

INFORMATION AND COMMUNICATIONS ACT, 2009
NATIONAL NUMBERING PLAN REGULATIONS, 2017
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SCHEDULE

INFORMATION AND COMMUNICATIONS ACT, 2009
NATIONAL NUMBERING PLAN REGULATIONS, 2017

IN EXERCISE of the powers conferred on the Minister responsible for Information and Communications by section 98 of the Information and Communications Act, 2009 these regulations are made.

PART I – PRELIMINARY

1. Citation

These Regulations may be cited as the National Numbering Plan Regulations 2017.

2. Interpretation

In these Regulations, unless the context otherwise requires-

“Act” means the Information and Communications Act, 2009;

“Allocation” means the granting of the rights to use a block of numbering resources by the Authority to a provider of Information and Communications Services;

“Assigning” means the association of an individual number or group of numbers by a provider of information and communications services to an end user for use with the service being provided;

“Call” shall include SMS texts and other services;

“Customer” shall include the Information and Communications Act’s use of the term “subscriber”;

“Dialled” shall include any method a customer uses to initiate a call;

“Directory Look-up” means the use of a E.164 number as a key to access some form of directory that returns IP address(es) or alternative telephone numbers or some other information to the caller or calling device”. It excludes number translation databases used for specially tariff numbers;

“E.164” means the ITU-T Recommendation in The International Public Telecommunication Numbering Plan, 2010;

“ENUM” means the translation of an E.164 number to one or more IP addresses in accordance with the RIPE specification RFC 6116: The

E.164 to Uniform Resource Identifiers (URI) Dynamic Delegation Discovery System (DDDS) Application (ENUM) March 2011 and any subsequent amendments;

“Free Phone” means a call that is free of charges to the calling customer, sometimes referred to as Toll Free or Free Phone;

“Machine-to-Machine (M2M)” means a call that is initiated by a device, rather than the customer, to another device or automated answering service;

“Number Portability” means that the customer, including third party service providers, retains their number when changing the provider that supplies their service;

“Numbering Resources” means the prefixes, codes, short codes, numbers and numbering ranges specified in these regulations;

“Off-net” means that calls originate and terminate on different networks;

“On-net” means that calls originate and terminate on the same network;

“Premium Rate” means a call to service where the charge to the calling customer includes payment for the service accessed, normally in addition to standard calls or SMS charges;

“Provider” means provider of Information and Communications Services;

“PURA” means Public Utility Regulatory Authority;

“Short Codes” means numbers with significantly fewer digits than customer numbers. They may be used as numbers in their own right or as prefixes to other numbers for some special purpose, normally call routing purposes;

“Specially Tariff Numbers” means numbers where the calling customer pays a tariff that is different from the Information and Communications Services provider’s standard call or message tariffs;

“Third party service providers” mean service providers, including providers that offer value added services to telecommunications customers of information and communications services providers through the use of numbers or SMS Codes;

“TSB” means the Telecommunications Standards Bureau;

“ITU-T” means the International Telecommunications Union – Telecommunications;

“ITU” means the International Telecommunications Union;

“URI” means Uniform Resource Identification;

“Written” shall include physical and electronic communications.

3. Submission of Documents

Where a person is required to submit a document in writing to the Authority, must be such document–

- (a) by direct electronic input to any Number Management System that the Authority may introduce;
- (b) by hand to the head offices of the Authority;
- (c) by post to the head offices of the Authority;
- (d) by electronic mail;
- (e) by facsimile; and
- (f) in any other manner approved in writing by the Authority.

4. Applicability

(1) These Regulations are applicable to the allocation for and use of Gambian numbering resources as set out in these Regulations by individual and class licensees.

(2) Unlicensed providers may not use numbering resources in any manner that contravenes or compromises the use of numbering resources as specified in these Regulations.

(3) Private networks whose numbers can be accessed by users of public networks must only use numbers allocated by the Authority that have been assigned to them by an individual or class licence holder.

5. Scope of the Regulations

(1) These Regulations are made to provide a regulatory framework for the control, planning, administration, management and assignment of numbers pursuant to the Act.

