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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**NOTICE 1719 OF 2023****AMENDMENT OF THE NUMBERING PLAN REGULATIONS, 2016 IN TERMS OF
SECTION 68 READ WITH SECTION 4 OF THE ELECTRONIC COMMUNICATIONS
ACT, 2005 (ACT NO. 36 OF 2005)**

The Independent Communications Authority of South Africa ("the Authority") hereby publishes the amendments of the Numbering Plan Regulations, 2016 (Government Gazette No 39861, Notice No 370 of 2016) in terms of section 4 of the of the Electronic Communications Act, 2005 (Act No 36 of 2005), read with section 68 , to the extent reflected in the schedule.

Dr Charles Lewis
Acting Chairperson

27 03
Date: ____/____/2023

SCHEDULE 1

1. Definitions

In these regulations “the Regulations” means the regulations published by Government Notice No. 370 (Government Gazette No 39861) of 24 March 2016, as amended by Government Notice No 245 (Government Gazette No 43230) of 15 April 2020.

2. Amendment of regulation 1 of the Regulations

- 2.1. Regulation 1 of the Regulations is hereby amended by the insertion, after the definition “assignment”, of the following definition:

“biometric data” means the measurement and statistical analysis of people's unique physical and behavioural characteristics. For the purposes of these regulations biometric data is restricted to fingerprints.”

- 2.2. Regulation 1 of the Regulations is hereby amended by the substitution of the definition “bulk Short Message Service (SMS)/ MultiMedia Service (MMS)” for the following definition:

“bulk Short Message Service (SMS)/ MultiMedia Service (MMS)” in terms of these regulations means a subset service of Machine Related Services (MRS) which comprises of communication, sent in large volumes, that originate from an application to a mobile handset.”

- 2.3. Regulation 1 of the Regulations is amended by the substitution of the definition “calling line identification” for the following definition:

“caller line identification (CLI)” means the facility that enables the terminating licensee, any transiting licensee, and the end-user receiving the call to see the number which identifies the caller, and which enables the

terminating licensee and any transiting licensees to see the originating number.”

- 2.4. Regulation 1 of the Regulations is amended by the insertion, after the definition “caller line identification”, of the following definitions:

“**calling line identification presentation (CLIP)**” means a supplementary service offered to the called party which provides the calling party's number, with additional address information if any, to the called party.

“**calling line identification restriction (CLIR)**” means a supplementary service offered to the calling party to restrict presentation of the calling party's number, with additional address information if any, to the called party.

“**churn rate**” means a percentage of numbers of a licensee that have discontinued accessing or receiving services within a given timeframe in relation to the total number of active numbers at the start of the timeframe.”

- 2.5. Regulations 1 of the Regulations is amended by the insertion, after the definition “country code”, of the following definition:

“**dialable number**” is a number that is active, wherein caller can make a return or initiate a new call and where in relation to South African numbers, the user (individual or an organization) of the number has the authority to use the number by means of having been assigned (either directly or indirectly) the number by the licensee originating the call.”

- 2.6. Regulation 1 of the Regulations is amended by the substitution of the definitions “machine related service” and “mandated number” respectively for the following definitions:

“**machine related service**” means a service whereby:

- (a) communications between two or more machines that require no direct human intervention; or
- (b) communication originating from a device or machine to a person

and vice versa.”

“**mandated number**” means a number that is of national and/or public importance.”

- 2.7. Regulation 1 of the Regulations is amended by the insertion, after the definition “mass calling service”, of the following definitions:

“**migration**” the relocation of electronic communication service from its existing number or number range to a new number or number range in an orderly manner that minimises disruption to subscribers.”

“**mobile network code (MNC)**” is a unique two- or three-digit number used to identify a mobile network and, together with the Mobile Country Code (MCC) and the mobile subscriber number, known as the International Mobile Subscriber Identity (IMSI).”

- 2.8. Regulation 1 of the Regulations is amended by the insertion, after the definition “premium rate service”, of the following definition:

“**Processes and Procedure Regulations**” means the Licensing Processes and Procedure Regulations for Individual Licences, 2010”

- 2.9. Regulation 1 of the Regulations is amended by the insertion, after the definition “short code”, of the following definition:

“**signalling point code**” means a Network Code adopted or otherwise used in Public Communications Networks using SS7 /C7 that identifies the originating or terminating node of each SS7 /C7 message.”

- 2.10. Regulation 1 of the Regulations is amended by the insertion, after the definition “usage condition”, of the following definitions:

“**Valid number**” is a number that complies with regulation (14)(3) and has been designated for the service in question in terms of Table 3 of regulation

15 or Table 4 of regulation 16. In the instance of international calls, a valid number is one that is presented in the correct international format as set out regulation (14)(3)."

2.11. Regulation 1 of the Regulations is amended by the deletion of the definition "mass calling service".

3. Insertion of regulation 2A in the Regulations

The following regulation is hereby inserted in the Regulations, after regulation 2:

"2A. Application of these Regulations

These Regulations apply to licensees that have been issued:

- (a) an Individual Electronic Communications Service licence (I-ECS) – numbers and service\short codes;
- (b) an Individual Electronic Communications Network Service licence (I-ECNS) – access and network codes; or
- (c) a Ship Station Licence - maritime numbering resources"

4. Substitution of regulation 4 of the Regulations

The following regulation is hereby substituted for regulation 4 of the Regulations:

"4. HARMONISED AND MANDATED NUMBERS\CODES

- (1) Only numbers or codes that have the status 'released' may be harmonised and\or mandated.
- (2) When harmonising numbers or codes, the Authority may:
 - (i) not less than one hundred and eighty (180) calendar days before any number or code is harmonised or at an alternate timeline agreed upon between the Authority and the affected licensee\s, consult with the general public regarding the proposed changes; and

- (ii) publish a notice in the *Gazette* stating the numbers or codes that are harmonised and describing the services for which the numbers or codes must be used to receive communication.
- (3) When mandating numbers or codes, the Authority may:
 - (iii) not less than one hundred and eighty (180) calendar days before any number or code is mandated or at an alternate timeline agreed upon between the Authority and the affected licensee\,s, consult the general public regarding the proposed changes; and
 - (iv) publish a notice in the *Gazette* stating the numbers or codes that are mandated and describing the services for which the numbers or codes must be used to receive communication.
- (4) A Licensee must ensure communications to a mandated number or code is routed irrespective of the electronic communication network used in originating the communication.
- (5) A Licensee must zero rate all calls to a mandated number or code."

5. Amendment of regulation 5 of the Regulations

- 5.1. Regulation 5 of the Regulations is hereby amended by the substitution for sub-regulation (2) of the following sub-regulation:

- "(2) The application set out in sub-regulation (1) must be furnished in the format prescribed by the Authority with the following information:
- (a) A copy of the Individual Electronic Communications Service licence (I-ECS) licence issued by the Authority where applicable;
 - (b) A copy of a valid Ship Station licence issued by the Authority for certain classes of vessel, both for commercial and pleasure, that

are required under the Merchant Shipping Act, 1951 (Act No. 57 of 1951) .

- (c) A vessel contemplated in subsection (b) is a vessel to be provided with an Emergency Position Indicating Radio Beacon (EPIRB), programmed with a unique 9-digit number as specified by the ITU called a Maritime Mobile Service Identity (MMSI) where applicable;;
- (d) A copy of a valid competency certificate issued by the relevant institution and certified by South African Maritime Safety Authority (SAMSA) for certain classes of vessel, both commercial and pleasure, that are required under the Merchant Shipping Act, 1951 (Act No. 57 of 1951).
- (e) A vessel contemplated in subsection (d) is a vessel to be provided with an Emergency Position Indicating Radio Beacon (EPIRB), programmed with a unique 9-digit number as specified by the ITU (Recommendation M.585-8) called a MMSI where applicable.”

5.2. Regulation 5 of the Regulations is hereby amended by the substitution for sub-regulation (5) of the following sub-regulation:

“(5) Notwithstanding the provisions of sub-regulation (3) the period contemplated therein may be extended if:

- (a) a period of consultation contemplated in sub-regulation (4) is required; or
- (b) the Authority requires additional information to supplement the submitted application, to which the licensee must submit the information within thirty (30) days from the date of the request.”

5.3. Regulation 5 of the Regulations is hereby amended by the insertion of sub regulation (5A) after sub-regulation (5).

“(5A) A licensee must ensure that its application, at a minimum, demonstrates the utilisation percentage of no less than 80% for mobile and machine related numbers and a percentage of no less than 60% for geographic and other non-geographic numbers, to be calculated as follows:

- (i) For geographic and other non-geographic numbers, the degree of usage shall be calculated as follows:

$$\text{Degree of usage (\%)} = \left[\frac{\text{total numbers assigned to customers within an NDC}}{\text{total numbers allocated within an NDC}} \right] \times 100$$

- (ii) For mobile and machine related numbers, the degree of usage shall be calculated as follows:

$$\text{Degree of usage (\%)} = \left[\frac{\text{(total numbers assigned to customers + number used for internal network purposes)}}{\text{total numbers allocated to a licensee}} \right] \times 100$$

5.4. Regulation 5 of the Regulations is hereby amended by the addition of the following sub-regulations:

“(8) An application for mobile numbers must include a copy of an IMT frequency spectrum licence issued in line with chapter 5 of the Act and of which the licence condition permits the roll out of mobile service.

