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REGULATION N° 003/ICT.SCRE- RURA/2014 ON SHORT CODE ALLOCATION

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PREAMBLE ,

Pursuant to the Law n° 44/2001 of 30/11/2001 governing telecommunications, especially in Article 3;

Pursuant to Law n° 09/2013 of 01/03/2013 establishing the Rwanda Utilities Regulatory Authority, especially in Article 2;

Pursuant to the Presidential Order n° 04/01 of 15/03/2004 determining the specific duties of the Regulatory Board in Telecommunications matters, especially in Articles 3 and 8;

Having reviewed the Board decision n° 011/ICT.SCRE-RURA/2011 of 09th August, 2011 introducing short code fee and determining short code allocation procedure;

Considering the high demand of short code for both emergency and general public services and for the provision of Value added Services through various networks and applications;

Conscious that short codes are a finite resource;

The Regulatory Board after consideration and deliberation in its session of 12/02/2014

Hereby issues the following regulations on the short code allocation:

ARTICLE ONE: PURPOSE OF THESE REGULATIONS

The present regulations aim at establishing short codes fees and allocation procedures.

ARTICLE 2: SHORT CODE STRUCTURE

The short codes shall have a minimum of three (3) digits and maximum of four (4) digits depending on the type of application or service.

ARTICLE 3: SHORT CODE CATEGORIES

The short codes shall be categorized in three categories as follows:

- (1) Emergency short codes;
- (2) operators internal network codes; and
- (3) Cross-network codes.

ARTICLE 4: EMERGENCY SHORT CODES

The emergency short codes shall have three (3) digits. The emergency services are as follows:

- (1) Human life protection;
- (2) Security assistance;
- (3) Child helpline ;
- (4) fire-fighting; and
- (5) Other emergency services which may be determined from time to time by the Regulatory Authority.

These short codes shall be assigned and accessed free of charge and the same number must be used across all the networks for the same service.

ARTICLE 5: OPERATORS INTERNAL NETWORK CODES

Block of short codes of 4 digits and of 3 digits for Unstructured Supplementary Services Data (USSD codes) shall be allocated to the licensed telecom operators on request for the provision of various services, promotions and value added services.

The block of short codes allocated in respect to paragraph one (1) of this provision shall be managed by the telecom operators for their in-bound services.

The telecom operators shall be free to choose the short codes within the allocated range but they shall not assign any of the short codes in the allocated range without a prior approval of Rwanda Utilities Regulatory Authority (RURA).

ARTICLE 6: CROSS-NETWORK CODES

The Cross-network codes refer under these regulations to the block of four (4) digits and three (3) digits for Unstructured Supplementary Services Data (USSD) that RURA allocates to eligible entities upon successful submission of a complete application.

The Cross-network code may be used for non-commercial services or commercial services.

ARTICLE 7: SHORT CODE FOR COMMERCIAL AND NON-COMMERCIAL SERVICES

The short code for non-commercial services shall be used for the purpose of providing utility information or customer care services to the public by any government or private entity. The charges to end users should not go beyond the standard rate applied by telecom operators.

For commercial services, the short codes shall be assigned to entities or individuals wishing to provide Value Added Services or premium rated services. The charges to end users should not go beyond a maximum premium cost set by the Rwanda Utilities Regulatory Authority (RURA).

The charges applied by the telecom operators to the short code assignees shall depend on their commercial agreements.

ARTICLE 8: PROCEDURES FOR SHORT CODE ALLOCATION

Any person who intends to use a short code shall make a formal application to the Director General of RURA by submitting the following documents:

- The application letter;
- Printout of the filled online application form (found on RURA website on this link: <http://www.rura.rw/onlinesca/application.php>) ;
- A certified copy of instrument of incorporation in the Republic of Rwanda (for Companies, NGOs, Cooperatives and Associations);
- A proof of payment of 25,000 Rwf of application fees;
- Any other information deemed necessary by the RURA for decision making.

All required documents must be submitted not later than 2 weeks after completing the online application. If documents are not submitted within the specified timeframe, the application will be cancelled. When the short code is still needed, the applicant shall fill a new application.

ARTICLE 9: TERMS AND CONDITIONS FOR SHORT CODES USAGE

The assignee of short code shall comply with the following terms and conditions in the usage of assigned short code.