(2) Numbering Resources for satellite, maritime and other global services that use a Country Code assigned by the ITU-T for these purposes do not form part of the National Numbering Plan. The ITU-T has nominated an appropriate recognized operating agency to administer the numbering Resources for each of these Country Codes.

(3) Internet names and addresses (such as IP addresses, URIs etc.) are not part of the National Numbering Plan and are not governed by these Regulations.

(4) Retail Tariffs and Interconnection terms and agreements are subject to regulations determined by the Authority that have precedence over these Regulations. References to Retail Tariffs and Interconnection terms in these Regulation is for descriptive purposes only unless the Authority determines otherwise.

6. Title in the Numbering Resources

(1) Numbering Resources for electronic communications purposes are a national resource. Title in the numbering resources remains with the Authority who grants rights to use of the resources to providers.

(2) Providers shall not trade the rights to use numbering resources.

(3) Providers shall not transfer the rights to use numbering resources other than –

- (a) a customer requests the transfer of individual numbers when they change the provider that provides their services; and
- (b) the transfer or takeover of the provider's corporate assets by another provider after obtaining the permission of the Authority.

PART II – STRUCTURE OF THE NATIONAL NUMBERING PLAN

7. E.164 Number Structure

To achieve the numbering policy aims, the Authority has structured the numbering resource based on E. 164 numbering plan.

8. Short Codes

(1) Short Codes used for voice and related services form part of the National Numbering Plan.

(2) Short Codes used for SMS text messaging and related services are included in the Gambian National Numbering Plan.

(3) Short Codes are categorised as follows-

- (a) emergency Services: All providers are required to route calls dialled by their customers to the correct terminating point without charge to the calling customer. Where the call is routed via a second or subsequent network no interconnection charges will be payable between the providers operating the networks; and
- (b) any other Services as provided for in The Authority's short code guidelines.

(4) The Authority shall publish harmonized short codes for key services provided in the short code guidelines.

(5) Providers may reach commercial agreements with other providers to supply the Provider's Service on their behalf. Whilst such arrangements will be deemed to be 'on-net', the call may be routed to the second provider's network. The costs and payments associated with the call routing and termination are subject to the Authority's Interconnection Agreement Regulations.

9. Status of Numbering Resources

The Authority shall assign numbering resources within The Gambian National Numbering Plan a status in accordance with the following descriptions-

- (a) allocated: The rights to use of the number block has been allocated to an electronic service provider for use in their network(s);
- (b) application under consideration: The rights to use of the block are available but an application has been received by the Authority and the block is temporarily reserved pending the Authority's decision on the application;
- (c) available: The rights to use of the number block are available for allocation to an electronic service provider using the prescribed application procedures;
- (d) reserved: For the purposes of managing the number resources the Authority has deemed the rights to use of number block unavailable for allocation at this time; and

- (e) protected: The rights to use the number block are unavailable for allocation.

10. Customers' Dialling Procedure

- (1) When dialling calls to services within The Gambia customers shall dial the complete number.
- (2) When dialling international outgoing calls customers must begin with International Escape Prefix "00". Mobile customers may replace the 00 with the + symbol in accordance with the GSM standards.

11. Signalling Point Codes (SPCs)

- (1) In accordance with ITU-T Recommendations the Authority shall manage the International Signalling Point Codes (ISPCs) by utilising the Signalling Area/Network Codes (SANCS) assigned to The Gambia by the Telecommunication Standardization Bureau of the International Telecommunications Union (ITU / TSB).
- (2) A Signalling Point must have a SPC from each signalling network to which it is connected, and an international gateway will have both an ISPC and a National Signalling Point Code (NSPC).
- (3) No Signalling Point may have more than one SPC from the signalling network to which it is a member, and there shall be only one ISPC and or one NSPC per Signalling Point.

12. Network Codes

ITU-T has allocated to The Gambia the Mobile Country Code 607.

13. Unstructured Supplementary Service Data (USSD) Codes

- (1) Providers must use USSD Codes in accordance with the standards GSM 02.90 Unstructured Supplementary Service Data – Stage 1 (Customer Initiated USSD) and GSM 03.90 Unstructured Supplementary Service Data – Stage 2 (Network Initiated USSD).
- (2) For the convenience of customers, providers must co-ordinate their use of USSD codes and use the same code for the same or similar services.