(9) The Authority may decline an application in terms of sub-regulation (1) if a licensee fails to submit information in terms of sub-regulation (2) and sub regulation (8) in the instance of a mobile number application, or if any of the following circumstances occur:

- (a) underutilisation of the usage of numbers;

- (b) non-submission of number audit data in line with regulation 8;
- (c) failure to submit the required information within thirty (30) days of request."

6. Insertion of regulation 6A in the Regulations

The following regulation is hereby inserted in the Regulations, after regulation 6:

"6A ACTIVATION, DEACTIVATION AND RE-ASSIGNMENT / RECYCLE OF NUMBERS

- (1) Churn rate must be calculated by taking the quantity of numbers that have not initiated a revenue generating activity from the services of a licensee for thirty (30) consecutive calendar days and divide this quantity by the quantity of active numbers at the beginning of the defined timeframe.
- (2) Churned mobile numbers must be quarantined for a period one (1) month before being recycled into the pool of available numbers.
- (3) Upon twenty (20) consecutive calendar days in which a subscriber has not initiated a revenue generating activity, a licensee must notify the subscriber of the intended withdrawal. The subscriber shall be afforded a grace period of ten (10) consecutive calendar days to object to the withdrawal notice by means of a revenue generating activity.
- (4) Should a subscriber object to the withdrawal as per sub regulation (3), the licensee must abandon the withdrawal and subsequent deactivation of the number\.
- (5) Subject to the consent of the subscriber and on activation of a mobile number on its network, a licensee must ensure that it collects and link the biometric data of the subscriber to the mobile number.
- (6) In the event the subscriber withholds consent to provide biometric

data, the licensee shall proceed to activate the mobile number.

- (7) Subject to sub regulation (5), a licensee must ensure that, at all times, it has the current biometric data of an assigned mobile number.
- (8) Mobile number\ s assigned to a juristic person are exempted from the provisions of sub regulation (5).
- (9) The biometric data collected in terms of sub regulation (5) must be used for the sole purpose of authentication of a user assigned a mobile number and must be collected strictly in accordance with the provisions of the Protection of Personal Information Act No.4 of 2013.
- (10) Subject to sub-regulation (5), if a subscriber requests a SIM swap, the Licensee must ensure that the biometric data of the user requesting the SIM swap corresponds with the biometric data associated with the mobile number.
- (11) Subject to sub-regulation (5), if the biometric data does not correspond with the biometric data associated with the mobile number, the SIM swap must be declined.
- (12) The operation of sub-regulations (5); (6); (7); (8); (9); (10) and (11) is suspended until a future commencement date to be published by the Authority.
- (13) A request for number activation and routing between licensees must be in writing and must include a copy of the allocation letter\ certificate as issued by the Authority.
- (14) The written request contemplated in sub regulation (11) must, be responded to within seven (7) calendar days of receipt by the licensee party to the request.
- (15) The response contemplated in sub-regulation (12) must include the date of the expected activation and routing which must be within

thirty (30) calendar days from the date of request.

- (16) Subject to sub-regulation (13), the parties may agree on a period longer than thirty (30) calendar days, provided that the agreed upon period does not exceed forty-five (45) calendar days.”

7. Amendment of regulation 8 of the Regulations

Regulation 8 of the Regulations is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation:

- “(1) Every licensee must submit its number audit data to the Authority, annually, on a date which must not be later than 31 March. The snapshot of the numbering data must be captured by no earlier than the last working day of February and by no later than the deadline of submissions.”

8. Amendment to regulation 9 of the Regulations

Regulation 9 of the Regulations is hereby amended by the substitution for sub-regulation (1) of the of the following sub-regulation:

- “(1) A Licensee is prohibited from routing communications from or to numbers, that the Authority has declared should be barred, on their networks. The barring of numbers is subject to the Authority having consulted with the licensee/s affected and determined that the numbers have been used in ways contrary to these regulations and\or conditions of allocation.”

9. Substitution of regulation 11 of the Regulations

The following regulation is hereby substituted for regulation 11 of the Regulations:

- “(1) A licensee that transfers its I-ECS license must:
- (a) apply to the Authority for the transfer of numbers granted under the licence to the licensee acquiring the service licence if any part of the block(s) is assigned to end-users; or

- (b) return the numbers granted under the licence to the Authority if any part of the block(s) of numbers is not assigned to end-users.
- (2) A licensee that is transferring numbers, to another licensee in the instance of a surrender of its licence, must:
 - (a) apply to the Authority for the transfer of numbers granted under the licence if any part of the block(s) is assigned to end-users; and
 - (b) return the numbers granted under the licence to the Authority if any part of the block(s) of numbers has not been assigned to end-users."
- (3) An application in terms of sub-regulation (1) and (2) must:
 - (a) be submitted in the prescribed format (Schedule 3); and
 - (b) be supplemented by any other information the Authority may require subsequent to the lodging of the transfer application.
- (4) A licensee must not transfer allocated number resources without the prior written approval of the Authority.
- (5) A Licensee that has submitted a notification for change in details in terms of the Processes and Procedure Regulations and wherein in the change entails the name of the Licensee, the Licensee must submit a written request to amend its letters of number allocation and not a transfer of numbers.
- (6) The request to amend letters of number allocation must be accompanied by the relevant copies of approval letter\ or new licence issued by the Authority."

10. Amendment to regulation 12 of the Regulations

Regulation 12 of the Regulations is hereby amended:

10.1. by the substitution for paragraph (d) of sub regulation (1) of the following paragraph:

“(d) ensure that Caller Line Identification (CLI) presented to the end user receiving the call, where the caller has opted not to restrict their CLI, includes a valid, dialable number which uniquely identifies the caller and the terminating licensee and any transiting licensee, includes at all times, a valid, dialable number which uniquely identifies the caller;”

10.2. by the addition to sub regulation (1) of the following paragraphs:

“(e) override any CLIR, that may have been invoked by a caller, in the event a caller makes an emergency call to code 112. A licensee must ensure that the call includes a valid, dialable number which uniquely identifies the caller;

(f) ensure that in the event a caller has opted to use another number for their CLIP, that the number in question must have been either allocated or ported to the originating Licensee, must be a valid, dialable number which uniquely identifies the caller and must not be a number that connects to a Premium Rate Service;

(g) ensure that, as the originating Licensee, the correct CLI is generated at call origination and that the correct CLI data is exchanged, over points of interconnection and as the transiting licensee, the correct CLI data continues to be exchanged, over points of interconnection, such that the terminating licensee receives the correct CLI; and

(h) ensure that, as a transit and/or terminating Licensee, where it is technically capable, calls with an invalid number and/or non-dialable number and/or CLI that is not correct are stopped.”

10.3. by the deletion of sub-regulation (2).

11. Substitution of regulation 14 of the Regulations

The following regulation is hereby substituted for Regulation 14 of the Regulations:

"14. INTERNATIONAL AND NATIONAL NUMBERS

- (1) The format for an international number is guided by the International Telecommunication Union (ITU) Recommendation E.164. It shall be composed of decimal digits arranged in two code fields: the country code (CC) and the national (significant) number (N(S)N).
- (2) The national (significant) number (either geographic or non-geographic) shall be subdivided into the national destination code (NDC) and the subscriber number.
- (3) The format for an international and national numbers is as per figure 1:

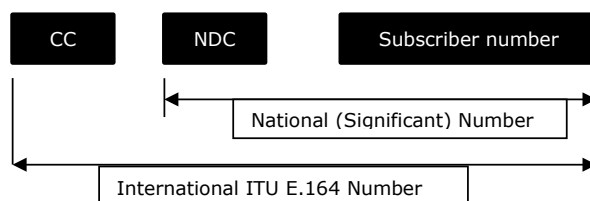


Figure 1: Number structure

- (4) National numbers, geographic or non-geographic are set out in Table 2: Geographic and Non-Geographic Numbers

Table 2: Geographic and Non-Geographic Numbers

Digits	Significance
00	International prefix
01	
02	

03	
04	
	Geographic numbers
05	Geographic and Non-geographic numbers
06	
07	
08	
09	
	Non-geographic numbers

... end of substitution”

12. Amendment to regulation 15 of the Regulations

Regulation 15 of the Regulations is hereby amended -

12.1 by the substitution for sub regulation (3) of the following sub regulation:

“(3) A geographic number must have a length of ten (10) digits. Geographic NDCs and their associated regions are as per Table 3: Area code of geographic numbers.”

