

**S.I. 2003 No. 96**

**Telecommunications Act  
(Act 2001-36)**

**TELECOMMUNICATIONS (NUMBERING)  
REGULATIONS, 2003**

The Minister in exercise of the powers conferred on him by section 110(1) of the *Telecommunications Act* makes the following Regulations:

1. These Regulations may be cited as the *Telecommunications (Numbering) Regulations, 2003*.

2. In these Regulations,

Interpreta-  
tion.

"indirect access" means the method whereby customers are able to select the services of any licensee who uses a public telecommunications network to provide telecommunications services through any form that allows customers to direct their calls to be routed to a licensee without the use of an access code or other alternative dialing arrangement and without an unreasonable post-dialing delay;

"number portability" means the ability to allow customers to change their service provider with respect to a particular telecommunications service without being required to change their telephone number;

"Plan" means the National Numbering Plan developed by the Minister under section 50 of the Act.

3. (1) The Plan, shall provide for:

Plan.

(a) the numbering of telecommunications services; and

(b) the use of numbers in connection with the supply of telecommunications services including network facilities and network nodes..

(2) The Plan shall be developed in consultation with licensees in accordance with the North American Numbering Plan Administration Rules, and shall be made available to the public for inspection on request.

(3) There shall be guidelines developed and made by the Minister administratively for the carrying out of the Plan and the guidelines shall be made available to the public for inspection on request.

(4) The Plan shall specify

(a) the numbers that are for use in connection with the supply of various specified services to the public;

(b) that numbers be allocated to licensees so as to distinguish between

(i) each licensee; and

(ii) each particular telecommunications service,

so far as is reasonably practicable, unless the Minister determines, pursuant to regulation 6 that number portability is to be provided among different services;

(c) rules in respect of

(i) the allocation of numbers to a licensee;

(ii) the transfer of allocated numbers between licensees;

(iii) the surrender or withdrawal of allocated numbers and their subsequent re-allocation or reuse;

- (iv) the portability of allocated numbers, including rules about the maintenance of, and access to, databases that facilitate portability, subject to these Regulations; and
- (v) the use of allocated numbers in connection with the supply of telecommunications services to the public, including rules about the uses of allocated numbers by licensees to customers for use in connection with the supply of telecommunications services.

4. (1) The Minister shall assign telephone numbers to licensees on a non-discriminatory basis as provided for in the Plan.

Allocation  
of  
telephone  
numbers.

(2) A licensee that is desirous of having an allocation of telephone numbers must apply to the Minister for the allocation of those numbers in the relevant form.

(3) An application submitted pursuant to paragraph (2) must specify

- (a) the proposed use for the telephone numbers;
- (b) the need for the telephone numbers requested; and
- (c) the quantity of telephone numbers sought.

(4) Within 60 days of receiving an application made under paragraph (2), the Minister shall grant or refuse the application in whole or in part.

(5) Any partial or complete refusal of an application shall be accompanied by a written explanation of the reasons for the action.

(6) Where the Minister determines that it is in the public interest to do so, the Minister may, by notice published in the *Official Gazette* and in at least one daily newspaper, inform of the assignment of new numbers to an applicant.

(7) The Minister may require all carriers and service providers to contribute on a competitively neutral basis, to the costs of the administering of numbering in Barbados.

Change in  
the Plan.

**5.** (1) A licensee may submit a request to the Minister for a change in the Plan.

(2) A request made pursuant to paragraph (1) shall describe how the requested change

- (a) takes into account the relevant international regulations;
- (b) ensures that sufficient numbers are available for the current and reasonably anticipated future needs of licensees;
- (c) has regard to the role that numbers can play in conveying useful information to customers, including information about the type of service being used;
- (d) promotes efficient use of numbers;
- (e) promotes fair and open competition; and
- (f) as far as possible, avoids the imposition of costs on customers as a result of changes in the numbering system.

Rules  
regarding  
number  
portability.

**6.** (1) The Rules with regard to number portability referred to in sub-paragraph (4)(c)(iv) of regulation 3, may be made after the Minister has conducted a cost-benefit analysis and has concluded that the benefits to consumers arising from the making of rules outweigh the costs to all parties of complying with the Rules.

(2) Where the Minister determines that number portability is required, he shall specify competitively neutral mechanisms for the recovery of the costs imposed on the relevant carriers by the requirement for number portability in Barbados.

7. (1) The Rules referred to in subparagraph (4)(c)(iv) of regulation 3 may also require carriers to offer indirect access to other carriers after a cost-benefit analysis has been carried out by the Minister and where the Minister concludes that the benefits to consumers arising from those rules outweigh the costs to all parties complying with those rules.

Indirect  
access.

(2) The Rules referred to in paragraph (1) shall specify the telecommunications services in respect of which indirect access is required to be offered.

Made by the Minister this 18th day of July, 2003.

ANTHONY P. WOOD  
Minister responsible for Telecommunications.