14. Transitional Arrangements

- (1) The Authority shall establish and chair a Numbering Steering Committee to co-ordinate the implementation of the changes from the

numbers in use prior to these Regulations coming into effect to the National Numbering Plan structure in these Regulations. The Steering Committee shall also co-ordinate the introduction of Number Portability if the Authority determines that it shall be introduced into The Gambia.

(2) The Authority shall confirm and allocate numbering resources that are already in service with customers provided their use is in accordance with the permitted use in these Regulations.

(3) The Authority will confirm and allocate NSPCs that are already in service by providers of electronic communications services network(s) regardless of the codes' conformity with the scheme in these Regulations.

(4) The Authority shall determine those numbering resources, including prefixes and short codes, that are to be withdrawn or migrated due to use other than that specified in these regulations or because they are not in service with customers when these Regulations are adopted.

(5) The Authority shall not allocate new numbering resources to existing providers during transitional periods.

(6) Every provider shall participate in the Steering Committee with not more than two representatives who have been instructed and authorised to reach agreements that will enable the introduction of the changes.

(7) Where the Numbering Steering Committee fails to reach agreement on any aspect of the implementation, the Authority's decision shall be final.

(8) Each provider and any other party affected by the changes shall be responsible for their own implementation of the changes to their networks and support systems and customer communications as agreed by the Steering Committee. All parties shall bear their own cost of the changes.

PART III – MANAGEMENT OF THE NUMBERING RESOURCES

15. Responsibilities of the Authority

The Authority shall-

- (a) establish and publish procedures and conditions of use of numbering resources that are open, transparent and non-discriminatory ensuring fair and equitable treatment of all providers, subject to the need to ensure efficient use and effective management of numbering resources;

- (b) design and publish a National Numbering Plan, ensure that these regulations are in accordance with ITU-T Recommendations and other relevant International standards;
- (c) design the National Numbering Plan so that it provides sufficient capacity and flexibility to meet current and foreseeable future demands for numbering resources, including the provision of reasonable capacity for new services and for ease of future expansion of the scheme;
- (d) establish allocation procedures and criteria that result in efficient utilisation of the limited numbering capacity;
- (e) include within the Regulations the descriptions and conditions that attach to the rights of use of numbers specifying the service(s) for which the numbers may be used, including any requirements linked to the provision of that service;
- (f) make decisions on applications for the allocation of numbering resources in a timely manner. This will normally be within 30 working days of the Authority receiving all the required information relating to the application;
- (g) make changes to the National Numbering Plan or rights of use are where necessary to achieve the Authorities objectives and implement the changes in a way that minimises disruption, cost and inconvenience for customers and providers;
- (h) co-ordinate the implementation of changes to the National Numbering Plan ensuring clear, appropriate and timely customer information;
- (i) publish responsibilities and obligations of providers with respect to numbering resources in the Regulations as general Conditions of Use;
- (j) only stipulate appropriate and relevant specific conditions for individual allocations of the rights to use numbers;
- (k) limit changes the rights of use for allocated numbers or their conditions of allocation or procedures to justified cases and implement them in a proportionate manner;
- (l) allocate numbering resources as blocks of numbers in the following block sizes-

- (i) Fixed lines: 10, 000 to 50,000 numbers, or
- (ii) Mobile lines: 100, 000 to 200,000 numbers;

- (m) ensure efficient use of the available numbering resources by providers. This will be achieved by audits of the providers and by the use of clear criteria when the Authority considers an application for the allocation of numbering resources;

- (n) make appropriate temporary allocations of numbering resource when new services are introduced pending a review of the National Number Plan structure designations;

- (o) make available to providers relevant information on the status of the blocks of numbering resources; and

- (p) Liaise with the ITU-T on numbering matters on behalf of the Gambian industry, including the allocation of Signalling, Network and International Carrier Codes.