12.2. by the substitution for Table 3: Area codes of geographic numbers, of the following table:

"Table 3: Area code of geographic numbers

Digits	Status	Area
010	Released	Johannesburg region
011	Released	
012	Released	Tshwane region (including Pretoria)
013	Released	Northern and western parts of Mpumalanga (including Middelburg, Witbank and Nelspruit)
014	Released	Northern part of Northwest and southern and western parts of Limpopo (including Rustenburg and Nylstroom)
015	Released	Northern and eastern parts of Limpopo (including Polokwane)
016	Released	Vaal Triangle (including Vereeniging, Vanderbijlpark and Sasolburg)
017	Released	Southern part of Mpumalanga (including Ermelo)
018	Released	Southern part of Northwest (including Potchefstroom and Klerksdorp)
019	Protected	Protected
020	Protected	Protected
021	Released	Cape Town region (including Stellenbosch, Somerset West and Gordons Bay)
022	Released	Western coast of Western Cape and Boland (including Malmesbury)
023	Released	Karoo (including Worcester and Beaufort West)
024	Protected	Protected
025	Protected	
026	Protected	Protected
027	Released	Namaqualand (including Vredendal, Calvinia, Clanwilliam, Springbok, Alexander Bay and Port Nolloth)
028	Released	Southern coast of Western Cape (including Swellendam, Caledon and Hermanus)
029	Protected	

030	Protected	Protected
031	Released	Durban region
032	Released	KwaZulu Natal central coast (including Stanger)
033	Released	KwaZulu Natal Midlands (including Pietermaritzburg)
034	Released	Northern KwaZulu Natal (including Vryheid and Newcastle)
035	Released	Zululand (including St. Lucia and Richards Bay)
036	Released	Drakensberg (including Ladysmith)
037	Protected	Protected
038	Protected	
039	Released	Eastern Pondoland and southern coast of KwaZulu Natal (including Port Shepstone)
040	Released	Bhisho region
041	Released	Port Elizabeth region (including Uitenhage)
042	Released	Southern and central parts of Eastern Cape (including Humansdorp)
043	Released	East London region
044	Released	Garden Route (including Oudtshoorn, Knysna, Plettenberg Bay, Mossel Bay and George)
045	Released	Northern and eastern parts of Eastern Cape (including Queenstown)
046	Released	Southern and eastern parts of Eastern Cape (including Grahamstown)
047	Released	Eastern part of Eastern Cape (including Mthatha)
048	Released	Northern part of Eastern Cape (including Steynsburg)
049	Released	Western part of Eastern Cape (including Graaff-Reinet)
051	Released	Southern and central parts of Free State (including Bloemfontein) and far eastern part of Eastern Cape (including Aliwal North)
053	Released	Eastern part of Northern Cape (including Kimberley) and far western part of North West
054	Released	Gordonia (including Upington)
056	Released	Northern part of Free State (including Kroonstad)
057	Released	Free State Goldfields (including Welkom)
058	Released	Eastern part of Free State (including Bethlehem)

... end of substitution"

13. Amendment to regulation 16 of the Regulations

Regulation 16 of the Regulations is hereby amended -

13.1. by the addition of the following sub-regulation:

"(4) Non-geographic ranges are along with their associated services are as listed in Table 4: Non-geographic ranges and services."

13.2. by the substitution for 'Table 4: First, second and third digits of non-geographic numbers', of the following table:

"Table 4: Non-geographic ranges and services

Digits	Status	Significance
050	Released	Mobile services
052	Released	
055	Released	
059	Released	
060	Released	Mobile services
061	Released	
062	Released	
063	Released	
064	Released	
065	Released	
066	Released	
067	Released	
068	Released	
069	Released	
070	Released	
071	Released	

072	Released	
073	Released	
074	Released	
075	Released	Mobile services
076	Released	
077	Released	
078	Released	Mobile services
079	Released	
080	Released	Toll free services
081	Released	
082	Released	Mobile services
083	Released	
084	Released	
085	Released	Mobile services
086	Released	Inbound services
087	Released	Voice over the internet services (VoIP)
088	Released	Future non-geographic services
089	Released	Future non-geographic services
090	Released	Premium rate services (090 2 reserved for adult content)
091	Released	Premium rate services
092	Released	Premium rate services
093	Protected	
094	Protected	Protected
095	Protected	
096	Released	
097	Released	Machine related services
098	Released	
099	Protected	Protected

... end of substitution"

14. Amendment to regulation 17 the Regulations

Regulation 17 of the Regulations is hereby amended by the following insertions to sub-regulation 4 after paragraph (i):

“(j) the service codes 103, 104, 105, 106, 111, 113, 118 and 139 are designated for emergency services that would be implemented through a proclamation by the national government.

(k) the service codes contemplated in paragraph (k) shall be mandated upon request to a specific national government department/s for both on-net and off-net access, for a specified Public Emergency service.”

15. Amendment to regulation 21 the Regulations

Regulation 21 of the Regulations is hereby amended by the substitution for sub regulation (1) of the following sub regulation:

“(1) A number shall be a receiving number for a premium rate service if-

- (a) the number is a premium rate number (10 digits); or
- (b) it is a short code that begins with a '3' or '4'.”

16. Substitution of regulation 22 of the Regulations

The following regulation is hereby substituted for regulation 22 of the Regulations:

“22. Machine Related Numbers

Assignments for bulk SMS/MMS services, that extend beyond the numbering capacities by licensees as submitted to the Authority before 2016, must use the designated numbering range for MRS.”

17. SHORT TITLE AND COMMENCEMENT

These regulations are called the Numbering Plan Second Amendment Regulations, 2023, and will come into effect on the date of publication in the Government Gazette.

18. Substitution of Schedule 3 of the Regulations

The following schedule is hereby substituted for schedule 3 of the Regulations:

"SCHEDULE 3: APPLICATION FORM FOR NUMBERING RESOURCES**Independent Communications Authority of South Africa**

350 Witch-Hazel Avenue, Eco Point Office Park

Eco Park, Centurion

Private Bag X10, Highveld Park 0169

Enquiries: NumberingApplications@icasa.org.za**APPLICATION FORM FOR ALLOCATION, ASSIGNMENT AND RESERVATION OF NUMBERS\CODES**

OFFICE USE ONLY	
Application Ref No	
Payment Received?	Yes <input type="checkbox"/>
	No <input type="checkbox"/>

Application for Allocation, Assignment & Reservation of Numbers\ codes.	Date	
---	------	--

1. APPLICATION TYPE:

e.g. 080, Geographic, 086, Mobile, MMSI. Do not mix types on this application

Application for: Allocation ☐ Assignment ☐ Reservation ☐ Transfers ☐**2 APPLICANT/LICENCEE'S INFORMATION**

Name	
I-ECS\ I-ECNS\ Ship Station Licence No's and competency tests certificate for MMSI	
Fixed line No	
Mobile No	
Web Site	
Applicant/Licensee Representative	
Name and Surname	
Fixed line No	
Mobile No	
E-mail address	
External Numbering Representative (In case of an applicant's using an external adviser e.g. consultant)	
Company Name	
Name and Surname	
Fixed line No	
Mobile No	
E-mail address	
Business Address	
Street Address	
Suburb	
Postal Code	

City	
Postal Address	
P.O. Box	
Suburb	
Postal code	

INSTRUCTIONS:

1. Complete 3, 4, 5 and 8 for Numbering code, block, individual number, MMSI, MNC and Portability Routing Code.
2. Complete 6 and 8 for ISPC's.
3. Complete 7 and 8 NAT1 Signalling Point Code application.

3 Technical Information

Numbering code, block, individual number, MMSI, MNC and Portability Routing Code requested

(Where appropriate second and third preferences should be indicated. (NB: allocation of preferred requested numbering is not guaranteed)

1	
2	
3	

Description of service

(For Individual number requests i.e. 086 xxx xxxx include the name of the business requesting the number and attached the customer acquisition letter) MMSI include the name of the ship stations/ vessel, competency test certificate and the call sign of the ship station or vessel) and, for transfers the certificate or letter of allocation from the Authority of the numbers the licensee intends referring.

4 PREVIOUS ALLOCATIONS (RELEVANT TO THIS APPLICATION) NOT APPLICABLE TO MMSI APPLICATIONS			
<u>Data date:</u> <u>(if date differs from</u> <u>the date of</u> <u>application)</u>			
	<u>Service Description of Numbers</u>	<u>Quantity</u> <u>(Allocated)</u>	<u>Quantity</u> <u>(Active)</u>
<u>A</u>	<u>Allocated by The Authority</u>		
<u>B</u>	<u>Internal Network Services</u>		
<u>C</u>	<u>Contract Services</u>		
<u>D</u>	<u>Pre-Paid Services</u>		
<u>E</u>	<u>Total used for</u> <u>services/network (B+C+D)</u>		
<u>F</u>	<u>Degree of usage ((E/A)*100)</u>		
<u>Numbers in Time Window Lock (i.e. numbers in recycling)</u>			
<u>Numbers Set aside for future use</u>			
<u>Numbers that are transferred</u>			
<u>Name of the recipient licensee</u>			
<u>Service licence numbers of the recipient licensee</u>			

5. REPORT ON NUMBERS ACTIVATED AND CHURNED IN THE PAST 6 MONTHS, NOT APPLICABLE TO MMSI APPLICATIONS

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Actual numbers activated						
Actual numbers churned						

6. ISPC's

Relevant information regarding GMSS:
Required Date – Date by which the assignment is required:
Location of Switch (Town and Address):
Unique Name of Switch (If Available):
Activation Date - Date on which the service is planned to be made operational:
Confirmation of assignment of single ISPC per signalling operational:
Nature of use in the network (e.g. STP, GMSC):
Physical address of the signalling point/s:
Signalling point manufacture/type:
Identification of at least one planned MTP signalling relation (including name and address of distant signalling point):
Location of distant signalling point:
ISPC of distant signalling point (if known):
Name and/or acronym of the ISPC applied for:

Previous Applications (where applicable)			
ISPC	Application's Date	Application's Result	Remarks

Comments (Please attach any additional information you may have)			

<u>7 . NAT1 SIGNALING POINT CODE APPLICATION</u>	
<u>Node/Switch information</u>	
Name of the Node/Switch SPC is applied for:	
Acronym to be used for the above-mentioned Node/Switch:	
Where is this Node/Switch situated? (physical location):	
Province where this Node/Switch is situated?	
Will the Node/Switch be used as an integrated STP too?	
Is there any Other SPC allocated to the same Node/Switch/STP?	
What will the SPC be used for?	
Planned 'In-service' date:	
<u>Interconnect</u>	
Identify the POI or Nodes that this Node/Switch/STP will be interconnecting to:	
Please attached your interconnection agreement that you have signed with the interconnecting Licensee:	

8. Declaration
I declare that all the information in this Application Form and any the attachments provided are true and correct. I understand that the approval from ICASA for this Application is based on the information as declared in this Application Form. Should any of the information declared, found to be inaccurate or incorrect after approval has been granted to the Applicant, ICASA reserves the right to suspend or revoke

such approval without compensation. I declare that the numbers will be used in accordance with the numbering conventions.

