

SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS

No. 29 of 2008

TELECOMMUNICATIONS (NUMBERING) REGULATIONS, 2008

Arrangement of Regulations

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TELECOMMUNICATIONS (NUMBERING) REGULATIONS, 2008

In exercise of the power conferred by section 54 of the Telecommunications Act, No. 2 of 2000, the Minister responsible for telecommunications makes the following Regulations:

[Published 30th October 2008 – Official Gazette No. 52 of 2008]

1. **CITATION.** These Regulations may be cited as the Telecommunications (Numbering) Regulations 2008.

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

3. **INTERPRETATION.** In these Regulations, unless the context otherwise requires

“Act” means the Telecommunications Act, No. 2 of 2000;

“allocation” means the setting aside of blocks of numbers for the purpose of assigning selected blocks of numbers to providers of telecommunications services;

“data storage device” means any article or material, such as a disc, from which information is capable of being reproduced;

“National Numbering Plan” means the plan established under section 32 of the Act;

“Telecommunication number” means the number, sign or other mark, which a telecommunications provider in its delivery of telecommunications services uses for identification of telecommunications facilities in order to connect between the place of transmission and the place of reception, or for identification of the type of content of transmission the telecommunications facility is to deliver;

“Telecommunications Numbering System Register” means the register established under Regulation 5 of these Regulations.

4. **FUNCTIONS OF THE COMMISSION.** (1) The Commission shall publish the National Numbering Plan on its website and shall make copies available to the public upon request.

(2) The Commission shall maintain control of all telecommunications numbers to ensure fair and efficient use of them by

- (a) performing proper planning, allocations and monitoring;
- (b) maintaining the national Telecommunications Numbering System Register of all providers in respect of the numbers assigned to them.

5. **TELECOMMUNICATIONS NUMBERING SYSTEM REGISTER.** (1) The Commission shall establish and cause to be maintained a Telecommunications Numbering System Register.

(2) The following particulars in respect of a telecommunications provider who has been allocated numbers shall be recorded in the register:

- (a) the name and address of the telecommunications provider;
- (b) a description of the type of telecommunications service being provided;
- (c) particulars of numbers that have been allocated to telecommunications providers under the authority of the National Numbering Plan;
- (d) a note indicating that the telecommunication provider has paid the requisite fees;
- (e) such other particulars as may be required to adequately identify and locate the telecommunications service provider.

(3) The Register may be maintained electronically.

(4) A person may, on the payment of the fee set out in the Schedule:

- (a) inspect the Register; and
- (b) make a copy of, or take extracts from, the Register.

(5) If the Register is maintained electronically, a person is taken to have made a copy of, or taken an extract from the Register, if the Commission gives the person a printout of the relevant parts of the Register.

(6) A person may request a copy to be provided in electronic form and the Commission may provide the information

- (a) on a data storage device; or
- (b) by way of electronic transmission.

6. **OBLIGATIONS OF A TELECOMMUNICATION PROVIDER.** A telecommunication provider shall be required to use telecommunications numbers as allocated by the Commission and in accordance with the National Numbering Plan and shall ensure that telecommunications numbers are

- (a) utilised efficiently;
- (b) limited to provision of telecommunications services;
- (c) utilised in a manner that telecommunications facilities or services may be identified;
- (d) utilised and paid for, as required by the Act, in accordance with the procedures for assignment of telecommunications numbers.

7. ASSIGNMENT OF TELECOMMUNICATIONS NUMBERS. Where an application is submitted and the Commission determines that, based on the National Numbering Plan, the telecommunications numbers required for provision of telecommunications services in the application are available, and upon payment of the requisite fee, the Commission shall assign the numbers with or without conditions.

8. NUMBERING FEES. (1) Notwithstanding regulation 3 of the Telecommunications (Fees) Regulations, No. 13 of 2007, numbering fees shall be payable in accordance with the provisions set out in the Schedule.

(2) The numbering fees payments shall be as follows:

- (a) an application fee payable on the making of an application;
- (b) an initial fee payable on the allocation of a code or a block of codes; and
- (c) an annual fee payable on the first day of November of each year for each code or block of codes allocated to an operator.

9. CANCELLATION OF USE OF TELECOMMUNICATIONS NUMBERS. (1) Where a telecommunications provider fails to use a number assigned to him by the Commission or fails to pay requisite fees, he shall be required to submit to the Commission reasons for such failure.

(2) Where the telecommunications provider fails to satisfy the Commission with regard to regulation 9 (1), the Commission may take regulatory measures including cancellation of the assignment.

10. COMPLIANCE WITH THE NATIONAL NUMBERING PLAN. (1) A telecommunications provider shall comply with the requirements, conditions or restrictions set out in the National Numbering Plan established and managed by the Commission in accordance with section 32 of the Act.

(2) Where a telecommunications provider fails or ceases to meet any of the requirements, conditions or restrictions set out in the National Numbering Plan he commits an offence and is liable upon summary conviction to a fine not exceeding ten thousand dollars.

11. REPEAL. The Telecommunications (Numbering) Regulations, No. 9 of 2002, are hereby repealed.

SCHEDULE

- (a) Fees for obtaining copies or extracts of the National Telecommunications Numbering Register

(Regulation 5)

Medium	Fee
Hard copy	\$50 (entire Register)
	\$2.00 (per page)

Data storage device	\$100
Electronic Transmission	Free

(b) Fees for the use of numbers

(Regulation 8)

	Application	Initial	Annual
Central Office Codes (Block of 10,000 numbers)	\$150	\$220	\$410
Short Codes (Block of 10 codes)	\$100	\$575	\$1060

Made the 10th day of October, 2008.

SAM CONDOR
Minister responsible for Telecommunications