16. General Conditions of Use

Providers shall-

- (a) register with the Authority, and maintain current and correct details, the primary person, and a up to two deputy, responsible for all numbering matters within their organisation;

- (b) accept that allocation of numbering resources only grants the rights of use; no proprietary rights are granted;

- (c) only assign numbers from the National Numbering Plan that the Authority has allocated to its customers within The Gambia;

- (d) only use allocated numbering resources for the purposes specified in their application and any specific conditions attached by the Authority to the allocation;

- (e) without delay, report to the Authority any possible misuse of numbering resources in the Gambian or another country's National Numbering Plan; and

- (f) notwithstanding any confidentiality agreements entered into by the provider, co-operate with and provide in full information requested by the Authority or the authorised

authority in another country or the ITU-T when it is investigating possible misuse of numbering resources;

- (g) accept that where temporary allocations have been made for any reason, including the need to review the National Numbering Plan designations or ranges, that the numbers will be withdrawn at the end of the temporary period and that for the service to continue their customers may need to undertake a number change;
- (h) activate in their networks numbering resources allocated to another provider within three months of the Authority informing them of the allocation;
- (i) route all calls dialled with a valid allocated number to the correct termination, including transferring 'off-net' calls to other networks when appropriate or necessary for the correct termination of the call. Where the routing occurs before concluding an interconnection or commercial agreement provider of another network, the terms of that agreement shall be applied retrospectively once the agreement is concluded;
- (j) route calls on the number of dialled digits defined in these Regulations and suppress any additional digits dialled by a customer before the call is routed to the called customer or another network;
- (k) ensure that such end-users are able to call the emergency and public services free of charge using any and all of the designated Short Codes in these Regulations;
- (l) as soon as technically and economically practicable, make caller location information available to authorities and agencies receiving the emergency calls dialled using the Short Codes designated in these Regulations;
- (m) activate in their networks numbering resources within six months of the Authority making the allocation. Otherwise the allocation will be withdrawn without delay by the Authority who will provide thirty working days written notice to the defaulting network(s) and the provider has 7 working days to reply ;
- (n) place a number in quarantine for a period of nine months when a number that has been in use is cancelled by a customer, or is recovered or replaced by the provider, and,

during this period, the Authority shall not re-assign the number to any customer but to the previous customer; and

- (o) maintain an accurate record of their use of the numbering resources allocated to them including the percentages of numbers in use as a percentage of the numbers allocated to the provider (including those numbers in 'quarantine', those ported to other providers (if applicable) and numbers reserved for identified customers).

17. Duties of Providers

(1) Telecommunication service providers shall-

- (a) by the end of August each year the provider shall submit to the Authority in writing the information required for the Authority's annual number audit;
- (b) supply to the Authority within 30 days, the information requested by the Authority for an ad-hoc audit;
- (c) when relevant, maintain, and provide to the Authority when requested, a record of numbers that have been ported to other providers;
- (d) not use network-specific numbers or codes / private network telephone numbers that may cause interference with the National Numbering Plan defined in these Regulations or prevent evolution of the National Numbering Plan in any way;
- (e) ensure that the measures are in place that have been agreed by the Numbering Steering Committee to inform and support customers during and after the implementation of any change to the National Numbering Plan; and
- (f) recognise that the Authority may override, add, change or withdraw any of the above conditions where it deems that the national, customer or telecommunications industry needs require this.

(2) Where the Authority identifies a need to specify further compliance requirements relating to a right of use of numbers, it may issue directions to a provider to take or refrain from taking certain actions.

(3) Where the Authority finds that a provider has not complied with its responsibilities, obligations or one or more conditions for the rights of use of numbers allocated to it, or with a related direction or decision by the Authority, it will take measures to remedy any such non-compliance, which may include the withdrawal without compensation of some or all of the rights of use of numbering resources allocated to that provider in accordance with Section 103 (1) (b) of the Act.

18. Eligibility to apply for Numbering Resources

(1) Providers may apply for and be allocated the rights to use numbering resources.

(2) Where a third party Service provider requires numbering resource(s) to access their services the application for an allocation shall be as prescribed by the Authority in the Guidelines.

19. Application process for an allocation of Numbering Resources

(1) Providers and Third Parties must inform the Authority in writing of the following information before their first application-

- (a) the legal company name of the provider or Third party;
- (b) the name and contact details of applicant;
- (c) the services intended to use the Assignment;
- (d) the quantity of numbers requested for inclusion in the assignment

(2) Providers must ensure that the Authority is advised in writing of any change to the above information.

