

Annex 3

Notification of modifications to the National Telephone Numbering Plan

NOTIFICATION OF MODIFICATIONS TO THE NATIONAL TELEPHONE NUMBERING PLAN UNDER SECTION 56 OF THE COMMUNICATIONS ACT 2003

BACKGROUND

A. Section 56(2) of the Act provides that it shall be Ofcom's duty from time to time to review the National Telephone Numbering Plan (the "**Plan**") and make such revisions as it sees fit, provided such revisions are made in accordance with section 60 of the Act.

B. Section 60 of the Act applies whereby General Condition 17 is a numbering condition for the time being having effect by reference to provisions of the Plan.

C. On 24 February 2011, Ofcom published a notification under section 60(3) of the Act setting out proposals to modify the Plan (the "**First Notification**").

D. A copy of the First Notification was sent to the Secretary of State.

E. In the First Notification (and accompanying documentation), Ofcom invited representations on the proposals by 11 April 2011.

F. On 4 May 2011, the Secretary of State made The Electronic Communications and Wireless Telegraphy Regulations 2011 (SI 2011/2010), together with The Electronic Communications (Universal Service) (Amendment) Order 2011 (SI 2011/1209 (collectively, the "**Regulations**"). The Regulations were laid before Parliament on 5 May 2011 and come into force on 26 May 2011.

G. The Regulations have provided for changes to Ofcom's enabling powers under the Act in order to take forward the proposals Ofcom set out in the First Notification. Whilst the Regulations come into force on 26 May, Ofcom is able to proceed to make decisions in the anticipatory exercise of its new or amended powers, pursuant to section 13 of the Interpretation Act 1978, in order to meet the Community law transposition deadline of 25 May 2011.

H. By virtue of section 60(5) of the Act, Ofcom may give effect to the proposals with respect to which it has published a notification under section 60(3), with or without modifications, where Ofcom has:

- (i) considered every representation about the proposals made to Ofcom within the period specified in the notification; and
- (ii) had regard to every international obligation of the United Kingdom (if any) which has been notified to them for this purpose by the Secretary of State.

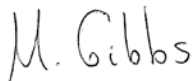
I. Ofcom received responses to the First Notification and has considered every such representation made in respect of the proposals set out in the First Notification

(and the accompanying explanatory statement); and the Secretary of State has not notified Ofcom of any obligation of the United Kingdom for this purpose.

DECISION

1. In accordance with section 56 of the Act, Ofcom sets out the modifications made to the Plan in the Schedule to this Notification.
2. The effect of, and Ofcom's reasons for making, these modifications are set out at in the accompanying explanatory statement.
3. Ofcom considers that these modifications comply with the requirements of sections 56 to 63 of the Act, as appropriate and relevant to each of the modifications.
4. In making these modifications, Ofcom has considered and acted in accordance with their general duties in section 3 of the Act, the six Community requirements in section 4 of the Act, and its duty in relation to telephone numbering functions in section 63 of the Act.
5. In this Notification:
 - (f) "**Act**" means the Communications Act 2003;
 - (ii) "**First Notification**" has the meaning ascribed in recital C above;
 - (iii) "**Plan**" has the meaning ascribed in recital A above;
 - (iv) "**Ofcom**" means the Office of Communications; and
 - (v) "**Regulations**" have the meaning ascribed in recital F above.
1. Except insofar as the context otherwise requires, words or expressions shall have the meaning assigned to them in this Notification and otherwise any word or expression shall have the same meaning as it has in the Act.
2. For the purpose of interpreting this Notification:
 - (i) headings and titles shall be disregarded; and
 - (ii) the Interpretation Act 1978 shall apply as if this Notification were an Act of Parliament.
3. The Schedule to this Notification shall form part of this Notification.

Signed by Marina Gibbs



Competition Policy Director

A person authorised by Ofcom under paragraph 18 of the Schedule to the Office of Communications Act 2002

23 May 2011

SCHEDULE

National Telephone Numbering Plan

- 1 In the National Telephone Numbering Plan, the following definitions are deleted:
 - a) Apparatus;
 - b) Public Telephone Network; and
 - c) Wireless Telegraphy.

- 2 In the National Telephone Numbering Plan, the following definition is inserted:

“Public Communications Network” means an Electronic Communications Network used wholly or mainly for the provision of Public Electronic Communications Services which support the transfer of information between Network Termination Points. For the purposes of this document the term ‘Public Communications Network’ shall include Integrated Services Digital Networks

- 3 In the National Telephone Numbering Plan, the term “Public Telephone Network” is replaced by the term “Public Communications Network” throughout the National Telephone Numbering Plan, that is in the titles to tables in Part A1 of the National Telephone Numbering Plan and in the following definitions:
 - a) Access Code;
 - b) Directory Enquiry Facility;
 - c) Indirect Access;
 - d) Integrated Services Digital Network;
 - e) Non-geographic Number;
 - f) Number Portability;
 - g) Parallel Running;
 - h) Pre-selected Provider;
 - i) Public Telephone Network Number; and
 - j) Signalling Point Code.

- 4 In the National Telephone Numbering Plan, the definition of “Publicly Available Telephone Service” is replaced with the following:

“Publicly Available Telephone Service” means a service made available to the public for originating and receiving, directly or indirectly, national or national and international calls through a number or numbers in a national or international telephone numbering plan.