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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:

AEFV	Ordinance on Addressing Resources in the Telecommunications Sector of 6 October 1997 (SR 784.104)
GebV-FMG	Ordinance on Fees in the Telecommunications Sector of 18 November 2020 (SR 784.106)
PBV	Publication of Prices Ordinance of 11 December 1978 (SR 942.211)
StGB	Swiss Criminal Code of 21 December 1937 (SR 311.0)
TCA (FMG)	Telecommunications Act of 30 April 1997 (SR 784.10)
OTS (FDV)	Ordinance on Telecommunications Services of 9 March 2007 (SR 784.101.1)

To submit the most complete application possible, the following points should be taken into account:

2. General

Telephone numbers for service identification 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 individual number to legal entities and individuals, 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 Publication of Prices Ordinance («PBV»)

0800 range: freephone numbers

Freephone numbers designate a service where the calling party in principle pays no call charges (cf. Art. 39a para. 2 OTS). 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 CHF 0.075 per minute excl. VAT (cf. Art. 39a para. 1 OTS). The holder of the number pays the difference between the actual call charges. Additional service charges (e.g. fees for the use of a mobile network) are not allowed.

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 para. 3 PBV when an 0900, 0901 or 0906 number is presented in writing, notification of the price information must be presented in at least the same font size as the number, clearly visible and legible in its immediate proximity.

Value added services with a basic charge in excess of CHF 2.00 or a connection charge in excess of CHF 2.00 per minute must be accompanied by a free of charge message indicating the costs (Art. 11a para. 1 PBV).

For value added services with a basic charge in excess of CHF 10.00 or a connection charge in excess of CHF 5.00 per minute, the caller may only be billed if they have confirmed the connection using a «special signal» (e.g. prompted to press «8») (Art. 11a para. 6 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.

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 OTS, basic or fixed charges shall not exceed CHF 100.00 and the price per minute shall never exceed CHF 10.00. In addition, the sum of all charges per call or per registration shall not exceed CHF 400.00.

In accordance with Art. 24c para. 2^{bis} AEFV, the holder of an individual number must ensure compliance with the applicable law when a third party operates, uses or publishes this number.

In accordance with Art. 24e para. 1 AEFV, Web dialers, PC Dialers or similar programmes may not be used to establish a connection to 090x numbers in order to charge for goods or services.

- 0900 range: value added services numbers for «Business, marketing»

The 0900 number range is intended exclusively for services in the context of «Business, 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, responses»

The 0901 number range is intended exclusively for services in the context of «Entertainment (horoscopes, «chat rooms», etc.), games, responses (competitions, surveys, votes, 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 Criminal Code, and in particular Art. 135, 197, 259 and 261^{bis}. They must ensure that persons under 16 years of age are not allowed to access services with pornographic content according to Art. 197 of the Criminal Code.

5. Allocation

5.1 Domicile or registered office obligation for number holders

In accordance with Art. 37 OTS (www.admin.ch/opc/en/classified-compilation/20063267/index.html) the providers of value added services (holders of 0900, 0901 and 0906 numbers) must have a **domicile or registered office** in Switzerland.

As a result, 0900, 0901 and 0906 numbers can only be assigned to applicants with a domicile or registered office in Switzerland.

5.2 Applications for the allocation of numbers

Applications for the allocation of individual numbers must include at least the name and address of the applicant, the type of service, the required number and, if used, the alphanumeric designation.

In order to verify the name, address and legal existence of the applicant, the Federal Office of Communications (OFCOM) may request further information or documents (cf. Art. 4 para. 1^{ter} AEFV).

5.3 Alphanumeric designations

For the last six digits of an individual 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 an individual number. OFCOM does not verify whether the applicant is entitled to use it. The treatment of infringements of third party rights concerning an alphanumeric designation is 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 (cf. Art. 24^d AEFV).

1	2 A B C	3 D E F
4 G H I	5 J K L	6 M N O
7 P Q R S	8 T U V	9 W X Y Z
*	0	#

5.4 Administration fees

For the allocation of an individual number the administrative fee amounts to CHF 90.00. Annual administrative fees of CHF 42.00 (per holder and billing address) and CHF 12.00 (per individual number) will be charged for subsequent years following the allocation to cover data management and invoicing costs (cf. Art. 45 para. 2 and 46 para. 2 GebV-FMG).

It is not possible to reclaim administrative and allocation fees if allocated numbers are relinquished during the current calendar year (cf. Art. 7 para. 2 let. b GebV-FMG).

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

5.5 Reallocation, transfer, relinquishment

If an individual number is relinquished, it cannot be reallocated until after a “quarantine” period of six months has expired (cf. Art. 7 para. 2 AEFV).

Individual numbers may be immediately reallocated to another holder with the consent of the current holder (cf. Art. 24*i* AEFV).

5.6 Public information

OFCOM publishes the following information in connection with individual numbers (cf. Art. 9 para. 1 AEFV):

- Individual number;
- Name and address of holder (if based abroad: correspondence address in Switzerland);
- Alphanumeric designation, if one was specified on allocation of the number.

5.7 Right to appeal

Complaints against an allocation decision can be submitted to the Federal Administrative Court within 30 days.

6. Putting into service

An individual number must be put into service with a telecommunications service provider (TSP) of the holder's choice within 180 days following allocation. If the individual number is not put into service by this date, it will be considered as a relinquishment of the allocation and the number can be immediately allocated to another applicant by OFCOM (Art. 24*f* para. 1 AEFV).

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

7. Revocation of numbers

OFCOM shall revoke individual numbers if (cf. Art. 11 para. 1 AEFV):

- a change to the numbering plan so requires;
- the applicable law, particularly the terms of AEFV, OFCOM or the allocation, is not complied with;
- another competent authority establishes infringement of federal law, which was committed with the use of an individual number;
- there is reason to suspect that federal law is being violated with the use of an individual number;
- the allocation was requested only to prevent allocation to others;
- the individual allocated number is no longer used;
- the holder does not pay the administrative fees due;
- the holder is declared bankrupt, is being wound up or undergoing insolvency proceedings;
- other important reasons, such as international recommendations, standards or harmonisation require revocation.

The revocation of individual numbers enters into legal force immediately (Art. 12 para. 1 AEFV).

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 210.00 (Art. 6 GebV-FMG).