(3) Applications for the allocation of numbering resources must include the following information-

- (a) the electronic communications services provider's internal reference number (if any);
- (b) the name and job title of the person making the application;
- (c) the Numbering Plan Level that the applicant wants the blocks to be allocated from;
- (d) a brief description of the service to be offered using the numbers and, in the case of applications for a Short Code,

the category that the applicant believes applies to the service;

- (e) in the case of SMS Short Codes information on the same or similar services provided by other providers within The Gambia or their third party service providers;
- (f) the planned in-service date for the numbers;
- (g) for provider that have been offering the described service for more than twelve months, the percentage utilisation achieved with existing allocations;
- (h) the anticipated utilisation of existing allocations and the numbers applied for twelve months after the date of the application;
- (i) the current utilisation of existing assignments to the applicant for the intended services;
- (j) any other information that the applicant considers necessary or appropriate to justify the application;
- (k) any other information that the Authority may, from time to time require to assess the application; and
- (l) a declaration of compliance with the obligations and general conditions of use described in these regulations, along with an agreement to comply with any specific or additional conditions the Authority may specify when allocating the numbering resource'.

(4) The Authority may request additional information in respect of any numbering application it may receive. Applications will be deemed to have been withdrawn by the applicant if the requested additional information is not received within two weeks of such a request being made. The time for the Authority to respond to an application shall be measured once the Authority has received all the requested information.

(5) All applications will be processed in the order that they are received by the Authority and successful applications will be allocated the next free block of numbers from the appropriate level in the National Numbering Plan.

20. Reservation of Numbering Resources

The Authority may, at its sole discretion, reserve one or more number blocks for any reason including anticipation of future application(s) from providers.

21. Confidentiality of an applicant's information

Information provided to the authority will be treated as public unless the applicant specifies that it is confidential. Where applicants wish to submit confidential information, including information they consider to be commercially sensitive, they must provide confidential and non-confidential versions of their submissions highlighting the confidential information.

22. Withdrawal of Allocations

(1) A provider may request in writing that the Authority withdraw an allocation of numbering resources made to that provider.

(2) The Authority has the right to revoke allocations under clause 103 (1) of the Act. Such an action will only be undertaken in the following circumstances-

- (a) the holder of the right to use the numbering resource does not pay the fee the grant of use for the numbering right or the yearly extension;
- (b) the use of the numbering resource is against the grant of numbering right;
- (c) the numbering resource is not taken into use within a reasonable time after the grant of the numbering right or its use has been discontinued; or
- (d) the holder of the right to use the numbering resource does not rectify its conduct within one month after being requested to do so in writing.

(3) Before the Authority revokes the right to use a numbering resource, it shall give the holder of the right to use the numbering resource prior written notice of at least thirty working days and the holder of the right to use the numbering resource shall have seven working days in which to respond in writing to the notice unless otherwise extended by the Authority demonstrating that it is utilising the numbering resource in compliance with this Act and the conditions.

(4) The Authority, based on the written response required under clause 24 (3), shall notify the holder of the right to use the numbering resource

of its decision to revoke or not to revoke the right to use the numbering resource.

(5) Once the Authority has given written notice to the holder of the rights to use the numbering resource, it may discuss with relevant providers any implementation procedures and how customers should be informed.

(6) The period from the end of the Authority informing the holder of the right to use the numbering resource of its decision and the final withdrawal of the number allocation(s) will vary depending on the circumstances, the customer impact and the magnitude of the technical and operational changes required to make the withdrawal.

23. Notification of number activation

(1) The Authority shall inform, in writing, the applicant of its decision regarding the application for the allocation of numbers. Where an application is refused, a brief summary of the reasons will be provided with the notification. This will be provided electronically if the Authority adopts an on-line application process.

(2) It is the responsibility of the Authority to notify the ITU and all providers in The Gambia of the allocation and the proposed date that provider will start assigning numbers from the number block(s) allocated to customers.

