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Instructions relating to the allocation of individual numbers

1. Introduction

In this document, the procedure for the allocation of individual numbers is explained as well as the relevant conditions.

These explanations are based on the following legal basis:

TCA	Telecommunications Act of 30 April 1997 (SR 784.10)
TSO	Telecommunications Services Ordinance of 9 March 2007 (SR 784.101.1)
AEFV	Ordinance on Addressing Resources in the Telecommunications Sector of 6 October 1997 (SR 784.104)
V UVEK (DETEC)	DETEC's Ordinance on Fees in the Telecommunications Sector of 7 December 2007 (SR 784.106.12)
TAV	OFCOM's technical and administrative regulations for individual number allocation (SR 784.101.113/2.10)
PBV	Publication of Prices Ordinance of 11 December 1978 (SR 942.211)

In order that the most complete application possible can be submitted, the following points are to be taken into account:

2. General

Telephone numbers for service identification and personal numbers can be allocated individually. The relevant number ranges from which numbers are to be allocated, as well as their usage, is described below.

OFCOM allocates one or more numbers to legal entities and natural persons, if they intend to use them for the specified service. Applications for number allocation will be dealt with in the order in which they are received.

3. Service description of the number ranges and obligations of the decree of the Publication of Prices Ordinance ("PBV")

0800 range; freephone numbers

Freephone numbers designate a service where the calling party in principle pays no call charges. The holder of the freephone number is charged for the costs of the calls.

084x range; shared cost numbers

Shared cost calls designate a service whereby the calling party is billed the same amount for a call throughout the country. The cost of the call can range from free of charge up to a maximum of a national rate fixed call (Art 22, para. 1b TSO). The holder of the number pays the difference between the actual call charges plus any additional service charges.

0878 range; personal numbers

Personal numbers identify an end user, irrespective of their location or terminal equipment. Calls to 0878 numbers are forwarded to the destination number defined by the holder. This destination number can be updated at any time.

Calls to 0878 numbers cannot be charged in excess of the maximum amount specified for a national rate call to a fixed connection.

Before applying for such a number, please check that your telecom service provider (ZSP) is able to put these numbers into service.

0900, 0901, 0906 ranges; value added services numbers

Number holders can provide a service with these numbers whereby the calling party is charged a price supplement in addition to the normal call charges. The telecommunications service provider (TSP) credits this surcharge to the holder of the number, either partially or in total, depending on the contractual arrangements.

In accordance with Art. 13a PBV in advertising for 0900-, 0901- or 0906-numbers unambiguous notification shall be given that the price refers to calls from the fixed network. When an 0900-, 0901- or 0906-number is presented in writing, notification of the price information and the reference to the fixed network must be presented in at least the same font size as the number and in its immediate proximity.

For calls to 0900-, 0901- or 0906- numbers with a basic charge in excess of CHF 2.00 or a connection charge in excess of CHF 2.00 per minute, the call must be accompanied by a free of charge message indicating the costs. There must be a message indicating that the cost stated refers to fixed line call rates (Art. 11a para. 1 PBV).

For calls to 0900-, 0901- or 0906-numbers with a basic charge in excess of CHF 10.00 or a connection charge in excess of CHF 5.00 per minute, the caller must confirm the connection using a "special signal" (e.g. prompted to press "8") (Art. 11a para. 4 PBV).

These regulations also apply to fax connections.

4. Special conditions of use

0800 range; freephone numbers

The numbers of the 0800 code must be presented grouped together and clearly separated from the remainder of the number whenever the service number is indicated verbally or in writing.

0840, 0842, 0844 or 0848 range; shared cost numbers

The numbers of the 0840, 0842, 0844 or 0848 code must be presented grouped together and clearly separated from the remainder of the number whenever the service number is indicated verbally or in writing.

0878 range; personal numbers

The numbers of the 0878 code must be presented grouped together and clearly separated from the remainder of the number whenever the service number is indicated verbally or in writing.

0900, 0901, 0906 ranges; value added services numbers

General

The numbers of the 0900, 0901 or 0906 code must be presented grouped together and clearly separated from the remainder of the number whenever the service number is indicated verbally or in writing.

Holders of allocated individual numbers must take into consideration the conditions of the Publication of Prices Ordinance ("PBV"). According to the PBV, prices must be clear and comparable with one another for consumers in order to prevent misleading prices. The publication of prices enables the promotion of fair competition.

According to art. 39 TSO, drop charges or base charges shall not exceed CHF 100 and charges per minute shall not exceed CHF 10. In addition, the sum of all charges during a single connection shall not exceed CHF 400.

In accordance with Art. 24c para. 2^{bis} ORAT, the holder of individually assigned numbers must ensure compliance with the applicable law when a third party operates, uses or publishes the numbers.

