

Determination of 5.9.2007

PROCEDURES FOR ALLOCATION OF RIGHTS OF USE FOR NUMBERS OF NUMBERING RANGE “116” AND DEFINITION OF ALLOCATION AND USE CONDITIONS ATTACHED TO THESE NUMBERS, IN THE SCOPE OF THE DECISION OF THE EUROPEAN COMMISSION ON “116” NUMBERS

1. Procedures for allocation of rights of use for numbers of numbering range “116”

In the scope of Decision 2007/116/EC, it is incumbent upon ICP-ANACOM:

- 1.1 To disclose specific numbers of numbering range “116” which are included in the list of numbers attached to Decision 2007/116/EC for the provision of harmonised services of social value, via its website;
- 1.2 To designate each number “116xxx” in the NNP for the service defined in the referred Decision, and to update and publish the National Numbering Plan (NNP) in its website;
- 1.3 To allocate the right of use for each specific number of numbering range “116”, designated in the NNP, to the entity that submits to this Authority the documentation provided for in point 2, imposing the respective conditions for use of such right;
- 1.4 To inform the Ministry or Administrative Authority who issued the qualifying document referred in point 2.3 that ICP-ANACOM has allocated the right of use for the specific number of the numbering range “116”, and that this Authority is not responsible, pursuant to its Statutes, for assessing and evaluating the capacity of entities to provide a social service, and thus may not guarantee that the condition attached to the right of use for the number imposed on Member States by virtue of the Decision, in point a) of article 3 and in article 4 – points 3.1 and 3.2 hereof –, are complied with over time;
- 1.5 To monitor the effective use of numbers whose rights of use have been allocated;
- 1.6 To review this document, where deemed necessary for the proper compliance with the Decision.

2. Conditions for allocation of rights of use for numbers

According to articles 17 and 33 to 35 of Law no. 5/2004, of 10 February, rights of use for numbers of numbering range “116” may be allocated to any entity who presents the following particulars:

- 2.1 Request with full identification of the applicant, respective address and desired number;
- 2.2 Identification of companies directly involved in the provision of the service, especially the support operator, including any agreements entered into with operators and/or companies who provide electronic communications services;
- 2.3 Document issued by the Ministry or Administrative Authority responsible for the area wherein the harmonised services of social value is integrated, which qualifies the interested entity to request from ICP-ANACOM the allocation of the right of use for the respective specific number for the provision of such service, under the terms laid down in the Decision.

3. Conditions attached to the rights of use for numbers

The entity which is allocated the right of use of a specific number of the numbering range “116” for the provision of a harmonised service of social value shall be subject to the conditions below:

- 3.1 To comply with point a) of article 3 of Decision 2007/116/EC, which determines that a specific number “116xxx” listed in the annex to the Decision is used only for the service for which it has been reserved;
- 3.2 To comply with article 4 of Decision 2007/116/EC, which determines that:
 - 3.2.1 The service provides information, assistance or a reporting tool to citizens, or any combination thereof;
 - 3.2.2 The service is open to all citizens without any requirement of prior registration;
 - 3.2.3 The service is not time-limited (services of a temporary nature are therefore excluded);
 - 3.2.4 There is no payment, or payment commitment, as a pre-requisite to use the service;
 - 3.2.5 The following activities are excluded during a call: advertisement, entertainment, marketing and selling, using the call for the future selling of commercial services;
 - 3.2.6 The specific conditions set out in the annex for that service shall apply.
- 3.3 To pay fees provided for in points d) and e) of paragraph 1 of article 105 of Law no. 5/2004, of 10 February to ICP-ANACOM, on the basis of the amount determined by and in accordance with a Ministerial Order issued by the member of the Government responsible for the electronic communications area;
- 3.4 To inform ICP-ANACOM where the service provision is discontinued.