(3) Providers notified by the recipient of the allocation must activate the numbers in their network(s) within the terms of the Interconnection Agreement or other agreements between the providers, and, in any case, no longer than four weeks after receiving the notification.

(4) To facilitate this process and on request, the Authority will provide providers of electronic communications services with the primary person and their deputies responsible for numbering matters for other providers(s).

24. Duration of Allocations

Unless otherwise specified in the Authority's decision on a numbering resource application, all allocations will last until the end of the licence period of the provider, and will be automatically extended if the licence is renewed or extended.

25. Applications for ITU-T Numbering Resources

(1) ITU-T numbering resources include-

(a) Signalling Area Network Codes;

- (b) International Carrier Codes; and
- (c) Mobile Network Country Codes.

(2) Providers applying for numbering resources managed by the ITU-T or the Authority delegated by the ITU-T must follow the procedures in the relevant ITU-T Recommendations.

(3) Applications for ITU-T managed Numbering Resources must be submitted to the Authority in writing using the forms specified by the ITU-T and available from their web site.

(4) Depending on the delegation (if any), the Authority shall either submit the application to the ITU-T or decide on the application using the criteria in the ITU-T's recommendations.

(5) ISPCs will be allocated to providers using the next available code using the CBA bits, on a 'first-come first-served' basis.

(6) NSPCs will be allocated to providers using the next available code on a 'first-come first-served' basis.

26. Appeals against allocation and withdrawal decisions

(1) Applicants that believe a numbering management decision by the Authority is unreasonable and contrary to the objectives in this regulation, may lodge a written appeal detailing the part or parts appealed against with the Authority raise their concerns directly, in written form, with the Authority

(2) During the period that the appeal is being considered, the decision of the Authority, which is causing the concern, shall stand.

PART IV - AUDIT OF THE USE OF NUMBERING RESOURCES

27. Objective of Audit

The Authority will conduct audits of provider's use of numbering resources to-

- (a) confirm that the allocating Numbering Resources are being used by providers efficiently for the purposes specified in this Regulation;
- (b) confirm the accuracy of provider records and the Authority's records;

- (c) facilitate forward planning of the use of numbering resources;
- (d) fulfil the Authority's obligations to the ITU-T to monitor the use of international numbering resources; and
- (e) any other matter relating to the use and management of numbering resources.

28. Audit Methods

For each audit the Authority will select and use one or more of the following methods depending on the objective of the specific audit-

- (a) a desk based audit that requires providers to complete and submit a return in writing to the Authority responding to specific questions asked by the Authority;
- (b) a 'Walk Through' of a procedures that requires the provider to explain in person to the Authority the internal procedures that they use to ensure compliance with this Regulation. The provider must provide the Authority with supporting documentary evidence of procedures and their use as determined by the Authority;
- (c) the Authority visiting the premise(s) of a provider and examining, on a sampling basis, the provider's numbering records;
- (d) the authority making calls to numbers, on a sampling basis, to ascertain if they are in-service and, if they are, the purpose for which they are being used; and
- (e) any other method the Authority believes is appropriate to achieve the objective of a specific audit.

29. Frequency of Audit

(1) In September of each year, the Authority shall undertake a general desk based audit with the objectives of assessing the use of numbering resources by providers and making an estimate of the likely future demand for numbering resources.

(2) The Authority may carry out an ad-hoc audit at any other time when-

- (a) the Authority has concerns about an electronic communications services provider's use of numbering resources;

- (b) the Authority is investigating possible misuse of Gambian Number resources or the numbering resources of another country, including those administered by the ITU-T TSB;
- (c) the Authority must supply information to the ITU-T; or
- (d) the Authority identifies a need to inform itself on some aspect of the use of numbering resources.