In accordance with Art. 24e para. 1 ORAT, the use of 090x numbers in connection with the operation of PC dialers, WebDialers or similar programmes which establish an internet connection via a telephone number in order to charge for services, goods or programmes is prohibited.

- 0900 range; value added services numbers for business, marketing

The 0900 number range is intended exclusively for services in the context of "Business and Marketing". The provision of services defined by any other category of 090x numbers is not permitted.

- 0901 range, value added services numbers for entertainment, games, response

The 0901 number range is intended exclusively for services in the context of "Entertainment (horoscopes, "chat rooms", etc.), games, responses (competitions, surveys, etc.)". The provision of services defined by any other category of 090x numbers is not permitted.

- 0906 range, value added services numbers for adult entertainment

The 0906 number range is intended exclusively for services in the context of "Adult Entertainment". The provision of services defined by any other category of 090x numbers is not permitted.

The holders of 0906-numbers must not provide services, which are subject to the provisions of the Penal Code (SR 311.0), and in particular Articles 135, 197, 259 and 261bis. They must ensure that persons under 16 years of age are not allowed to access services with pornographic content according to Article 197 of the Penal Code.

5. Allocation

5.1 Head or branch office obligation for number holders

In accordance with Art. 37 TSO (www.admin.ch/ch/e/rs/rs.html) the providers of value added services (holders of 0900-, 0901- and 0906-numbers) must offer their services from a head office or branch office in a contracting state of the Lugano Agreement. The following countries are included: Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Gibraltar, Greece, Hungary, Iceland, Italy, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom. Further information on this subject can be found at:

www.bj.admin.ch/content/bj/en/home/themen/wirtschaft/internationales_privatrecht/lugue2007.html

As a result, 0900-, 0901- and 0906-numbers can only be assigned to holders with a head office or branch in a Lugano Agreement signatory state.

5.2 Applications for the allocation of numbers

Applications for the allocation of numbers must include as a minimum the name and address of the applicant, the type of service, the required number and, if used, the alphanumeric designation. In addition, the applicant must declare whether the address of the holder is to be published in the list of allocated numbers.

5.3 Alphanumeric designations

For the last six digits of a number applied for, the applicant may register an alphanumeric designation with letters according to ITU-T Recommendation E.161¹. The applicant must ensure himself that an alphanumeric designation can be used for a number. The Federal Office does not verify whether the applicant is entitled to use it. The treatment of infringements of third party rights concerning an alphanumeric designation is treated in accordance with the provisions of civil law.

The holder of a number may only use the alphanumeric designation registered when the number was allocated.



¹ This Recommendation can be obtained from the International Telecommunication Union, Place de Nations, CH-1211 Geneva, Switzerland.

4 GHI	5 JKL	6 MNO
7 PQRS	8 TUV	9 WXYZ
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5.4 Administration fees

An allocation fee of CHF 60 is charged for the allocation of each individual telephone number. In addition to this, an annual fee of CHF 9 per individual number is charged for the administration of individual numbers. This becomes due for the first time on allocation and is calculated *pro rata* for the current calendar year. After this, it is invoiced at the beginning of each calendar year. In addition, a lump-sum fee of CHF 42 will be charged to cover data management and invoicing costs. It is not possible to reclaim administrative and basic fees if allocated numbers are relinquished during the current calendar year.

5.5 Reallocation, transfer, relinquishment

If a number is relinquished, it cannot be reallocated until after a “quarantine” period of six months has expired.

Individually allocated numbers may be immediately reallocated to another holder with the consent of the current holder.

5.6 Public information

The Federal Office publishes a list of allocated individual numbers. Each entry includes at least the following elements:

- Number
- Name and address of holder, if the holder wants this information to be published
- Alphanumeric designation, if one was specified on allocation of the number.

5.7 Right to appeal

Complaints against an allocation decision can be submitted within 30 days.

6. Putting into service

An individually allocated number must be put into service with a telecommunications service provider (TSP) of the holder's choice within 180 days following the allocation. If the number is not put into service by this date, it will be considered withdrawn and can be immediately allocated to another applicant by OFCOM.

The number holder must agree with his telecommunications service provider (TSP) upon the tariff the calling parties are charged and must specify whether the number must be accessible from abroad.

7. Revocation of numbers

Individually allocated numbers will be revoked, if:

- a responsible authority establishes infringement of Federal Law
- the terms of ORAT, OFCOM or the allocation are not complied with
- a change to numbering plans or technical and administrative regulations necessitate revocation
- the holder does not use the number allocated to him
- the holder does not pay the administrative fees due
- other important reasons, such as international recommendations, standards or harmonisation require revocation

The revocation of individual numbers enters into legal force immediately.

If an individual number is revoked by OFCOM, an administrative fee will be charged, calculated according to the time spent at an hourly rate of CHF 210.