

Numbering plan for 0180 medium-rate numbers

Administrative Order No 46/2012 Official Gazette No 15/2012 of 8 August 2012

1. Legal basis

Medium-rate numbers are numbers in accordance with section 3 para 13 of the Telecommunications Act (TKG) as published on 22 June 2004 (Federal Law Gazette Part I No 29 of 25 June 2004, page 1190ff), last amended by the Telecommunications Legislation Amendment Act of 3 May 2012 (Federal Law Gazette I No 19 of 9 May 2012, page 958ff).

This Administrative Order defines the structure and configuration of the number range for medium-rate numbers in accordance with section 66(1) second sentence TKG and the Telecommunications Numbering Ordinance (TNV; Federal Law Gazette Part I No 5 of 14 February 2008, page 141ff).

The application procedure for medium-rate numbers is published separately as an Official Gazette Communication (Communication No 553/2012, Bundesnetzagentur Official Gazette No 15/2012 of 8 August 2012).

2. Number format and subdivision of the number range

The German numbering space for public telecommunications is defined in ITU-T Recommendation E.164. In this numbering space the 0180 number range is provided for medium-rate numbers.

Medium-rate numbers consist of a four-digit service code and a six-digit subscriber number. The service code consists of the digit string 180 and a single-digit rate indicator. When dialling the number from a line in Germany, the number must be preceded by the prefix "0".

Medium-rate numbers are therefore structured as follows:

Prefix 0	National number (10 digits)	
	Service code (4 digits)	Subscriber number (6 digits)
	Digit string 180	Rate indicator (1 digit)

Subscriber numbers with fewer digits may still be in use but are no longer assigned.

Service codes with rate indicators "1" to "7" are available for assignment. Rate indicators "0", "8" and "9" are in reserve.

3. Purpose of use

Medium-rate numbers may be used exclusively for the provision of services within the meaning of section 3 para 8b TKG.

Note: Medium-rate numbers should not be used if their use is expected to result in mass call traffic that may cause network overloads.

4. Type of and requirements for assignment

Medium-rate numbers are assigned upon application in the form of direct assignments for the assignee's own use within the meaning of section 4(2) para 1 TNV.

4.1 Material requirements for assignment

Applicants are eligible for assignment if they plan to request a telecommunications network operator to activate a medium-rate number and intend to provide a service corresponding to the intended purpose of use at that number. The request for activation can be made to the telecommunications network operator either directly or indirectly through a service provider. Assignments can also be made to telecommunications network operators provided that the operators plan to activate a medium-rate number in their own telecommunications network and intend to provide a service corresponding to the intended purpose of use at that number (cf 5.3 below).

4.2 Formal requirements for assignment

Applicants must provide a residential or business address for service of summons in Germany (legal entities must also provide details of their legal representative(s)). Applicants with headquarters abroad must provide details of an authorised recipient with an address for summons in Germany. Each applicant may specify one address for summons and one authorised recipient only. If an applicant specifies more than one address and/or authorised recipient, the first address and/or the first authorised recipient specified in the last complete application received by the Bundesnetzagentur will apply. The applicant will be informed accordingly.

Applicants must provide proof of identity as follows:

- a) natural persons must provide a copy of their identity card, passport or similar official identity document;
- b) legal entities and partnerships must provide an extract from the commercial register or, if not available, other proof of identity (eg extract from the official register of societies and associations, business registration);
- c) officially registered civil law companies must provide their official registration; if a civil law company is not officially registered, the company's managing partners must each provide proof of identity as required in a) above.

5. Other conditions of use

5.1 Deadline for use

The assignee must request a telecommunications network operator either directly or indirectly through a service provider to activate the number and must use the number no later than 180 calendar days after the assignment becomes effective.

5.2 Chargeable rates

5.2.1 Rate indicators "1" to "5"

The rates for calls from landlines to medium-rate numbers with rate indicators "1" to "5" have been set in a separate Administrative Order issued under section 67(2) TKG.

The rates for calls from mobiles are set by the caller's provider ("online billing"). Calls are charged per minute in accordance with a separate Administrative Order issued under section 67(2) TKG.

5.2.2 Rate indicators "6" and "7"

The rates for calls to medium-rate numbers with rate indicators "6" and "7" will be set in a separate Administrative Order to be issued under section 67(2) TKG.

5.3 Prohibition to arbitrarily end calls charged at a per-call rate

Calls from landlines and mobiles charged at a per-call rate may not be ended arbitrarily by the service provider after the call has become chargeable.

