



Communications
Commission
of Kenya

PROCEDURES AND GUIDELINES

FOR

THE MANAGEMENT OF

TELECOMMUNICATIONS SHORT CODES

IN

KENYA

TABLE OF CONTENTS

	Page
1. Background.....	3
2. Application of the Procedures and Guidelines	3
3. Effective Date of the Procedures and Guidelines.....	3
4. Amendments to the Procedures and Guidelines.....	4
5. Definitions and Abbreviations.....	4
5.1. Definitions	4
5.2. Abbreviations.....	5
6. Procedures and Guidelines	6
6.1. Scope.....	6
6.2. Key Principles.....	6
6.3. Eligibility criteria.....	7
6.4. Allocation policy	7
6.5. Application Procedure	8
6.6. Assignment Conditions and Responsibilities	9
6.7. Advertising and Promotions	12
ANNEX1: SHORT CODE PLAN FOR KENYA	1
ANNEX 2: APPLICATION FORMS FOR SHORT CODES	1

1. Background

The Communications Commission of Kenya (hereinafter referred to as the Commission) was established under the Kenya Communications Act, 1998, No. 2 of 1998 and the Kenya Communications (Amendment) Act 2009, to license and regulate telecommunications, radio communications, postal and broadcasting services in Kenya. The Commission is also responsible for promoting competition, protecting consumers, and ensuring fairness and efficiency within the Communications sector.

Other core functions of the Commission include maintenance and administration of the National Numbering Plan for Kenya which includes the development of guidelines related to allocation and use of numbering resources including Short Codes. The Commission has in the past been assigning certain categories of short codes in blocks while giving the assignee the responsibility of undertaking secondary assignment of these codes to other service providers and end users.

In the recent times, however, there have been concerns regarding the manner in which these secondary assignments are undertaken as well their utilization. It is in this regard that the Commission believes that there is need to further enhance the administration of short codes in view of the increase in the number of players and the overall competitive environment in the sector.

The issuance of these procedures and guidelines are therefore aimed at achieving these objectives and are to be observed accordingly.

2. Application of the Procedures and Guidelines

These procedures and guidelines are issued pursuant to and shall form part of your license condition on “NUMBERING AND NUMBER PORTABILITY”

3. Effective Date of the Procedures and Guidelines

The Procedures and Guidelines will become effective from the issue date.

4. Amendments to the Procedures and Guidelines

These Procedures and Guidelines may be amended in accordance with Section 82 of the Kenya Information and Communication Act 1998.

5. Definitions and Abbreviations

5.1. Definitions

In these procedures and guidelines, unless otherwise stated the following definitions apply.

- 5.1.1. “**Act**” means the Kenya Communications Act 1998 and any amendments thereof;
- 5.1.2. “**Activation**” means the act of a network operators and/or a service provider accepting a services request from a user;
- 5.1.3. “**Applicant**” is any individual or organization that seeks to enters into a contract with an Operator for acquiring services;
- 5.1.4. “**Commission**” means the Communications Commission of Kenya;
- 5.1.5. “**Common Short Codes**” (CSCs) are cross carrier short numbers used to address SMS and MMS messages from mobile phones or fixed lines;
- 5.1.6. “**E164**” is an ITU recommendation which defines the international public telecommunication numbering plan;
- 5.1.7. “**MNP**” means Mobile Number Portability;
- 5.1.8. “**Network**” means the infrastructure deployed by an operator which provides services to their subscribers;
- 5.1.9. “**Number Portability**” means the ability to retain an existing mobile subscriber number when transferring basic mobile call and SMS/MMS services from one operator to another operator;

- 5.1.10. “**Retailer (dealer, agent)**” means an entity which enters into contractual arrangements with a mobile network operator, in accordance with its licensing conditions, to provide retail services to customers of the operator;
- 5.1.11. “**Post Pay Account**” means an account held by a Subscriber for a mobile service which is paid after services are offered in accordance with contractual arrangement between the two parties;
- 5.1.12. “**Pre Pay Account**” means an account held by a Subscriber for mobile services which is paid in advance;
- 5.1.13. “**Subscriber Identity Module (SIM)**” is small electronic card inserted into cell phones, which provides a unique identity to a phone such as the subscriber number and operator network;
- 5.1.14. “**Subscriber**” mean the legal holder whether an individual or organization of a service account and is not necessarily the user of the service;