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

Name: _____

Date: _____

Signature: _____

ANNEXURE A

REASONS DOCUMENT



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

REASONS DOCUMENT ON THE AMENDMENT OF THE NUMBER PLAN REGULATIONS, 2016

APRIL 2023

1. Background

- 1.1. The Independent Communications Authority of South Africa ("the Authority") hereby acknowledges and thanks all stakeholders who have participated in the process aimed at amending the Number Plan Regulations, 2016 (the "Regulations").
- 1.2. On 23 March 2022 the Authority published the draft amendment Regulations for public input. At the deadline for written submissions and comments on 11 May 2022, the Authority had received a number of comments and submissions from stakeholders including members of society to the draft amendment Regulations, submitters are summarised as follows:
 - a) amaBhungane Centre for Investigative Journalism ("amaBhungane");
 - b) Arthur G B Lewis;
 - c) Cell C Limited;
 - d) Chris Schutte;
 - e) Eleanor Duvel;
 - f) Fish Hoek Valley Ratepayers and Residents Association ("FHVRRRA");
 - g) Frances Smith;
 - h) Internet Service Providers' Association of South Africa ("ISPA");
 - i) John Brice Belgrove;
 - j) Marietjie Cloete;
 - k) Mary Anne Finaly;
 - l) Media Monitoring Africa ("MMA");
 - m) Mobile Telephone Networks (Pty) Ltd ("MTN");
 - n) Next Generation Network Telecommunications (Pty) Ltd ("NGN");
 - o) Reunert Limited (t/a ECN);
 - p) Right 2 Know;
 - q) Telkom SA SOC Ltd ("Telkom");
 - r) Vodacom (Pty) Ltd ("Vodacom");

The Authority also received 11 697 recorded comments from the public sent through the 'DearSouthAfrica' online platform.

1.3. The Authority held public hearing on 23 and 24 June 2022. The following stakeholders, from the above list, participated in the public hearings:

- a) amaBhungane;
- b) ISPA;
- c) John Brice Belgrove
- d) MMA;
- e) MTN;
- f) Telkom; and
- g) Vodacom

1.4. During the public hearings the above stakeholders were provided with an opportunity to make supplementary submissions in response to specific aspects of their written submissions. Supplementary submissions, as per the specified deadline, were submitted on 05 July 2022.

2. Introduction

2.1. The Reasons Document sets out the reasons for decisions of the Authority on the amendment of the Number Plan Regulations, published on 26 March 2016 in Government Gazette 39861 ("2016 Regulations") and the Number Plan Regulations, as amended published on 15 April 2020, in Government Gazette Number 43230 ("2020 Regulations").

2.2. The Authority's reason for amending the Regulations was to, amongst others:

- a) refine existing provisions including some definitions that required further clarification and certainty for implementation and compliance as well as to align the terms with current practices;
- b) release additional number capacity;
- c) refine existing provisions and supplement them for the promotion of efficient use and management of number resources;
- d) refine existing provisions to provide clarity and ease regarding the number

application process;

- e) refine existing provisions and supplement them for the promotion and protection of the rights of subscribers as they pertain to the use of their assigned numbers; and
- f) refine existing provisions and supplement them to align with best practice.

2.3. In developing this Reasons Document, the Authority has considered all the written submissions, oral submissions made during the public hearings and supplementary submissions. When developing the Reasons Document it was not possible for the Authority to incorporate all views; the Reasons Document thus highlights main issues put forward by the stakeholders. The Authority is charged with the obligation to formulate regulatory policy independently, in terms of what it deems to be in the broader public interest. The principles underpinning the public interest are laid out in section 2 (b) of the ICASA Act, 2000 (Act No. 13 of 2000), as amended.

3. Amendment of regulation 1 of the Regulations

3.1. "bulk Short Message Service (SMS)/ MultiMedia Service (MMS)"

3.1.1. Telkom has submitted that the Authority is flawed in its grouping of bulk Short Message Service (SMS)/ MultiMedia Service (MMS) into Machine Related Services (MRS). Telkom argues that there is no difference between the definition proposed and the existing traditional SMS\MMS. Telkom recommends that the Authority *"aborts its attempt at defining "bulk SMS/MMS" in relation to the numbering plan, as it serves no practical reason to mix SMS/MMS services with telemetry services used for IoT or M2M applications."*¹

Decision

3.1.2. The Authority submits that there are some differences between what the public generally accepts and understands to be SMS\MMS and the bulk SMS\MMS as per the proposed definition. The two fundamental

¹ Telkom Submission Draft Amendment to the Numbering Plan Regulations 2016 (11 May 2022) 12

differences arise from:

- 3.1.2.1. The manner in which communication of the two originate or is initiated; and
 - 3.1.2.2. The requirement for the latter to have security tagging which includes adding an additional 4 digits to the number length.
- 3.1.3. The two differences gave a necessity for:
- 3.1.3.1. transparency – that the public needed to understand this type of service in that this service was not necessarily an individual sending a SMS\MMS from their mobile device and to which they could respond;
 - 3.1.3.2. recognising the need for a longer length number as opposed to the regulated 10-digit national number structure.
- 3.1.4. The Authority also had to consider the strain on numbers that were released for the provision for mobile services which were the numbers primarily used to provide the service in question.
- 3.1.5. The Authority opted not to provide this service with its own designated number range but rather to group A2P (bulk SMS\MMS), P2A and M2M services into MRS. This, the Authority cited, was to promote efficient and effective management of numbering resources.
- 3.1.6. In consideration of Telkom's arguments, the Authority is of the view that there remains a need to distinguish this service in the interest of transparency and has thus decided to retain the definition.

3.2. ***"caller line identification (CLI)"***

- 3.2.1. ECN submits that substituted definition does not afford the calling party the opportunity to choose one provider for inbound services and another provider for outbound services.
- 3.2.2. MTN proposed alternative wording to the proposed amendment of the definition to further strengthen the provision.

Decision

- 3.2.3. The intention of the Authority in amending the definition was to provide further clarity and strengthen the wording of the definition. ECN's submission proposes a substantively new provision that would require further investigation to determine a case and merit for inclusion of such a provision.
- 3.2.4. The Authority is of the view that number portability which now includes the porting of 080 and 086 numbers provides the public with a choice in terms of service providers.
- 3.2.5. The Authority agrees with MTN's proposed alternative wording and it is thus adopted.

3.3. "churn rate"

- 3.3.1. Telkom proposed alternative wording to the proposed amendment of the definition as it submits that the proposed definition does not properly define the denominator.
- 3.3.2. Telkom submits that *"The denominator should be all the active numbers on the licensee's network at the start of the timeframe over which the churn rate is to be determined."*

Decision

- 3.3.3. The definition as contained in the draft Regulations omitted a description of the denominator in calculating the churn rate.
- 3.3.4. The Authority agrees with Telkom's proposed alternative wording, as the proposed alternative wording provided a comprehensive description that will assist licensees to uniformly and accurately calculate the churn rate; hence, it is thus adopted.

3.4. "dialable number"

- 3.4.1. MTN proposed alternative wording to the proposed amendment of the

definition to further strengthen the provision.

- 3.4.2. ECN submits that it is of the view that the only difference between the definition "Dialable Number" versus "Assigned Number" is that a Dialable number needs to be (i) active and (ii) that the definition of Dialable number specifically addresses which licensee assigns the number. ECN seeks clarification on the assumption that an "Assigned Number" would mean a number simply reserved until activated.

Decision

- 3.4.3. The Authority agrees with MTN's proposed alternative wording and it is thus adopted.
- 3.4.4. The Authority does not agree with ECN's presumption in that it is inconceivable that a Licensee would issue an end user with a number and not activate it. This would be an inefficient management of the number resource.
- 3.4.5. There is little to no difference between the two terms except for context in the which the two terms would have been used. A dialable number, by implication, has been assigned and an assigned number must be dialable.

3.5. "machine related service"

- 3.5.1. Telkom submits that the *"proposed definition does not explicitly state that voice services may not be provided when using the MRS number ranges."*². Telkom further submits that *"the proposed definition be amended to bring greater clarity to this issue and to avoid an opportunistic interpretation where numbers designated for MRS are used for voice services."*³

- 3.5.2. Telkom submits that if MRS are used to provide voice services this would

² Telkom (11 May 2022) 13

³ Telkom (11 May 2022) 13

have a bearing on interconnection agreements. Telkom proposes that in order to avoid that situation, that the following wording be added to the definition:

"for the avoidance of doubt, the primary use of MRS numbers will be for telemetry data communication only, with only ancillary emergency voice services allowed".

- 3.5.3. MTN proposed alternative wording to the amendment of the definition of MRS with the deletion of the phrase "limited human contact". MTN is of the view that the phrase is subjective and could lead to ambiguity.

