

Structure and configuration of the numbering range for international virtual private networks

1. Legal basis, purpose and goal

Under § 66(1) sentence 2 of the Telecommunications Act (TKG) in the version of 22.06.2004 (Federal Law Gazette I No. 29 of 25.06.2004, p. 1190 ff.), last amended by the Act amending Telecommunications Regulations of 18.02.2007 (Federal Law Gazette I No.5 of 23.02.2007, p. 106 ff.), the Federal Network Agency is responsible for structuring and configuring the numbering space with the goal of meeting the requirements of end users, telecommunications network operators and telecommunications service providers. Under § 66(1) sentence 3 of the TKG the Federal Network Agency also allocates call numbers to telecommunications network operators, telecommunications service providers and end users.

Numbers for international virtual private networks (IVPN) are numbers as defined in § 3 subpara 13 of the TKG.

This General Administrative Order defines the structure and configuration of the numbering range for IVPN.

With its definition, the Agency commits itself to ensuring the non-discriminatory, technology-neutral and adequate availability of numbers for IVPN at all times whilst bearing in mind consumer interests. Long-term planning security should be provided for all concerned and administrative work should be kept to a minimum.

The Federal Network Agency may change this Order should this prove necessary. Should the Federal Network Agency do so, it will specify the extent to which the changes may also affect former allocations, giving due consideration to all interests concerned.

2. Numbering range

2.1 Classification in the numbering space for public telecommunications

The numbering range for IVPN is part of the German numbering space for public telecommunications which is defined in Recommendation E.164 of the International Telecommunications Union.

2.2 Number structure

Numbers for IVPN consist of a six or seven-digit IVPN code and an extension number of up to seven digits. The IVPN code consists of the digit string 181 and a three or four-digit IVPN identifier.

When dialling an IVPN number nationally, the number must be preceded by the national prefix „0“. When dialling an IVPN number from abroad, it has to be preceded by the international prefix (usually „00“) and the country code „49“.

The structure of numbers for IVPN is therefore:

Prefix Nationally: "0" or internat.: "0049"	National (significant) number (up to 14 digits)		
	IVPN code (6 or 7 digits)		extension number (up to 7 digits)
	digit string 181	IVPN identifier (3 or 4 digits)	

3. Purpose of use

Numbers for IVPN may only be used for addressing IVPNs.

IVPNs are virtual networks of companies with locations in several countries (Germany and at least one other country), the extensions of which can be reached via a joint, uniform numbering plan irrespective of their location. The integrated numbering plan can be reached at least from Germany by means of a national access number.

As far as the location is concerned, it must be a company's operational centre. The criterion „operational centre“ is related to the arrangements in § 14(1) p.1 of the Industrial Code (GewO) under which the independent operation of a trade with a fixed place of business or the operation of a subsidiary or a dependent subsidiary must be notified to the local authorities.

Numbers for IVPNs may not be used

- for Premium Services, i.e. no service above and beyond the telecommunications service is provided for which the calling party is billed in conjunction with the telecommunications service,
- for a service which corresponds commercially to the offer of carrier selection,
- if use of the number may cause mass traffic which may result in network overload.

4. Allocation procedure

Numbers for IVPNs are allocated by the Federal Network Agency direct to the customer in the form of number blocks (RNB) identified by an IVPN code (direct allocation).

The allocation procedure is published separately in the form of Administrative Instructions (see Federal Network Agency Official Gazette No. 19 of 26.09.2007, Communication 665/2007).

The rights transferred by the allocation are limited by the TKG, this Order and the allocation notice.

5. Conditions of use

5.1 Adherence to the purpose of use

RNB for IVPNs may only be used within the framework of the purpose of use set forth in Section 3.

5.2 Period of use subsequent to allocation and provision of information about the commencement of use

RNB for IVPNs must be brought into service within 90 days from the effective date of their allocations. The holder of the allocation must inform the Federal Network Agency in writing

within 14 days after this period at the latest about the date on which the RNB was taken into service and of the network operator where the call numbers are switched. An RNB is deemed as being in service when at least one number is used in accordance with the purpose of use.

In principle, the allocation becomes effective with receipt of the allocation notice. Another activation date for the allocation may be specified upon application within the framework of an allocation procedure defined in a separate Official Gazette Communication (see Federal Network Agency Official Gazette No. 19 of 26.09.2007, Communication 665/2007).

5.3 Further provision of information to the Federal Network Agency

5.3.1 General provision of information

A change of network operator must be notified to the Federal Network Agency in writing without delay.

Holders of an allocation must notify the Federal Network Agency immediately of any change in their name or address. Applicants resident abroad must also always indicate a current address (place, street) in Germany (nomination of an authorised recipient).

In the event of changes in an entry, e.g. in the commercial register, Register of Associations, etc. or the relevant register in the other country, up-to-date extracts from the register must be presented to the Federal Network Agency without fail.

5.3.2 Requests for information

At the Federal Network Agency's request, the holder of an allocation is obliged to furnish written information about the use of an IVPN RNB.

5.4 Transfer of an allocation

Trade with RNBs, i.e. the legal passing on or transfer of direct allocations, is prohibited. This includes agreements under which a return of the RNB is linked to a payment to the previous holder of the allocation. Also prohibited are promotional and marketing activities giving the impression that the sale or provision of an RNB is possible against payment of a premium.

In case of succession, the Federal Network Agency must immediately be asked in writing to confirm the allocation and to correct it (amendment of the allocation notice). In the request, proof of the succession must be supplied (extract from the commercial register, shareholder's or partnership agreement, etc.). Apart from succession due to death, especially that resulting from the acquisition of a majority share of a company or that due to merger, splitting, devolution of property or change of form are deemed forms of succession.

If the request is made forthwith, the IVPN RNB may provisionally continue to be used until the Federal Network Agency has come to a decision. The confirmation is subject to the requirements applicable to new allocations, i.e. the successor as a person must also fulfil the conditions of use.

5.5 Return of IVPN RNBs

The holder of an allocation must return a RNB which is no longer used within 90 days at the latest. In particular, an RNB must be returned if the prerequisites for allocation no longer apply or if business activity ceases.

If a request for confirmation of the allocation is dismissed, the RNB must be returned forthwith.

The Federal Network Agency is notified of the return by a written declaration to that effect.

5.6 Payment of fees

The fees levied for the official actions in connection with the allocation are determined in a separate notification and must be paid within the specified time. The fee must be paid by the very latest by the date on which the allocation comes into effect unless the fee notification specifies a different period for payment.

6. Withdrawal of a lawful direct allocation

The allocation of an RNB may be withdrawn by the Federal Network Agency, especially in the following cases:

- a) The holder of the allocation is guilty of violating the provisions of the General Administrative Order or other valid legal regulations.
- b) The holder of the allocation fails to pay the fee due for the allocated RNB.
- c) A change is effected under § 66 of the TKG which concerns the RNB.
- d) The conditions set forth in § 49 of the Administrative Procedures Act (VwVfG) are met.

The Federal Network Agency will carry out a hearing before it makes the withdrawal.

7. Recovery of a lawful direct allocation

Note: Under § 48 of the VwVfG an allocation may be withdrawn if it was based on incorrect or incomplete data.

8. Transitional provisions

This Order enters into force on 1.10.2007. It replaces BMPT Order No. 132/1997.

The provisions of this Order apply to all numbers for IVPNs, i.e. also to those that were allocated on a direct basis prior to 1.10.2007.