5.2. Abbreviations

5.2.1.	ACK	Acknowledge the message
5.2.2.	CLI	Calling Line Identity
5.2.3.	ID	Legal identification of a subscriber such as a passport and Kenya National Identity card
5.2.4.	MMS	Multimedia Messaging Service
5.2.5.	MNP	Mobile Number Portability
5.2.6.	SMSC	Short Message Service Center
5.2.7.	SMPP	Short Message Peer-to-Peer
5.2.8.	SIM	Subscriber Identity Module
5.2.9.	SMS	Short Message Service
5.2.10.	SLA	Service Level Agreement

6. Procedures and Guidelines

6.1. Scope

These procedures and guidelines apply to Network Facilities Providers, Applications Service Providers, Content Service Providers and end users.

The procedures and guidelines provide for a framework for the assignment and proper use of short codes while protecting the consumer/end user against any undesirable practices such as spam.

6.2. Key Principles

- 6.2.1. Short codes assigned for emergency services such as Police, Fire Services, ambulances, help lines and those for specific information services offered by government agencies shall be common to all operators and the corresponding services are to be accessed free of charge by end users.
- 6.2.2. Short codes assigned to facilitate provision of customer services such as support services, service activation, etc. are to be used such that such services are accessed free of charge by end users.
- 6.2.3. For all other categories of short codes the network operator in conjunction with the service provider shall determine the applicable fees and charges and submit the same to the Commission for approval.
- 6.2.4. Any short text or SMS requesting for information on a service or seeking to unsubscribe a service shall be free of charge to the end user.
- 6.2.5. These procedures and guidelines may be reviewed when new services are introduced.

6.2.6. These procedures and guidelines may not apply where Court Orders are in effect with respect to specific numbers.

6.3. Eligibility criteria

6.3.1. All licensed Application Service Providers and Content Service Providers are eligible to apply for allocation of Short Codes from the Commission for own internal use as well as for provision of its licensed services to consumers.

6.3.2. Application Service Providers and Content Service Providers may apply for a block of short codes for secondary assignment to other licensed service providers who must have a valid license compliance certificate for the duration of usage of the short code and subject to provisions under 6.4 below.

6.4. Allocation policy

6.4.1. Authorization by the Commission for use of short codes shall only be granted to Content Service Providers and Application Service providers who hold valid license compliance certificates.

6.4.2. Secondary assignment of short codes by licensee must be done;

- fairly,
- transparently,
- on a non discriminatory basis,
- in accordance with the numbering plan; and
- ONLY for the provision of duly authorized services; and
- The assignee has sought and obtained prior clearance in writing from the Commission.

6.4.3. In further compliance with 6.4.2 above, the allocation procedures, requirements and other terms and condition including charges, where applicable, must be clearly specified and be publically and easily accessible to all applicants.

- 6.4.4. Operators applying for resources on behalf of other licensees must provide the Commission with the details of such entities, including the name of the licensee, license number, and contact person details including day time telephone, email, fax and mobile number.

6.5. Application Procedure

- 6.5.1. All applicants for the numbering resources shall submit their applications using the form available on the Commission Website at <http://www.cck.go.ke/licensing/numbering/application.html> and attach the relevant documents.
- 6.5.2. The application should generally provide the following information:
- 6.5.2.1. Name and address of applicant, the official contact person on numbering resources, the physical and postal address, telephone and email address.
- 6.5.2.2. Type of license, indication of license number, the geographical scope of the license, the location of the network and the area where the service is required;
- 6.5.2.3. A valid compliance status including compliance with Type Approval requirements;
- 6.5.2.4. The list of all services that are to be provided by use of the short code (s) including the proposed tariffs;
- 6.5.2.5. Complaints resolution mechanisms and plan for protection of minors and vulnerable groups;
- 6.5.2.6. New applicants to provide the network and service rollout plan including a comprehensive schematic and network topology diagram; showing clearly end user distribution and planned interconnectivity with network operators and service providers within and outside the country. The Commission may inspect the network of the applicant for familiarity with the network

configuration, ensure compliance to type approval, interoperability and other conformity requirements including spectrum usage