Decision

- 3.5.4. In terms of the first part of Telkom's proposal, as per par 3.5.1 above, MRS includes A2P, P2A and M2M application. Telkom's proposal to limit MRS for telemetry data communication only would essentially be limiting MRS to M2M application. The Authority finds that this proposal to be not in alignment with the Authority's objective as it pertains to the scope for MRS which is that the service i.e. MRS should be inclusive of A2P, P2A and M2M uses.
- 3.5.5. In terms of the second part of Telkom's proposal – to limit the use of voice service in MRS. The Authority finds merit in this proposal and rationale.
- 3.5.6. The Authority is of the view that the definition provides for exclusion of traditional voice communication and limits users MRS resource to data orientated communication. It should be noted that MRS is meant for the transmission of communication in wireless or wired systems to (a) communicate with other devices or machines with little or no intervention by a person; and (b) communication originating from a device or machine to a person and vice versa.
- 3.5.7. The Authority agrees with MTN's proposal of the deletion of the phrase "limited human contact". In the absence of defining what constitutes "limited human contact" the term is open to interpretation and can be

subjectively applied, the proposal for its deletion is thus adopted.

3.6. "mandated number"

- 3.6.1. Cell C recommends that the definition be amended to include an aspect of public consultation. Cell C submits that the ECA provides recognition for only two codes, namely a number for government directory services and the national public emergency number in terms of sections 72 (6) and 78 (1) of the ECA respectively.
- 3.6.2. Cell C submits that *"Any other number or short code that the Authority plans to prescribe as a mandated number needs to follow due consultation prior to such determination."*⁴
- 3.6.3. Telkom's submission on the definition concerned is dealt with in five parts, namely:
- 3.6.3.1. The inclusion of the term "receiving number" in the definition presents a challenge. A "receiving number", in terms of the 2016 Regulations⁵, can only be construed to be a 10-digit number that relays the destination of the communication. As such, 086, 080 and short codes *"act as intermediary number, which route to a look up table where the destination / receiving number is obtained where the communication is to be received"*⁶. Thus, a mandated number *"can thus only be a 10-digit number, which is either a geographic number, a mobile service number or an 087 number."*⁷
- 3.6.3.2. Telkom submits that the proposed definition is void of the routing obligation that the current definition stipulates. This thus renders a mandated number the same as any other number.

⁴ Cell C written comments on the proposed Draft Amendment Numbering Plan Regulations, 2016, in accordance with chapter 11 of the Electronic Communications Act, 2005 (Act No. 36 of 2005) (11 May 2022).

⁵ Number Plan Regulations GG 39861, 2016.

⁶ Telkom (11 May 2022) 14.

⁷ Telkom (11 May 2022) 14.

- 3.6.3.3. Telkom submits that a mandated number *"requires an agency which will handle calls and provide services behind the number."*⁸
- 3.6.3.4. Telkom submits that a mandated number must be a number that is reachable from any network and should thus be routed across points of interconnection between operators. This is possible with 10-digit numbers.
- 3.6.3.5. Lastly Telkom proposes that all the codes that have been mandated in the 2016 Regulations and the 2020 Regulations⁹ be harmonised instead of mandated, namely: 112, 1020, 116 and 17737.

Decision

- 3.6.4. The Authority is of the view that the inclusion of aspects relating to "public consultation" in the actual definition are misplaced as they speak to a process that the Authority should undertake when mandating a number.
- 3.6.5. The Authority has, however, considered Cell C's proposal under section 5 of this Reasons document.
- 3.6.6. The arguments advanced by Telkom regarding the inclusion of the term "receiving number" in the definition of "mandated number" have merit in consideration of the existing definition for "receiving number". Thus, the proposed definition for "mandated number" may be inconsistent with the ECA wherein the codes 1020 and 112 are mandated. The Authority has thus revised the definition in line with the ECA by deletion of the term "receiving number" in the definition.
- 3.6.7. In relation to the absence of routing obligations in the definition, The Authority agrees that mandated numbers must include aspects relating to routing obligations. Thus, matters relating to processes and

⁸ Telkom (11 May 2022) 14.

⁹ Number Plan Regulations GG 43230, 2020.

obligations with regards to mandated numbers are stipulated and provided for in terms of regulation 4.

- 3.6.8. Telkom's proposal that all the codes that have been mandated in the 2016 Regulations and the 2020 Regulations be harmonised instead of mandated, particularly: 112, 1020 and 116 is inconsistent with section 78(1) the ECA and the resolution¹⁰ adopted by South Africa in relation to the code 116.
- 3.6.9. The Authority is not detached from the complexities and technicalities highlighted by Telkom relating to the routing aspects of mandating codes i.e. mapping of numbers. Regulation 4 provides that the process of mandating numbers including mandating short codes will be subject to consultations.
- 3.6.10. The Authority is of the view that it would be premature to ventilate all the technicalities at this stage as they would have to be viewed and assessed on a case-by-case basis as and when the Authority embarks on a consultation process when it gives an intention to mandate a number\ or code.

3.7. "migration"

- 3.7.1. Telkom submitted an alternative wording to the proposed definition.

Decision

- 3.7.2. The Authority is of the view that the alternative wording to the definition provides for specific scenarios with which migration can occur including considerations to minimize disruption to existing users of the numbering resources that are affected by the intended migration. The Authority hence agreed with Telkom's proposal, and it is thus adopted.

3.8. "Mobile Network Code"

- 3.8.1. Telkom submitted an alternative wording to the proposed definition.

¹⁰ Numbering Plan Amendment Regulations GG43230, 2020 "Reasons Document", section 1

Decision

- 3.8.2. The Authority agrees with Telkom's proposal, as it similarly aligns itself with the ITU definition for MNC. Similarly, the proposed definition in the draft at best describes the concept and did not necessarily define it. Thus, in the interest of a universally accepted definition for MNC the proposal is thus adopted. ...

3.9. "Valid Number"

- 3.9.1. Vodacom submits that the proposed definition is not clear on whether the "valid number" definition references a called number, be it international or national. Vodacom proposed that the definition be expanded to indicate "valid called number" instead of "valid number" only.

Decision

- 3.9.2. The Regulations have not defined the term "called number" but have defined the term "receiving number" in terms of the 2016 Regulations.
- 3.9.3. The Authority is of the view that the term "valid number" does not apply exclusively to a receiving number, but also applies to an originating number for local calls. This Authority has, therefore, decided to retain the definition as is.

3.10. "short code"

- 3.10.1. Vodacom submits that if it is the intention of the Authority to create clarity and alignment with current practices then the proposed definition does not consider current practices regarding the length of short codes. Vodacom submits that there are codes that do not conform to the proposed confinements of 3 to 6 digits in length.
- 3.10.2. Vodacom proposes that the definition as contained in 2016 Regulations

be retained.

Decision

3.10.3. The Authority opted to retain the definition as per the 2016 Regulations which in essence depicts that a short code is a non-geographic number which has the length less than the national number length of ten (10) digits.

4. Insertion of Regulation 2A in the Regulations

4.1. ISPA submits that the proposed insertion does not align with the provisions and interpretation of section 5 (3)(c) of the ECA in that only ECS licensees are eligible for numbers from the number plan.

4.2. ISPA submits that *"a proper reading of section 5(3) links use of numbers from the national numbering plan to the holding of an individual electronic communications service (IECS) licence. It does not – as proposed in the new Regulation 2A – refer to individual electronic communications network service (IECNS) utilising such numbering resources."*¹¹

4.3. ISPA recommends that the Authority delete reference to an individual electronic communications network service (IECNS) license.

4.4. Cell C and Telkom submitted that only I-ECS license is required for eligibility for numbers from the national number plan. Telkom, however, accepts that *"these regulations could also apply to individual ECNS licensees for purposes other than the application of numbers, for example the application of codes i.e. SPC"*¹²

Decision

4.5. In terms of section 5 (3)(c) of the ECA, an I-ECS license is required for eligibility of numbers from the number plan. However, this does not extend or apply to access or network codes i.e. Mobile Network Codes (MNC).

4.6. In relation to network codes i.e. MNC the Authority is guided by ITU recommendation E.212¹³ in the management and assignment of MNCs. In terms

¹¹ ISPA submissions: Draft Amendments to the Number Plan Regulations (11 May 2022).

¹² Telkom (11 May 2022).

¹³ Rec. ITU-T E.212 (2016)/Amd.1 (07/2018).

of the criteria for the assignment of an MNC:

*"The applicant requesting the numbering resource must affirm that it has overall responsibility, or a contract with the entity that has overall responsibility, for the management, operation, and maintenance of the **network** that will utilize the requested resource."* **[own emphasis]**

- 4.7. Regulation 2A thus provides clarity as to which licence will be applicable for which number resource.

5. Substitution of regulation 4 of the Regulations

- 5.1. Cell C submits that when mandating or harmonising numbers, the Authority must give due consideration to a consultation process with Licensees. Cell C recommends that the consultation period of thirty (30) days between the Authority and the affected licensee be amended to one hundred and eighty (180) calendar days or an alternate timeline as agreed between the Authority and the affected licensee.
- 5.2. MTN submits that it finds the proposed sub-regulation 3 to be ambiguous and could easily be misinterpreted. MTN proposes that the Authority should make it clear that no Licensee should transit a mandated number to another licensee unless agreed between licensees under commercial agreements.
- 5.3. Vodacom submits that aspects relating to mandate charge-free calls in its current form would be challenging. Vodacom submits that *"the regulation creates the potential for abuse and significant revenue loss"*. It recommends that the Authority *"set out the specific circumstances and conditions under which it will mandate a particular number as charge-free and consult licensees in terms of appropriate and effective abuse control measures prior to implementation."*¹⁴
- 5.4. Similarly, Telkom does not support the proposed sub-regulation 4 in its current form, wherein it stipulates that a caller may not be charged for calls to a mandated number. Telkom submits that, due to the implication thereof, the Authority's decision to mandate a number should be preceded by a regulatory impact assessment (RIA) and market study.
- 5.5. Lastly, Telkom submits that the Authority makes provision for negotiation of a

¹⁴ Vodacom's Submission on ICASA Draft Amendments to Numbering Plan Regulations of 2016, Gazette 46080 of 23 March 2022. (11 May 2022).

commercial call origination rate, like one for toll-free calls.

