STATE DECREE of March 10, 2007 for the implementation of Article 28 of the Telecommunications Facilities Act (Bulletin of Acts and Decrees 2004 no. 151) (Number Plan Decree).

THE PRESIDENT OF THE REPUBLIC OF SURINAME

Considering that, for the implementation of Article 28 of the Telecommunications Facilities Act (Bulletin of Acts and Decrees 2004 no. 151), it is required to set forth the following;

Having heard the State Council, set forth the following state decree drawn up by the Council of Ministers:

Article 1

In this state decree and the provisions belonging thereto, the following terms shall have the following meaning:

a. geographical number : a number that is intended for geographically determined destinations;

b. toll free number : a number for the benefit of a public telecommunications service that transfers signals between a provider of information and a user of that information to which information the user has access free of charge;

c. ITU : International Telecommunications Union;

d. premium number : a number for the benefit of a public telecommunications service that transfers signals between a provider of information and a user of that information to which information the user has access at a charge;
e. number plan : a plan involving the use of numbers including data about length and composition of the numbers included in the plan;

f. number portability : the facility, as a user of telecommunications services, to switch from a provider of fixed and/or mobile telephone services, from the same location while retaining one's telephone number;

g. TAS : Telecommunications Authority Suriname;

h. abbreviated number : a telephone number consisting of less than the prescribed number of digits;


Article 2

1. Pursuant to Article 28 of the Act, rules shall be set forth by state decree with regard to the establishment of the number plan, the procedure to be followed with regard to the reservation and issue of numbers and the organization of and perusal of the number register.

2. Pursuant to Articles 24 and 27 of the Act, the TAS shall be charged with the establishment of the number plan and the maintenance of the number register respectively.

3. This state decree shall set forth further rules in this regard.

Development of number plan

Article 3

1. In the establishment of the number plan, relevant agreements and recommendations by international organizations shall be taken into consideration.

2. The current situation of number allocation and the new developments in the field of telecommunications services must be taken into consideration.
Article 4

In the establishment of the number plan, relevant parties in Suriname must be consulted. These are:

a. concession holders pursuant to Article 9 of the Act;
b. other providers of telecommunications services who hold a license for that purpose from the TAS pursuant to Article 13 of the Act.

Review of number plan

Article 5

The number plan shall be reviewed once every four (4) years. The intention thereto shall be published in the Advertiser of the Republic of Suriname and in two (2) local daily newspapers, whereby all relevant parties shall be consulted. If the need thereto exists, the TAS may consult further with the relevant parties after which the number plan shall be established by the TAS. The number plan shall be public.

Issue of numbers

Article 6

1. Within the framework established by the number plan, the numbers and number ranges are issued by the TAS. Parties concerned shall submit an application thereto to the TAS. Concession holders shall be allocated number ranges; other providers of telecommunications shall be issued individual or special numbers (abbreviated, toll free or premium numbers).

2. Abbreviated, toll free and premium numbers shall fall directly under the management of the TAS and can, therefore, only be obtained from the TAS.

3. A number or number ranges may be reserved if the applicant can make a reasonable case for the fact that he shall use said number(s) within two (2) years after the date of application.

4. The procedure with regard to the issue and reservation of numbers shall be detailed in the General Regulations of the TAS.
Administration number registration

Article 7

1. In the number register, the TAS shall register which numbers, number ranges and specific codes have been allocated to which applicants of have been reserved for which applicants. The number register shall also show which numbers, number ranges as well as specific codes are attached to a certain service. The number register shall be public subject to exceptions and shall be available for perusal at the offices of the TAS.

2. Pursuant to the provisions of Article 81 paragraph 1d of the Act, the TAS shall be paid a fee for the processing of an application for the issue of numbers and number ranges as well as for the allocation or reservation thereof. For maintaining the number plan an annual fee shall be paid pursuant to Article 81 paragraph 1h of the Act.

3. All providers of telecommunications services to whom numbers and number ranges have been allocated shall be obligated to annually present to the TAS an overview of the numbers in use.

Number portability

Article 8

A provider of fixed public telephone services who uses geographical numbers shall be obligated to offer the user who buys this service from him the possibility to keep using the geographical number if he chooses to buy the service from the same location from another provider of a fixed public telephone service.

Article 9

A provider of a mobile public telephone service who uses numbers intended for digital mobile networks shall be obligated to offer the user who buys this service form him the possibility to keep using the geographical number if he chooses to buy the service from another provider of mobile public telephone services.

Article 10

1. Number portability must be offered on indication of the TAS on conditions to be set forth.
2. Prior to granting approval for offering number portability as meant in Articles 8 and 9, the TAS shall review the possibility thereto.