- 6.5.2.7. The preferred Short Code (s). The commission is not bound to assign any preferred resource as may be requested.
 - 6.5.2.8. Dates by which the assignment is required;
 - 6.5.2.9. The duration of the assignment;
 - 6.5.2.10. The date by which the service is planned to be operational.
 - 6.5.2.11. Utilization of any existing assignments in the area of application; as follows:
 - Number of Short Codes assigned/allocated
 - Number of short codes in service.
 - 6.5.2.12. Evidence of compliance with the requirements of other regulatory and state agencies;
 - 6.5.2.13. A short statement undertaking to strictly comply with these guidelines and other terms and conditions that may be prescribed.
 - 6.5.2.14. Any other information the applicant considers important to justify the application.
- 6.5.3. Applicants for additional codes must account for any short codes assigned earlier and show evidence of utilization in order to be considered for any additional resource assignments.

6.6. Assignment Conditions and Responsibilities

- 6.6.1. It will be the responsibility of the Application Service Providers and the Content Service Providers to ensure that the short codes assigned are utilized in accordance with the numbering plan for short codes, and for the intended purposes only.

- 6.6.2. Network operators must ensure that the allocated codes are dialed in the prescribed format including the prescribed Unstructured Supplementary Service Data (USSD) protocol formats.
- 6.6.3. Whereas the revenue sharing would in the main remain as commercial arrangements between Network Operators and Content Service providers, such arrangements shall be equitable, fair and justifiable to all parties. The Commission shall use these guiding principles among others in approving secondary issuance of short codes. Dispute arising between licensees shall be resolved in line with the established dispute resolution mechanism under the Act and Regulations.
- 6.6.4. Network operators must ensure that traffic is not delivered to numbers that do not exist in the Kenya Telecommunications Numbering plans.
- 6.6.5. The assigned numbering resources must be put into use within a period of six months from the date of allocation. The resources that are not activated after the expiry of the six month period shall automatically be withdrawn and made available to other users.
- 6.6.6. Numbers and Addresses assigned by the Commission are not transferable to another entity or another service without the authority of the Commission. The Commission shall conduct regular audits on the utilization of the short codes to ensure that the resources are utilized for the intended purpose and used in accordance with these procedures & guidelines.
- 6.6.7. All assignments, reservations, reclamations and penalties shall be in accordance with the Act, Regulations, the license conditions, numbering plan and relevant ITU recommendations & standards. Any violations may result in the cancellation of the assignment
- 6.6.8. Network operators and Service Providers shall:

- 6.6.8.1. Be primarily responsible for any contravention of any of the provision of these guidelines.
- 6.6.8.2. Shall submit to the Commission regular returns on the utilization of the Short Codes as part of compliance returns in a format prescribed by the Commission.
- 6.6.9. Network operators and Service Providers shall ensure the highest level of service is given to consumer and that the consumers:
 - 6.6.9.1. Have sufficient information to enable them make informed decisions about using Short Codes.
 - 6.6.9.2. Have a convenient and efficient means of resolving complaints arising in respect of the service contract by using a complaints handling mechanism.
 - 6.6.9.3. Are sufficiently informed of the nature, prices, terms and conditions of access of the services using the Short Code at the time of sale, in advertising and while using the service.
 - 6.6.9.4. Can distinguish content considered suitable only for adults or which should not be made available to children.
 - 6.6.9.5. Can readily and easily unsubscribe for each service separately, without undue delay. Where refund is considered the licensee shall make the refund via the same medium or mode through which the amount was received.
- 6.6.10. Text messages sent and received by consumers must be stored by a service provider for a period of not less than six (6) months.
- 6.6.11. All subscription terms and billing interval must be clearly specified and there shall be no instances of 'hidden' charges and any associated charges for services rendered shall be disclosed.