Decision

- 5.6. The Authority agrees with Cell C's proposal with regards to the incorporation of aspects relating to public consultation and extended period, and it is thus adopted.
- 5.7. The objective of the provision is to ensure that communication to mandated numbers is routed irrespective of the origination of the communication, these are numbers that the Authority is of the view are critical to the public. Thus, the Authority is of the view that in this regard the provision is clear and unambiguous.
- 5.8. In relation to aspects raised by Vodacom and Telkom on the charge for calls to mandated numbers. The Authority has resolved to retain sub-regulation (5) as is. The objective of the above sub-regulation is to ensure access to services being provided by means of mandated numbers or codes. The Authority is of the view that the provision as is, protects access of callers to such services.
- 5.9. Telkom's proposal for the Authority to conduct a RIA and market study before it can mandate a number may not always be practical considering the nature of a mandated number.
- 5.10. In the past two years the Authority has mandated two numbers, namely Child helpline number and the COVID helpline number. The Child Helpline number was mandated and implemented as a resolution adopted by the Southern African Development Community (SADC) through their respective Ministers of Telecommunication. While the COVID helpline number was mandated in response to the COVID pandemic that plagued the country thus necessitating a need for the helpline.
- 5.11. In both cited circumstances a RIA and market study would not have been practical.
- 5.12. It is also evident in the cited examples wherein the Authority has mandated numbers that such a decision is not taken on a whim nor lightly. It is also evident that such a decision is subject to public consultation and similarly scrutiny.

6. Amendment of regulation 5 of the Regulations

- 6.1. In relation to supporting documentation for application for mobile numbers, ISPA submits that it remains unclear as to why sub-national mobile roaming agreements should not be a sufficient basis for applying for mobile numbers.
- 6.2. NGN submits that regulation 5A requires licensees to show the percentage of utilization in their application, however, the provision does not state within which period the numbers must be assigned to customers. NGN recommends that the period of assigning allocated numbers should be left within the "reasonable discretion" of the licensee.
- 6.3. NGN further recommends that licensees should be permitted to apply for numbers to be assigned to customers over a period of 36 months.
- 6.4. Telkom submits that it does not support the proposed sub regulation 5(5). Telkom submits that a radio frequency spectrum licence is service neutral and rather recommends that the requirement for the allocation of mobile numbers be premised on the applicant's proof of approval (by the Authority) of an assignment of an MNC.
- 6.5. Vodacom recommends that the Authority specify IMT spectrum licenses as being required when applying for mobile numbers.
- 6.6. Similarly, Telkom recommends that a Mobile Virtual Network Operator (MVNO) agreement replace the requirement for a roaming agreement.

Decision

- 6.7. Roaming agreements are commercial in nature and fall outside the scope and scrutiny of the Authority, and in most instances the Authority does not have sight of such agreements. The Authority has noted that in such instances licensees will cite "*confidentiality and trade secrets*" and the Authority at times does not get confirmation of the final signed agreements. The Authority, does at all times, have sight of issued spectrum licences.
- 6.8. Due to the constraints in meeting demands on the mobile services, the Authority is of the view that to manage the resource more efficiently allocations will be confined to licensees that have IMT spectrum licences.

- 6.9. This however does not prevent those that enter in roaming agreements from entering in this space as they can similarly obtain sub allocations from the respective licensee.
- 6.10. In terms of NGN's submission, it should be noted that in terms of regulation 10(1) of the 2016 Regulations, Licensees are required to assign their allocated numbers within one year after the date of allocation.
- 6.11. The Authority must ensure that numbers are managed effectively and efficiently and as such has over the years introduced regulatory interventions to support this objective.
- 6.12. Notwithstanding the challenges that Licensees may experience in the roll out of their services this alone is not sufficient grounds to advocate for underutilization of allocated numbers.
- 6.13. The Authority is of the view that the current requirement to assign numbers within year of allocation and the calculations to enforce utilization are adequate to promote the objective of the Regulations in so far as effectiveness and efficiency is concerned.
- 6.14. In relation to Telkom's submission that the allocation of numbers must be subject to an applicant having been assigned an MNC by the Authority, in terms of the criteria for the assignment of a MNC as per ITU rec 212 is that:
- "The applicant requesting the numbering resource must affirm that it has overall responsibility, or a contract with the entity that has overall responsibility, for the management, operation, and maintenance of the network that will utilize the requested resource."*
- The above requirements can be achieved by an applicant providing the relevant spectrum licence or agreement.
- 6.15. Thus, whether an applicant applies for mobile numbers of a MNC the requirement for a spectrum licence is inevitable.

7. Insertion of regulation 6A to the Regulations

- 7.1. As per sub regulation 6A (2) Telkom proposes that the Authority include the definition for the term "churned numbers" as used in the Regulations and has

similarly provided proposed text for the definition.

- 7.2. Telkom further submits that the increase for its quarantine period from 14 to 90 days will adversely affect its pool of number resources. It submits that at its current churn rate of 100 000 numbers per day it will require an addition 7,5 million numbers to supplement its pool.
- 7.3. ECN highlighted the inconsistency of sub regulation 6A (2) with that of regulation 9 (7) of the Number Portability Regulations 15. The Number Portability Regulations require a quarantine period of 1 month from date donor acknowledged receipt of the returned numbers while sub regulation 6A (2) proposes a quarantine period of 90 days.
- 7.4. With regards to an objection by a subscriber to the intended withdrawal of their assigned number the following submissions were made:
 - 7.4.1. ISPA recommended that a subscriber along with the objection provide reasonable grounds for the objection. This view was shared by NGN.
 - 7.4.2. MTN has proposed that in order for a subscriber to object to the notice of intended withdrawal, the subscriber must perform a revenue generating activity.

Decision

- 7.5. The Authority has aligned the quarantine period to the one stipulated in the Number Portability Regulations i.e. (one) 1 month for consistency. This will also serve to allay the concerns raised by Telkom regarding a longer quarantine period.
- 7.6. One of the objectives of the Regulations is to advance efficient use of number resources. As such, the Authority is of the view that the arguments raised by MTN have merit and has thus adopted the proposal by MTN to require that a subscriber perform a revenue generating activity and not by a mere objection, confirming its intention that it still intends to make use of the number.
- 7.7. On the same principle the Authority has revised and reduced the total time period to issue a notice of intent to withdraw an assigned mobile number and the period to object.

¹⁵ Number Portability Regulation GG 41949, 2018

- 7.8. Mobile numbers remain the most utilized and in demand numbers from the number plan. As such, lengthy periods of inactivity and the non-use of numbers, further exacerbate the constraints of the congested number resource.

8. Insertion of regulation 6A to the Regulations: subscriber's biometric data

- 8.1. The majority of submissions from the public focused on the proposal for the collection of biometric data of a subscriber in order to authenticate the subscriber to their assigned mobile numbers as found in the definition and in terms of regulations 6A (5) to 6A (10).
- 8.2. The draft amendment Regulations had proposed that licensees:
- 8.2.1. Collect biometric data of subscribers to whom they have assigned mobile numbers;
 - 8.2.2. Link the biometric data to the subscriber number;
 - 8.2.3. Utilize the biometric data to confirm identity to "reactivate" an assigned number in the event of a SIM swap; and
 - 8.2.4. Subject to confirmation of identity by means of biometric data, decline "reactivation" of the assigned number.
- 8.3. Submissions from the public, through the "Dear South Africa" platform, raised several concerns with the above proposal grouped into 2 main points, namely:
- 8.3.1. Subscriber rights in terms of the Constitution¹⁶ and POPI Act¹⁷; and
 - 8.3.2. Security of the collected data.
- 8.4. There were some comments from the public that favoured the proposals of regulation 6A (5) to 6A (10), such as Cell C, noting that it is logically the correct step. However, Cell C is of the view that an assessment analysing the enormity and complexity in scoping the requirement for technical systems integration required to implement the biometric solution for its customers on its networks must be concluded first before the gazetting of the regulation and a transitional period before the implementation of the regulation.

¹⁶ Constitution of the Republic of South Africa, 1996, s 14(d).

¹⁷ Protection of Personal Information Act No. 4 of 2013, s 26(a).