**Article 11**

1. The providers of fixed public telephone services and/or mobile public telephone services, in the interest of compliance with the obligations as meant in Articles 8 and 9, shall not charge persons who wish to buy from another provider in future.

2. Anyone who wishes to make use of number portability shall owe a fee to the new provider, which fee shall be determined by the TAS.

**Article 12**

1. Pursuant of Articles 8 and 9, the TAS shall record the numbers that have been transferred from one provider of fixed public telephone services and public mobile telephone services to another provider of abovementioned services.

2. Article 7 paragraph 3 shall be applicable mutatis mutandis so that every provider of services meant in paragraph 1 of this Article shall be obligated to report such to the TAS.

**Final stipulation**

**Article 13**

1. This state decree may be referred to as the Number Plan Decree.

1. It shall be promulgated in the Bulletin of Acts and Decrees of the Republic of Suriname.

2. It shall become effective on the day that the Telecommunications Facilities Act becomes effective.

3. The Minister charged with communications shall be responsible for the implementation of this state decree.
Drawn up in Paramaribo on March 10, 2007

R.R. VENETIAAN

Issued in Paramaribo on March 19, 2007
The Minister of Home Affairs,

M.S.H. HASSANKHAN
STATE DECREE of March 10, 2007 for the implementation of Article 28 of the Telecommunications Facilities Act (Bulletin of Acts and Decrees 2004 no. 151) (Number Plan Decree).

EXPLANATORY MEMORANDUM

The room for available numbers for telecommunications services is limited and for this reason a plan must be developed. In anticipation of future developments, the Act sets forth several number plans. However, the TAS opted for starting with one number plan due to the expected developments pertaining to the intended liberalization in stages of the telecommunications sector.

The number plan must state which numbers may be allocated and for what purpose or categories. The basis for the development of the number plan is the international agreements and recommendations of, among others, the ITU, the current allocations and technological developments.

In the development of the number plan, all relevant parties, such as concession holders, other providers of telecommunications services and users must be given the opportunity to express their wishes. Such consultation will be announced officially. Then the TAS will establish the number plan. The number plan will be available for perusal at the offices of the TAS.

It is desirable to review the number plan regularly. The choice has been made to do so every four (4) years unless national as well as international developments force the TAS to review the number plan at an earlier date.

The actual management of available room for numbers is also charged to the TAS in accordance with the Act. Applications for obtaining and reserving numbers must be directed to the TAS that will verify if the applications can be approved. In general, concession holders will be allocated number ranges because the concession holder will allocate numbers to his users or subscribers himself.

Furthermore, numbers will also be allocated to, among others:

- Other providers of telecommunications services, such as carrier select services;
- Providers of access to the Internet;
- Providers of premium and toll free numbers;
- Emergency services, such as the police, fire department and emergency room.

Carrier select services shall be understood to mean services whereby access is gained to international telephony via a code (pursuant to Article 18 of the Act).
0800 numbers shall be understood to mean numbers that indicate that it is not the caller paying for the call but the owner (person who is being called) who bears the costs of the call. Examples may be: marketing campaigns and customer services within companies.

0900 number shall be understood to mean numbers that indicate that the caller is paying for the establishment of the connection as well as for the information provided. An example may be: phone banking.

With regard to reservations, the term will be limited to two (2) years.

For processing an application for allocation or reservation of numbers and number ranges a once-only fee will be paid to the TAS.

For maintaining the number register, the TAS will charge an annual fee pursuant to Article 81 paragraph 1h of the Act.

The number register will show the following:
1. number and number ranges as well as specific codes that have been allocated or reserved;
2. numbers and number ranges as well as specific codes that have been attached to various services.

The number register is public subject to exceptions. An example may be the inclusion of unlisted numbers in this register.

In order to enable users of numbers to easily transfer from one provider to another and, in that way, promote liberalization and stimulate competition, it is important that the user can carry his number over to another provider. The legal basis for the introduction of number portability is set forth in Article 28 of the Act.

Number portability is a matter that requires regulation, because it will undoubtedly fulfill an important role in our liberalized telecommunications market. Therefore, the decision has been made to include this matter in this state decree.

With regard to number portability, the number register will also show the numbers that have been transferred from one provider to another.

Every provider of fixed and/or mobile telephone services will, therefore, be obligated to report to the TAS which numbers that have been allocated to them are no longer in use.
Number portability must be offered by mediation of the TAS. In this regard, the TAS will establish conditions. One of the most important conditions is that the benefits that may arise from the possibility of offering a certain type of number portability should be greater than the costs that the implementation thereof will involve.

Another condition is that offering this service should not pose an unnecessary nuisance for other service providers.

Paramaribo, March 10, 2007

R. R. VENETIAAN