)

THE ZAMBIA INFORMATION AND COMMUNICATION TECHNOLOGY AUTHORITY

The Information and Communication Technologies Act, 2009

(Act No. 15 of 2009)

The Information and Communication Technologies

(National Numbering Plan) Regulations, 2010

REQUEST FOR FURTHER PARTICULARS

(1) Here
insert the
full names
and address
of
applicant(2)
Here insert
type of
application(3)
Here insert
reference
No. of
application

To (1).....In relation to your
application for (2).....with reference
number (3) you are hereby requested
to furnish the following information or documents in respect of your application
for.....

(a).....

(b).....

(c).....

(d).....

withindays. If you fail to furnish the requested
information within the stipulated period, your application will be treated as invalid
and shall be rejected.

Dated this.....day of.....20.....

(4)

Director-General

(LOGO)

THE ZAMBIA INFORMATION AND COMMUNICATION TECHNOLOGY AUTHORITY
The Information and Communication Technologies Act, 2009
(Act No. 15 of 2009)

The Information and Communication Technologies
(National Numbering Plan) Regulations, 2010

NOTICE OF REJECTION/PARTIAL GRANT OF APPLICATION

To (1)

.....
.....

In relation to your application for (2)..... with reference
number (3) you are
hereby notified that your application has been rejected/partially granted on the
following grounds/conditions*:

- (a).....
- (b).....
- (c).....
- (d).....

.Dated thisday of.....20.....

.....

Director-General

*Delete as applicable

(LOGO)

THE ZAMBIA INFORMATION AND COMMUNICATION TECHNOLOGY AUTHORITY
The Information and Communication Technologies Act, 2009
 (Act No. 15 of 2009)
The Information and Communication Technologies
(National Numbering Plan) Regulations, 2010

CERTIFICATE No.

ALLOCATION CERTIFICATE

Holder's name

Address

Numbers Assigned (Tick as applicable)	Geographic	Non-geographic	Special	Premium	Other
	<input type="checkbox"/>				

Type and Number range	From	To	Inclusive (tick as applicable)
	(a)	(a)	[]
	(b)	(b)	[]
	(c)	(c)	[]
	(d)	(d)	[]

The assignment/reservation/ carrier identification code is valid fromday of to the..... day of 20.....

The conditions of grant of the licence are as shown in the Annexure attached hereto.

Issued at this day of.....

.....
Director-General

ENDORSEMENT OF REGISTRATION

This licence has this day of
 been registered in the Register.

.....
Director-General

(LOGO)

THE ZAMBIA INFORMATION AND COMMUNICATION TECHNOLOGY AUTHORITY
The Information and Communication Technologies Act, 2009
 (Act No. 15 of 2009)
The Information and Communication Technologies
(National Numbering Plan) Regulations, 2010

ANNUAL RETURN			
() Individual or () class licence (Tick as appropriate)	Shaded fields for official use only	Licence code	
		Date/Time	
<i>Information Required</i>		<i>Information Provided</i>	
1. Type of service			
2. (a) Name(s) of licence holder(s)			
(b) Type of licence holder	Individual	Company	Partnership
Review period:			
Item			Number
No. of Subs programmed in HLR			
No. of Active Subs			
No. of Subs in Frozen State			
No. of Subs in Frozen State Recycled			
No. of SIM packs in stock with numbers pre-allocated			
No. of SIM packs in stock without numbers pre-allocated			
No. of SIM packs on order			
Uptake for the year (No. of SIM packs sold)			

Number Block Utilization	
One million number block (09A Bxxxxxx)	% Utilization

Short code/leading digit	Digit Length	Number
1	3	
	4	
	5	
2	3	
	4	
	5	
3	3	
	4	
	5	
4	3	
	4	
	5	
5	3	
	4	
	5	
6	3	
	4	
	5	
7	3	
	4	
	5	
8	3	
	4	
	5	
9	3	
	4	
	5	

SECOND SCHEDULE

(Regulation 17)

PRESCRIBED FEES

	<i>Item</i>	<i>Fee Mode</i>	<i>Fee Units</i>
1.	<i>Registration Fees</i>		
	All other categories	-	40,000
	Carrier pre-selection	-	200,000
2.	<i>Annual Fees</i>		
	Subscriber Number (C)*	-	1
	Annual Fee (F _A)	Annual fee formula	-
	Annual Return		223
3.	<i>Other Codes</i>		
	Mobile Network Code (MNC)	-	20,000
	National Destination Code (NDC)	-	20,000
	International Signaling Point Codes (ISPCs)	-	20,000
	National Signaling Point Codes (SPCs)	-	20,000
	Network Colour Codes	-	20,000
	SIM Headers	-	10,000
	Service Numbers (Freephones, Premium)	-	10,000
	Carrier Selection Codes	-	100,000
4.	<i>Short Codes</i>		
	3 digits	-	100,000
	4 digits	-	60,000

NOTES:

1. Registration fees are one-off fees to be paid to the Authority at the lodging in of the application for individual number assignment or reservation.
2. The assignee shall pay annual fees as shown in the table.
- * The subscriber number (C) fee set out in the table shall be the applicable fee for the purpose of determination of the annual numbering fee formula, where C= 1 fee unit.

ANNUAL NUMBERING FEE FORMULA

3. For resource user's individually assigned number blocks, the payable annual fees shall be calculated as per equation below;

$F_A = B \times C$, where

- a. F_A is the annual numbering fee to be paid by resource user.
- b. B is the total number block assigned, allocated to the resource user
- c. C is the fee for each subscriber number in the assigned number block allocated to the resource user,

PROF. G. LUNGWANGWA,
*Minister of Communications
and Transport*

LUSAKA

7th April, 2010