- (1) Short codes assigned to entities for cross-network services for both commercial and non-commercial purpose shall be for the duration of the program proposed to offer and for a maximum of twelve (12) months. Short code assignee wishing to renew the authorization to use the short code shall apply for renewal not later than 31st March of the following year.
- (2) Services falling under other regulated sectors including but not limited to Media content, mobile money, internet banking and other Value Added Services must comply with the relevant applicable laws.
- (3) When promoting a short code service, the assignee shall ensure that the advertising is clear and evident regarding all terms and conditions associated with the use of the service. At all times, the Short Code assignee must inform consumers of the cost of using the service.

- (4) The assigned short code is not transferable and any such transfer of the short code shall be void and the code so transferred shall stand cancelled.
- (5) The assignee of a short code shall be responsible for the service provided. An assigned short code shall only be used to provide the services specified during the application for the short code.
- (6) The short code may be commonly used on the networks of all the licensed telecom Operators.
- (7) The short code can be surrendered to RURA, and in such case no annual fee would be refundable.

ARTICLE 10: POWER TO MODIFY SHORT CODES ALLOCATION

RURA reserves exclusive right and authority to modify the short code allocation procedures from time to time or apply additional conditions of use to assigned short codes if it is considered to be of national interest or for an efficient usage of numbering resources.

ARTICLE 11: SHORT CODE FEE STRUCTURE

The allocation and utilization of short codes shall be subject to the payment of application fee as mentioned in art12.1 and annual fee as per the APPENDIX to these regulations. The short codes for Emergency shall be free of both application and annual fee and strictly used on non-commercial basis.

ARTICLE 12: SHORT CODE APPLICATION FEE

Application for short code shall be subject to a one time application fee of FRW 25,000. A proof of payment of the application fee shall be submitted along with the documents mentioned in Article8.

The application fees are not refundable whether the short code is assigned or not.

ARTICLE 11: TERMS AND CONDITION FOR THE WITHDRAWAL OF SHORT CODES

Short codes allocated may be withdrawn in any of the following situations:

- (1) In the case there is a serious or repeated breach of terms and conditions set forth for use of the codes;
- (2) If the Short code is not brought into services within three (03) months from the date of assignment;

- (3) When the withdrawal is necessary to ensure fair competition;
- (4) In the case regional or international harmonization necessitates such withdrawal;
- (5) If there is a need to make a change in the National Numbering Plan;
- (6) When there is a violation of any of the provisions of the laws or regulations in force.

ARTICLE 12: REPEALING PROVISION

All previous provisions contrary to these regulations are hereby repealed.

ARTICLE 13: COMING INTO FORCE

These regulations shall come into force on the date of its signature.

Kigali, on 12th February 2014

(Sé)

**Eng. Coletha U. RUHAMYA
CHAIRPERSON OF THE REGULATORY BOARD**

APPENDIX

APPENDIX.SHORT CODE ANNUAL FEE

1. Short codes assigned to entities for cross-network commercial and non commercial purposes shall be charged annual fee as shown in the table below:

Category	Sub-Category	Authorization Charges (USD)	Type of services
USSD		1000	e-applications (dialled with * and #)
Customer Information Service	GOLD*	1000	General Information, Customer Care, Helpline
	SILVER**	800	
	BRONZE***	600	
	ORDINARY****	200	

***Gold Numbers:**

Numbers with 4 repetitive digits (e.g 4444)

Number with 4 consecutive digits (e.g 3456)

****Silver Numbers:**

Numbers with 3 repetitive digits (e.g 3444)

Numbers pairs (e.g 34 34, 22 55)

*****Bronze Numbers:**

Numbers with any 2 repetitive digits (10 22)

Numbers with any 3 consecutive digits (2 456)

******Ordinary Numbers:**

Numbers not falling in any of the above category

2. A short code granted for a period less than one (1) year shall be subjected to the same application as mentioned in Article 10. The annual fee shall be computed on the base of the license duration rounded to the upper number of months with a minimum fee corresponding to two (2) months.

(Sé)

Eng. Coletha U. RUHAMYA
CHAIRPERSON OF THE REGULATORY BOARD