30. Content of the Annual Audit Return

Unless the Authority notifies providers before the end of December of alternative information requirements, providers of must provide the Authority with the following information-

- (a) the number blocks allocated by the Authority to the provider's and configured in their network(s);
- (b) the number blocks allocated by the Authority to the provider but not yet configured in the provider's network(s);.
- (c) 'in-service' with customers, where in-service includes numbers used for roaming services by business and tourist visitors to The Gambia and number in the quarantine state;
- (d) the proportion of each allocated block of numbers programmed into SIMs still in the retail supply chain;
- (e) the proportion of each allocated block of numbers for provider internal use (e.g. as service numbers or test numbers);
- (f) (if relevant) for each block of numbers allocated to the provider of total quantity of numbers ported-out;
- (g) (if relevant) for each number designation (e.g. mobile, fixed-line) the total quantity of numbers ported-in;
- (h) the expected growth (or reduction) in the use of numbers for each number designation (e.g. mobile, fixed-line);
- (i) for each number designation (e.g. mobile, fixed-line) the 3 years forward forecast of the additional numbering resources required by the provider from the Authority; and

- (j) information on any new services that the provider may introduce during the next 2 years and the possible quantity of additional numbering resources required by the provider for the service.

PART V – FEES

31. Timetable for the payment of fees

(1) By 31st October of each year, the Authority shall notify each provider of the fees that they must pay to the Authority for the use of the numbering resources allocated to them as at the end of September of that year.

(2) Within 30 calendar days of the Authority notifying the provider of the amount due the provider shall pay to the Authority the fees for the use of numbering resources.

32. Determination of Fees

(1) The Authority shall determine the fees payable for the use of numbering resources that compensate for the management costs of the numbering plan and the control of its use and encourage the efficient use of number assignments.

(2) The fees payable by the provider shall be in the form as set out in the Schedule to these Regulations.

(3) In determining the fees for assignments, the Authority shall consider some or all of the following-

- (a) the Authority shall estimate the current year's management costs of the numbering plan and the control of its use and deduct (add) any over (under) recovery in the previous year. This is the 'chargeable fee' for the current year;
- (b) based on its own records and the analysis of the annual audit returns, the Authority shall calculate the total quantity of numbers with a given number of digits allocated to each provider, including allocated numbers that are to be withdrawn but remain allocated on the reference date in clause 32 (1);
- (c) the Authority shall calculate the per provider and total 'chargeable quantity of numbers' by applying a weighting to the totals, to reflect the value of shorter numbers; and

- (d) for each provider the due amount to be paid is the provider's chargeable quantity of numbers multiplied by the 'fee per number.
- (e) on the 7 digit national numbering plan, charges shall be applied on the numbers used on the 4xxxxxx, and 5xxxxxx number blocks for the fixed line operator. Charges shall be applied on the whole numbering range of any other numbering block used by the fixed line operator; and
- (f) charges shall be applied on the numbers used on the 3xxxxxx, 6xxxxxx, 7xxxxxx and 9xxxxxx number blocks for the mobile service operators. Charges shall be applied on the whole number block range of any other numbering block used by the mobile service operators.
- (g) the Authority shall determine the charging mechanism to be applied if the national numbering plan is changed for the current 7 digit numbering plan.

PART VI - REVIEW AND REVISION OF THE REGULATIONS

33. Purpose of Review

(1) Periodically the Authority shall review and may amend these Regulations to ensure continued support for the growth of the information and Communications sector in The Gambia.

(2) A provider may submit a request in writing to the Authority to undertake an interim review clearly stating their reasons for requesting the review. The Authority's decision to accede or deny the request shall be final.

(3) The Authority may from time to time issue additional rules, directions or guidelines on any aspect of this Regulation, and either of general applications or specific to a Licensee.

PART VII - CONTRAVENTION AND ENFORCEMENT

34. Contravention and Enforcement

(1) Every Licensee that fails to fulfil an obligation or the National Numbering Plan, or any other numbering related obligations under the IC Act 2009, has committed a Contravention.

(2) If a Licensee commits a Contravention, the Authority may take one or more of the following enforcement measures-

- a) imposing administrative fines pursuant to the Enforcement Regulations 2010;
- b) refusing applications for Assignment; and
- c) revoking the allocation of the numbering resources.

SCHEDULE

(Regulation)

Digit Numbers	Fees in Dalasi / annum
Short codes.....	D1000 up to D3000 per number
Seven to 9 Digit Numbers	D0.25 up to D5.00 per number

Dated this day of 2017.

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**HONOURABLE MINISTER OF INFORMATION
COMMUNICATION AND INFORMATION TECHNOLOGY**