- 6.6.12. The terms and condition of service must outline the refund arrangements where the competition mechanism or voting conditions changes prior to entry.
- 6.6.13. The Network Operator and Content Service Providers shall submit Service Level Agreement or any other agreement to the Commission.
- 6.6.14. Where the types of services contemplated by the service providers require authorization from other government agencies; such authorization shall first be obtained before any short code allocation is done.
- 6.6.15. The network provider and content Service Providers shall maintain a customer support centre where complaints would be addressed within a reasonable time frame. In a situation where a complaint is not considered, reasons for such decision must be conveyed to the complainant within a reasonable period of time.
- 6.6.16. The system must not be used to disseminate offensive, obscene or seditious information.
- 6.6.17. All terms and conditions including pricing information must be clearly spelt out and conspicuously displayed in line with Kenya Communications Regulations.
- 6.6.18. The Network operator shall build safeguard measures to the satisfaction of the Commission to ensure no sexually suggestive, obscenities or explicit material is transmitted in the course of the service.
- 6.6.19. Content Service Providers shall implement appropriate mechanisms to ensure and make available by appropriate means at least two methods for contacting the service provider directly.

6.7. Advertising and Promotions

- 6.7.1. No content service shall be promoted as being “free” if it is obtainable by the use of premium rate service involving a charge to the customer.
- 6.7.2. All advertising and promotional materials must clearly include the name and contact details of network operators and content Service Providers.
- 6.7.3. All advertisements and promotions must clearly indicate whether a service is a subscription or not; terms and condition of programme clearly stated and service pricing information clearly and conspicuously indicated.
- 6.7.4. All advertising promotional materials, and service help message shall clearly display the consumers right to “opt in” or “opt out” of any promotion, programme or service, whether subscription based or otherwise.
- 6.7.5. All advertisement must therefore include the name (s), telephone numbers and contact person’s details of the relevant content provider.

Issued by the Communications Commission of Kenya

Director General
Communications Commission of Kenya

Date

ANNEX1: SHORT CODE PLAN FOR KENYA

SHORT CODES FOR EMERGENCY AND CUSTOMER SERVICES

SHORT CODE	APPLICATION OR SERVICE	ALLOCATION STATUS
100	Customer care and information services	All operators
1011-1019	Directory information service	Not Activated
102 to 107	Spare	
108	National Steering committee response centre on peace building and conflict management	All operators
109	National Emergency response centre	All operators
110	Emergency Rescue Services in Lake Victoria	All operators
112 & 999	Police, Emergency and SoS	All operators
114	Fire services	Under negotiation
116	Childline help	All operators
1190	HIV/AIDS services	All operators
1191	helpline	
1192	Alcohol and drug abuse helpline	All operators
1190 to 1198	Ambulance services and other helplines	
1199	Kenya Red cross emergency response	All operators
1501	Porting service access	All operators

SHORT CODES ASSIGNED FOR VOICE MAIL, PREPAID SERVICES AND CARRIER SELECTION

SHORT CODE	APPLICATION SERVICE	OR	ASSIGNEE
120	Spare		
121	Voicemail deposit		All operators
123	Voicemail retrieval		All operators
124	Spare		
125	Spare		
130	Recharge		All operators
131	Check Balance		All operators

5-DIGIT COMMON SHORT CODES FOR SMS BASED PREMIUM RATE SERVICES (APPLICABLE TO ASPs AND CSPs)

SHORT CODE	APPLICATION OR SERVICE
140xx	SMS based VAS Information Services Educational promotions Quizzes Subscription to information
141xx	Voting; Gaming; Lottery; Price draws; Phone to Win;
142xx	Downloads Auctions
143xx	SMS alerts SMS billing promotions;
144xx to 148xx	Spare
149xx	Access to restricted
16xxx	Extension of SMS VAS services
19xxx	Extension of SMS VAS services
9xxxx (Except 999)	Spare

5-DIGIT COMMON SHORT CODES FOR SMS BASED PREMIUM RATE SERVICES (APPLICABLE TO MOBILE OPERATORS)

SHORT CODE	APPLICATION OR SERVICE
2xxxx	SMS based VAS Information Services Educational promotions Quizzes Subscription to information
3xxxx	Voting; Gaming; Lottery; Price draws; Phone to Win;
4xxxx	Downloads Auctions
5xxxx	SMS alerts SMS billing promotions;
6xxxx	Access to restricted
7xxxx	Spare
8xxxx	Spare

PREMIUM RATE NUMBERS.

