

# Numbering plan for carrier codes

*Administrative Order No 21/2015, Official Gazette No 11/2015 of 10 June 2015*

## **1. Legal basis**

Carrier codes are numbers as defined in section 3 para 13 of the Telecommunications Act (TKG) of 22 June 2004 (Federal Law Gazette I page 1190ff), as amended by Article 22 of the Act of 25 July 2014 (Federal Law Gazette I page 1266).

This Administrative Order sets out, as required by section 66(1) second sentence of the Telecommunications Act and section 1 of the Telecommunications Numbering Ordinance (TNV) (Federal Law Gazette I No 5 of 14 February 2008 page 141ff, as amended by Article 4(110) of the Act of 7 August 2013 (Federal Law Gazette I page 3154)), how the number range for carrier codes is to be structured and configured.

A separate Official Gazette Communication (see Communication No 528/2015 of 10 June 2015) sets out the application procedure.

## **2. Number format and subdivision of the number range**

The German numbering space for public telecommunications is defined by Recommendation E.164 of the International Telecommunication Union (ITU). In this numbering space the 010 number range is provided for carrier codes.

Carrier codes begin with the sequence 010. The codes generally have five digits; codes beginning with 0100 have six digits.

Carrier codes are therefore structured as follows:

Carrier code (5 or 6 digits)	
Sequence 010	Carrier ID xy where x is any digit from 1 through to 9 and y is any digit from 0 through to 9
	Carrier ID 0yy where y is any digit from 0 through to 9

## **3. Purpose of use**

Carrier codes may be used solely for carrier selection as defined in section 3 para 4a of the Telecommunications Act and carrier pre-selection as defined in section 3 para 4b of the Act.

A carrier code is similar to a prefix. Subscribers can dial a code before dialling a subscriber number (including the national or international prefix 0 or 00) to select a carrier on a call by call basis. A carrier code can also be used for technical implementation of carrier pre-selection.

## **4. Type of assignment and requirements for assignment**

Carrier codes are assigned upon application in the form of direct assignments within the meaning of section 4(2) para 1 of the Telecommunications Numbering Ordinance.

Assignment is subject to the condition that the applicant and a company under the obligation of section 21(3) para 6 of the Telecommunications Act have signed an interconnect agreement or have both signed a declaration of intent to conclude such an agreement.

## **5. Maximum codes assignable**

Each company can be assigned only one carrier code.

## **6. Other conditions of use**

### **6.1 Pre-use period**

Carrier codes must be put into use not later than twelve months after receipt of the assignment (section 9(4) first sentence of the Telecommunications Numbering Ordinance).

It is incumbent on the assignee to put the code into proper working use within the specified time. The assignee is responsible for timely use. Technical, contractual or economic hindrances or fault on the part of the assignee play no part.

The assignee must notify the Bundesnetzagentur, in writing, of the date on which use begins. Notification must be made not later than 14 days after the code is first used.

### **6.2 Use of a carrier code by the assignee for contractual partners**

The use of a carrier code under a contract between the assignee and a third party or under contracts between the assignee and several third parties, allowing the third party or parties to provide to end customers a service appropriate to the purpose of the number, is permitted.

Contractual arrangements amounting to a transfer of the right of use by the assignee to a third party are not permitted (see section 4(5) of the Telecommunications Numbering Ordinance). The use of a carrier code under a contract between the assignee and a third party rules out the use of the code by the third party for another contractual partner (ban on "third tier use").

The assignee remains the user of the carrier code and hence remains responsible for lawful use of the number and answerable to the Bundesnetzagentur. The assignee is therefore obliged to provide the Bundesnetzagentur, upon request, with personal data such as the name and address for service of the third party (see also section 67(1) of the Telecommunications Act).

Any contract between the assignee and a third party on the use of a carrier code must be in written form and is to be submitted to the Bundesnetzagentur upon request.

### **6.3 Return of unused codes**

If a carrier code is not used within twelve months or if its use is not planned for twelve months beginning with the time of assignment or for twelve months beginning with the last time the code was used, the code must be returned without delay by making a written declaration to the Bundesnetzagentur as required by section 9 subsection (1) in conjunction with subsection (4) first sentence of the Telecommunications Numbering Ordinance.

### **6.4 Notification of changes of name or address**

Assignees must inform the Bundesnetzagentur in writing, without delay and on their own initiative, of any change in their name, their address for service or their legal representative. Applicants with headquarters in another country must also inform the Bundesnetzagentur of

any change in their authorised recipient or the authorised recipient's address for service in Germany.

If any changes are made to an entry in the commercial register or equivalent of another country, up-to-date extracts must be submitted to the Bundesnetzagentur immediately.

## **7. Entry into force**

This Administrative Order will become effective on 11 June 2015. It replaces the numbering plan for carrier codes of 23 March 2011 (Administrative Order No 28/2011, Official Gazette No 6/2011).

## **Rights of appeal**

An appeal against this Administrative Order may be lodged within one month of its issue. The appeal must be filed in writing with the Bundesnetzagentur, Tulpenfeld 4, 53113 Bonn or any other Bundesnetzagentur office, or placed on record.

The requirement of written form is met if electronic media are used. In this case, an electronic PDF or PDF/A document must be signed with a qualified electronic signature as defined in the Electronic Signatures Act (SigG). The other conditions applicable to electronic communications with the Bundesnetzagentur can be found on the Bundesnetzagentur's website at [www.bundesnetzagentur.de](http://www.bundesnetzagentur.de) – Die Bundesnetzagentur > Über die Agentur > Elektronische Kommunikation.

Under section 137(1) of the Telecommunications Act an appeal does not have suspensory effect. Filing an appeal does not change the effect or enforceability of the Administrative Order in any way.