- 8.5. Cell C further raised concerns on ICASA legislative power to introduce the biometric requirement instead of in the ECA or the RICA Act (headed by the Department of Justice and Constitutional Development). MTN also held the same view in terms of not being clear on ICASA's legislative empowerment to introduce the biometric requirement.
- 8.6. ECN proposed that the definition of biometric data be revised as the current definition does not necessarily define "Biometrics data" but rather "Biometrics".
- 8.7. Vodacom submissions were that due to the scale and cost implication of the biometric requirement an iterative consultation process must be held before the imposition of the regulation. Vodacom also submitted that it wishes to alert the Authority to a potential risk in the proposed regulations, as it allows MSISDN's to be allocated under juristic entities which belong to individuals who may not want their personal biometric information captured, and proposed that the biometric data of an authorised person or persons of a juristic body still be required before the activation of a SIM card. Vodacom raised concerns around the practicality of having the current biometric data registered for every SIM card as it may not be able to collect such information for persons who are already on their network. MTN shared the same concern in regard to the latter.
- 8.8. MTN submissions were that the inclusion of behaviour characteristics within the definition of biometric data is impermissibly vague and overly intrusive and proposed a new definition for biometric data. MTN proposed that the wording of regulation 6A (8) as follows, "the biometric data collected in terms of sub regulation (5) must be used **strictly in accordance with the provisions of the Protection of Personal Information Act No.4 of 2013.**" This is to expand the use of biometric data as it already uses biometric data for several purposes such as when processing SIM swaps, contract upgrades and identity of Mobile Money (in line with FICA).
- 8.9. Other comments received were to the effect that the Authority refine the definition of biometric data and restrict it to fingerprints as opposed to other form sets of biometric data such as facial or retina recognition.
- 8.10. Some comments from the public, having noted the objective and intention of the above proposal offered less "invasive" alternatives such as:

- a) Requesting the subscribers for a key phrase (password) before they can request a SIM swap or require an Identification Document to be displayed before the SIM swap can be done;
 - b) Impose a fine on Licensees for performing fraudulent SIM swaps; and
 - c) Requiring that Licensees and phone manufacturers take a more active role in securing the mobile service ecosystem.
- 8.11. MMA proposed the following alternatives as less invasive means, noting that only 8% of countries prescribe the collection of biometric data and implored ICASA to consider the approach of the other 92% jurisdictions:
- 8.11.1. Tokenization;
 - 8.11.2. Digital ID; and
 - 8.11.3. The Know-Your-Customer (KYC) processes.
- 8.12. MMA further submitted that the imposition of the biometric requirement fell outside of ICASA's scope and mandate as it is not tasked with crime prevention and raised concern on ICASA's silence on the safeguarding of collected biometric information in terms of data protection laws (i.e. POPI Act).
- 8.13. MMA submitted that ICASA should conduct a human rights impact assessment that assesses all feasible options with a focus on potential implications for the right to privacy.
- 8.14. ISPA submission is that it does not support the proposed regulations because the collection of biometric data and its storage by MNOs will be a substantial risk. ISPA cited that there was no consultation with Information Regulator or bodies such as COMRIC and SABRIC, or an assessment of the initial and ongoing cost of compliance by the Authority. ISPA make example of the Mexico judgement and proposes that a regulatory impact assessment be conducted by the Authority to fully understand the implications and unintended consequences.
- 8.15. Public comments were also received about how the collection of biometric data is will enforced in the informal sector.

- 8.16. Right2know campaign has stated in its submission¹⁸ that, the element the Authority is seeking to address is confined to a specific subset of subscribers and the banking industry, as such *"it would be fairer (as well as safer) if the burden of assigning trusted status to certain SIMs falls on the banks and their customers"* as opposed to placing it to Licensees and subscribers in general.
- 8.17. Right2know campaign further proposed that in the event of a SIM swap, *"a bank customer would have to present the new SIM to the bank so that their telephone number was now associated, in the bank's records, with the IMEI number of that SIM"*.
- 8.18. The above is not an exhaustive list but a comprehensive thematic collection of comments and submissions the Authority has received in response to the biometric proposal in question. Most of those submissions and comments will be addressed in the ensuing discussions wherein the Authority will elaborate on its decision on the matter.

Decision

8.19. **Statistics according to the South African Banking Risk Information Centre (SABRIC) annual statistic publication 2020**

- 8.19.1. According to the SABRIC annual statistics report of 2020, social engineering (phishing, vishing and smishing) continue to be the primary methods applied when targeting victims across digital channels.
- 8.19.2. During 2020 there was a significant increase in the Bank App fraud due to cell phone snatching. There was an increase in the number of cases involving sim swap reported at 26.11% (2 684) as compared to 8% (855) in 2019.
- 8.19.3. Mobile banking
- i. The report cited that mobile banking fraud accounted for 59.7% of digital banking crime as reported to SABRIC in 2020. Furthermore, it accounted for 14.8% of the gross loss.
 - ii. Sim swap was reported in 92.7% of mobile banking fraud

¹⁸ Right 2 Know Campaign submission to ICASA, 11 May 2022.

incidents. The report cited that ability of criminals to carry out sim swaps may account for the significant increase in incidents (67.6%) and gross loss of (62.1%).

8.19.4. Online banking

- i. This accounted for the smallest portion of incidents of digital banking fraud at 11.1% but a higher portion in gross loss at 45.1%.
- ii. Vishing was reported to have increased in this channel. It involves criminals calling a potential victim purporting to be from a bank and convincing them to compromise their details. At times it is used as a last resolve after obtaining the victims details to get them to provide a verification token (OTP/RVN).

8.19.5. Based on the statistics provided for digital banking crimes, sim swap appears to be a method used the most by criminals to advance and perpetuate such crimes.

8.19.6. It was clear to the Authority that based on above stats and engagements the Authority has had with SABRIC that this issue i.e. the lack of authenticating a subscriber to their assigned mobile number, is a concern and has been exploited by criminal elements.

8.20. Rationale for intervention

8.20.1. In the explanatory note¹⁹, the Authority cited the following as rationale for the proposal in question:

"....Over a period, the Authority has been presented with concerns wherein mobile numbers have been hijacked either through a porting and/or SIM swap transaction.

(c) The hijacking of mobile numbers is a small but integral part of a wider form of fraud where sensitive data is diverted or comes in the control of criminal elements.

(d) The Authority is of the view that the association of mobile numbers with the biometric data of a subscriber will assist to curb the hijacking of assigned subscriber mobile numbers. There are several jurisdictions that

¹⁹ Explanatory Note of the amendments Government Gazette No. 46080, pg 37.

have linked mobile numbers with biometric data of subscribers thus this form of authentication is in practice and is a possible remedy to ensure."

- 8.20.2. The above was in conjunction with Authority view to also explore other sectors within the Republic in terms of what authentication mechanisms have such sectors deployed to protect the relationship between the subscriber/customer and their services or alternatively their access to those services.

8.21. Use of Biometric data

- 8.21.1. In terms of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) hence forth referred to a "POPIA", biometric data falls within the scope of "special personal information".

- 8.21.2. Section 26 of POPIA places a prohibition on the collection and processing of special personal information. In terms of section 26 (a):

"26. A responsible party may, subject to section 27, not process personal information concerning—

(a) the religious or philosophical beliefs, race or ethnic origin, trade union membership, political persuasion, health or sex life or biometric information of a data subject; or..."

- 8.21.3. The above prohibition is subject to the qualifications of section 27 of POPIA. In terms of section 27, biometric data, special personal information, can be collected and processed if, amongst others:

8.21.3.1. processing is carried out with the consent of a data subject;
and

8.21.3.2. processing is necessary for the establishment, exercise or defence of a right or obligation in law.

- 8.21.4. The above has been the case in the various sectors within the Republic where biometric data i.e. fingerprints is collected and processed, including in the telecommunication sector.

- 8.21.5. During public consultation, licensees confirmed to the use of biometric data as a means of confirming a subscriber to the assigned mobile number albeit to a specific segment of subscribers and this is done

with the consent of subscribers in line with POPIA.

- 8.21.6. The proposed provision would extend this level of protection to all subscribers and just a specific segment i.e. post-paid subscribers.

8.22. Alternatives

- 8.22.1. MMA proposed alternatives to the Authority proposal, namely:

8.22.1.1. Tokenization

- a) Asset tokenization;
- b) Front-end tokenization; and
- c) Back-end tokenization

- 8.22.1.2. Tokenization requires consumers to be tech savvy. The majority of South Africans can connect to the internet but there also exist a large portion of South Africans especially in the rural areas who are still not able to access the internet due to a series of issues that still require intervention. Furthermore, front-end tokenization is user driven the requirement for users to be digitally literate and technically capable of both understanding why they would need a token and how to create one online. This could easily lead to a digital divide regarding privacy protection.

8.22.1.3. Digital ID

- 8.22.1.3.1. Digital ID is the equivalent of a personal identification or authorization card that's stored on a device like a phone or tablet rather than as a physical document.
- 8.22.1.3.2. The roll out of Digital IDs is handled by the Department of Home Affairs ("DOH"). The DOH will begin the roll out in March 2024 but we do not know how long it will take to get the entire country using digital IDs. Since we do not know how long the process will take this will hinder with the implementation of the Regulations.

8.22.1.4. The Know-Your-Customer (KYC) processes.

8.22.1.4.1. The KYC process are standards used in the investment and financial services industry to verify customers and know their risk and financial profiles. There are numerous issues that are being faced by companies who have implemented KYC namely: High onboarding costs, low conversion rates, lengthy onboarding processes, Poor record keeping, an inability to spot a change in circumstances and wasting time and money on false positives. Due to all the cons that come with complying with KYC it makes it a non-viable route to be taken by the Authority.

8.23. Legislative mandate

8.23.1. In terms of Section 2 (n) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("ECA"):

"The primary object of this Act is to provide for the regulation of electronic communications in the Republic in the public interest and for that purpose to promote the interests of consumers with regard to the price, quality and the variety of electronic communications services; ..."

8.23.2. Section 4 (1) of the ECA states that:

"The Authority may make regulations with regard to any matter which in terms of this Act or the related legislation must or may be prescribed, governed or determined by regulation."

8.23.3. Furthermore, section 68 (1)(a)(i) of the ECA states:

"The Authority must make regulations prescribing— a numbering plan which must be amended and updated as the Authority considers necessary— for efficient use and allocation of numbers ..."