(Numbers Assigned for Voice Based Premium Rate Services)

NDC	SERIES	TOTAL DIGITS	SERVICES
0 900	0xx xxx	9	Information Services; Educational promotions; Quizzes; Subscription to information
0 900	1xx xxx	9	Voting; Gaming; Lottery; Price draws; Phone to Win; promotions;
0 900	2xx xxx	9	Assigned Phone in for voting; Comments

NDC	SERIES	TOTAL DIGITS	SERVICES
0 900	3xx xxx	9	Downloads Auctions
0 900	4xx xxx	9	Charity; Donations; support, Harambee etc
0 900	5xx xxx	9	Spare
0 900	6xx xxx	9	Spare
0 900	7xx xxx	9	Spare
0 900	8xx xxx	9	Spare
0900	9xx xxx	9	Restricted access to content
911		9	

ANNEX 2: APPLICATION FORMS FOR SHORT CODES

NRA2



Numbering resource application form for short codes

March 2011

1. DETAILS OF APPLICANT

- 1.1. Names :.....
- 1.2. Postal Address:.....
- 1.3. Postal Code.....
- 1.4. City/Town.....
- ...

2. LICENSEE DETAILS

- 2.1. Name of Licensee.....
- 2.2. Physical Address
- 2.3.
 - 2.3.1. Building:.....
 - 2.3.2. Street name.....
 - 2.3.3. Floor:.....

2.3.4. Room:.....

2.4. Telephone & Email Contacts

2.4.1. Names of Contact person (s) on Numbering:

.....

2.4.2. Fixed line:

2.4.3. Mobile:

2.4.4. Fax Line:

2.4.5. E-mail:

2.5. License under which application is made and Licence Number

2.5.1. Type of License (e.g NFP, ASP, LLO, CSP etc)

2.5.2. TL/.....

2.6. Geographical Scope of the License (e.g. National, regional, Nairobi etc)

.....

3. SERVICE AND MARKET DETAILS

3.1. Purpose of the Short Code applied

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.....

3.2. Type of services to be offered on the Short Code

.....

.....

.....
3.3. Target customers (e.g. all mobile, specific operators etc)
.....
.....

3.4. Duration of usage of the Short Code:.....

3.5. Expected activation date of the Short Code:.....

3.6. List ALL your existing Short Code Assignments
.....
.....

4. ATTACHMENTS

Please attach the following documents with this application form where applicable:

4.1. Proposed tariff guide for the various services to be delivered on the Short Code (s).

4.2. Authorization letters or Applicable licenses from other government offices or agencies where applicable (e.g. CBK, BCLB etc)

4.3. List of equipment to be used for interconnection and for end user. (Note that some of the interface and end user equipment MUST be type approved before numbering resources are assigned to you).

4.4. For new applications within the service category, a comprehensive network diagram indicating points of interconnection with Network Facility Provider equipment and other licensees as applicable to your service. (The Commission may choose to inspect the network facility to appreciate the facility)

4.5. Framework for protection of minors, complaints resolution handling and client exit from the service.

5. DECLARATION

I hereby certify the information I have provided in this application is true and correct to the best of Knowledge. I also understand that it is an offence under the penal code to give false information in support of any application.

Name.....

Signature.....

Date.....

Completed application forms should be returned to: -

Director/ Licensing, Compliance and Standards

Communications Commission of Kenya

CCK Centre, Waiyaki Way

P. O. Box 14448

NAIROBI 00800

Tel: 254-20- 4242000

Fax: 254-20- 4348135

FOR OFFICIAL USE ONLY

The applicant MEETS/ DOES NOT MEET the Commission's requirements and is hereby RECOMMENDED/NOT RECOMMENDED to be issued with the following Short Codes (s):

.....
.....

The reasons for not recommending the applicant for the numbering resource (s) are as follows:-

.....
.....

Name.....

Designation..... Signature

Application Form No..... Date.....

Official stamp