5.4 Use of a number by the assignee for a customer within the scope of a service

5.4.1 Principles

The assignee is permitted to use a number for a customer within the scope of a service. Such use is deemed to exist where the customer requests the assignee to provide a service corresponding to the intended purpose of use for the customer at that number. Contractual arrangements amounting to a transfer of the right of use by the assignee to the customer are not permitted (cf section 4(5) TNV).

5.4.2 Written form

The agreement between the assignee and the customer on the use of the number for the customer must be in written form and must be submitted to the Bundesnetzagentur upon request.

5.4.3 Ban on retransfers

The use of a number by the assignee for a customer within the scope of a service rules out the use of the number by the customer for a further customer.

5.4.4 Information requirements

The assignee remains the user of the number within the meaning of 4.1 above 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 summons of the person for whom the assignee uses the number (cf section 67(1) TKG).

5.5 Assignment of a number to a customer of a service provider

5.5.1 Customer's rights

The customer of a service provider can apply for assignment of a number assigned to the service provider if

- a) the number is used within the framework of a service of which (s)he is customer,
- b) the service contract has a term of more than 89 days, and
- c) only the customer can be reached at the number for the term of the contract.

5.5.2 Service provider's obligation to inform the customer

The customer's attention must be drawn to the right in 5.5.1 above.

5.5.3 Legal implications

The customer must prove to the Bundesnetzagentur by appropriate means that the conditions laid down in 5.5.1 above are met. The Bundesnetzagentur will then consult with the service provider. If the conditions for assignment are met, the Bundesnetzagentur will declare expiry of the service provider's right of use and assign the number to the customer immediately. The assignee's right of use is subject to the condition subsequent that the Bundesnetzagentur declares expiry of the right of use. The service provider will also be notified of assignment of the number.

5.6 Changes in the format of numbers

5.6.1 Use of longer numbers

5.6.1.1 Use of a longer number by an assignee for the assignee's own purposes

The use of a longer number by an assignee for the assignee's own purposes is permitted.

Use for the assignee's own purposes is taken to mean internal use only of a longer number. It is only permissible to receive external calls and faxes at the longer number if the assignee or a natural person or organisational unit providing service on behalf of the assignee can be reached at that number. The persons or units reached at the number must belong to the assignee or must provide the service on the assignee's behalf in such a way that they themselves cannot be considered as the service provider. Persons staying in the assignee's premises (eg hotel guests and hospital patients) are taken to belong to the assignee for the duration of their stay. The use of longer numbers beyond these purposes is not permitted. A contractual agreement on the use of longer numbers between the assignee and third parties is not permitted except in the case in 5.5.1 above.

5.6.1.2 Use of a longer number within the scope of a service

A customer for whom a number is used within the scope of a service (see 5.4 above) may use a longer number for internal purposes only. It is irrelevant in this case whether the customer extends the number or the assignee extends the number for the customer. The use of longer numbers beyond these purposes is not permitted.

5.6.1.3 Accessibility of longer numbers

Attention is drawn to the following:

- The accessibility of longer numbers depends on the technical conditions provided by the network operators involved in a call.
- ITU-T Recommendation E.164 provides for numbers of up to 13 digits (excluding the prefix "0") in Germany.

5.6.2 Use of shorter numbers

It is not permissible to use shortened medium-rate numbers.

5.7 Return of numbers

If – contrary to 5.1 above – a medium-rate number is not used within 180 days after assignment or if its use is not planned for 180 days beginning with the time of assignment or for twelve months beginning with the last time the number was used, the number must be returned immediately by making a written declaration to the Bundesnetzagentur in accordance with section 9(1) in conjunction with subsection (4) first sentence TNV.

5.8 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 summons or their legal representative. Applicants whose headquarters are not in Germany must also inform the Bundesnetzagentur of any change in their authorised recipient or the recipient's address for summons 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.

The information should be sent to:

Bundesnetzagentur
 Dienstleistungszentrum 22 Nürnberg
 Standort Fulda
 Marquardstr. 27-29
 36039 Fulda
 Germany

or Fax +49 (0)180 3 110900 (landlines 9 ct/min; mobiles max 42 ct/min).

6. Entry into force

This Administrative Order will become effective on 10 September 2012.

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, the electronic document must be furnished with a qualified electronic signature as defined in the Electronic Signatures Act (SigG). Attention is drawn to the information on the Bundesnetzagentur's website at www.bundesnetzagentur.de – Die Bundesnetzagentur > Über die Agentur > Elektronische Kommunikation.

An appeal does not have suspensory effect. Filing an appeal does not change the effect or enforceability of the Administrative Order in any way.

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