8.23.4. Section 68, read with sections 4, of the ECA empowers the Authority to make numbering plan regulations. It is Authority's view and interpretation of the ECA, taking into consideration the context and the text of section 68 of the ECA, that the provisions do not prevent

the Authority from implementing biometric requirements in the regulations, especially if one also reads the provisions of sections 4 and 68 of the ECA with section 2 (n) thereof, which provides that one of ICASA's principal objective is to promote the interests of consumers with regard to the price, quality and the variety of electronic communications services.

- 8.23.5. Section 68 (7) of the ECA demonstrates that the matters which the Authority may make regulations of on the Numbering Plan is not exhaustive. It states, "*The regulations made in terms of subsection (1) **must include** matters relating to ...*" **[own emphasis]** Therefore, although no reference is made to biometric data, it is neither excluded, especially if one considers the provisions of section 4, read with section 2 (n) of the ECA. As the list contained in sec 68 (7) of the ECA is not exhaustive, biometric data will thus not fall outside of the scope that may be included in regulating number resources.
- 8.23.6. However, the Authority is cognisant of the prohibitions of section 26 as well as the qualifying provisions of section 27 of the POPIA as they pertain to the processing of biometric information of a data subjects.
- 8.23.7. It is thus the view of the Authority that it can require licensees to link biometric data to a mobile number of a licensee's existing and new subscribers subject to the subscribers' consent.
- 8.23.8. The Authority has thus revised the wording as contained in draft Regulations to incorporate the requirement of consent from a subscriber and make it explicit. The Authority also noting that subscribers may opt not to provide consent, this alone should not be grounds to deprive subscribers of services.
- 8.23.9. Licensees should advise subscribers of the associated risks in the event the subscriber opts not to provide consent this is to afford the subscriber the opportunity to arrive at an informed decision.
- 8.24. The Authority has considered the submissions wherein stakeholders have raised concerns regarding the technicalities and logistics associated with the implementation of the biometric provisions.
- 8.25. The Authority has decided to defer the implementation of the biometric

provision in order to further consult with stakeholders on the technicalities and logistics for relative ease transition towards the implementation of the biometric provisions.

9. Amendment to regulation 11 of the Regulations

- 9.1. ISPA submits that the Authority “*should allow greater flexibility in the circumstances under which numbers can be transferred from one IECS licensee to another.*”²⁰.
- 9.2. ISPA recommends that the Authority consider scenarios in which IECS licensee seeks to transfer its allocated number resources to another IECS licensee without necessarily transferring or disposing of its IECS licence i.e. where that entity is selling its voice business. ISPA submits that such a transfer application would be subject to successful application to the Authority in the same manner as other applications for the transfer of numbers.
- 9.3. Lastly ISPA recommends that the Authority consider providing timelines for the processing of applications for the transfer of numbers.
- 9.4. Telkom and MTN submits that schedule 3 does not make provision for the application of transfer of numbers. They recommend an amendment to schedule 3 to cater for the transfer of numbers.

Decision

- 9.5. The Authority allocates numbers in line with the license issued to that entity. The Authority recognises that in the instance of a transfer or surrender of a licence in terms of the ECA and the Processes and Procedure Regulations²¹ there similarly should be a transfer of the allocated number resources.
- 9.6. The proposal by ISPA seeks to recommend that the Authority transfer numbers based on a commercial agreement between two licensees. There are two points that arise out of this proposal:

²⁰ ISPA submissions: Draft Amendments to the Number Plan Regulations (11 May 2022) 4

²¹ Licensing Processes and Procedures Regulations GG 33293, 2010, as amended.

- 9.6.1. The Authority does have oversight of this arrangement to ensure that subscriber concerns and rights are protected as are the requirements in the case of a surrender or transfer done in terms of the ECA and Process and Procedure Regulations; and
- 9.6.2. The proposal runs the risk of contravening regulation 6 (3)(d) of the 2016 Regulations which states that numbers may not be traded.
- 9.7. The Authority has opted to align the transfer of numbers with the licensing processes of the Authority.
- 9.8. Schedule 3 has been amended to incorporate aspects relating to the transfer for number resources.
- 9.9. In terms ISPA's submission regarding timelines, the timelines stipulated in regulations 5(3) and 5(5) similarly also apply to applications for the transfer of number resources. As such the Authority is of the view that this application type does not require different timelines as those stipulated in regulation 5(3) and 5(5) nor has ISPA provided a compelling argument as to why this type of application should have different timelines.

10. Amendment to regulation 12 of the Regulations

- 10.1. MTN has made several proposed amendments to the wordings of regulation 12 to strengthen the provisions.

Decision

- 10.2. The Authority is agreement with the proposals, and they are thus adopted except for the use of the term "authentic" in regulation 12 (1)(g). The Authority is of the view that the term is ambiguous and open to interpretation. The Authority recognises the difficulty in settling for the appropriate term that would not be open to interpretation. The Authority is of the view that, based on the options of preferred terms, the use of the term "correct" is appropriate.

11. Amendment to regulation 17 of the Regulations

- 11.1. Cell C submits concerns regarding the reservation of nine (9) short codes. Cell C submits that it is inconceivable that the Authority would require the use of nine (9) different special national emergency codes at the same time.
- 11.2. Cell C recommends that fewer short codes be reserved for this purpose. Cell C further recommends that the Authority define the term "Special National Emergency service" as it is not defined in these Regulations, the 2016 and 2020 Number Plan Regulations and the ECA.
- 11.3. Telkom submitted that the short code 107 was dropped from the Numbering Plan Regulations, 2016 without the Authority inviting comments on its removal. This short code remains in use by 9 municipalities as their local emergency service number. Telkom therefore kindly requests the Authority to harmonise this short code for municipality emergency services.

Decision

- 11.4. The objective is not that the Authority foresees the need of 9 national emergency numbers at the same time, but this proposal creates:
- 11.4.1. options so that the same numbers are not used every time thereby possibly creating confusion among the public; and
- 11.4.2. room for "sanitizing" codes once they have been used for a service.
- 11.5. In response to Telkom's submission on the use of the code 107 the following is submitted:
- 11.5.1. The code 107 was mandated in terms of the National Emergency Telephone Service Act, 1993 (Act No. 43 of 1993) (the "NETS Act"). The NETS Act established 107 as the primary emergency telephone number to be used for emergency services by local authorities.

11.5.2. In terms of section 1(2) of the NETS Act:

"The Minister may by notice in the Gazette declare any person who or institution or body which, in the opinion of the Minister, is capable of performing the 1-0-7 service, to be a local authority for the purposes of this Act."

11.5.3. As such, for institutions, bodies or persons to provide a 1-0-7 service, they or it had to be granted permission and be recognised as a local authority by the Minister – the Minister of Local Government.

11.5.4. In 2001, the Telecommunications Amendment Act, 2001 (Act No.64 of 2001) (the "Amendment Act") introduced the following changes:

- i. It inserted a new chapter namely - Chapter X "Emergency Centres" which declared the code 112 as the exclusive national public emergency number and established 112 Emergency centres under the Minister of Communications. These provisions were later transposed to the ECA (sections 76, 77,78 and 79); and
- ii. Repealed the entire NETS Act, 1993, wherein the code 107 was legislated.

11.5.5. The Number Plan Regulations 22 recognised the code 107 as a harmonised number for emergency call services and continued to do so in the draft Number plan Regulations of 2015 ²³. This was in addition to the recognition of the code in the 112 Emergency Regulations ²⁴as a temporary emergency code subject to the implementation of the 112 emergency call centres in line with section 76(1) of the ECA.

11.5.6. In 2015, the Authority received a submission from Telkom²⁵ on the draft Number plan Regulations of 2015 in which it recommended the

²² Notice no. 568 of 2012, Government Gazette 35737.

²³ Notice no. 600 of 2015, Government Gazette 38908.

²⁴ Notice no. 517 of 2008, Government Gazette 31230.

²⁵ Telkom submission on THE DRAFT "2015 NUMBER PLAN REGULATIONS" (7 August 2015) 27.

following:

"Telkom kindly requests the Authority to differentiate between 112 and 107 emergency call services. Presently both 112 and 107 are designated for emergency call services. However, Telkom's understanding that these two emergency numbers serve different types of emergency services.

- 112 is used for mobile emergency call services*
- 107 is used for municipal emergency call services."*

11.5.7. The Authority considered Telkom's recommendation and found that:

11.5.7.1. There was clear uncertainty and misunderstanding regarding the use and status of the codes 107 and 112; and

11.5.7.2. Telkom's recommendation was inconsistent with the ECA.

11.6. To remedy the uncertainty and misunderstanding regarding the use and status of the codes 107 and 112, the Authority decided to:

11.6.1. Align the 2016 Regulations with section 78(1) of the ECA in recognition of the code 112 as the exclusive national public emergency number; and

11.6.2. Retained the code 107 in the 112 Emergency Regulations as a temporary emergency code in consideration of local authorities that had implemented the code 107, in terms of the NETS Act, subject to the implementation of the 112 emergency call centres in terms of section 76(1) of the ECA.

11.7. The premise of Telkom's submission stems in its recommendation as per par 11.13. The Authority maintains the view that Telkom's recommendation is inconsistent with the ECA.

12. Amendment to regulation 21 of the Regulations

- 12.1. Telkom submits that it is not in agreement with the classification of numbers for MRS as numbers that can also be used for PRS. Telkom recommend deletion of MRS in regulation 21 (1) (a).

Decision

- 12.2. The Authority has considered Telkom's submission and finds merit in the arguments advanced thus MRS has been deleted under consideration as being used for premium rated services.
- 12.3. The Authority found that the deletion further supports the objective of transparency on the use of numbers to public.

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