

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

2000-18

Repealed
Subsidiary
2001/090

Regulations made under ss. 14 and 47.

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

Repealed by Ord. 2006-15 as from 5.6.2006

(LN. 2001/090)

19.7.2001

Amending enactments	Relevant current provisions	Commencement date
None		

2000-18

Repealed

**Subsidiary
2001/090**

Telecommunications

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

ARRANGEMENT OF REGULATIONS

Regulation

1. Title.
2. Interpretation.
3. Scope.
4. Significant market power.
5. Availability of services.
6. Provision of network connections and access to telephone services.
7. Directory services.
8. Public pay-telephones.
9. Specific measures for disabled users and users with special social needs.
10. Connection of terminal equipment and use of the network.
11. Contracts.
12. Publication of and access to information.
13. Quality of service.
14. Conditions of access and use and essential requirements.
15. Itemised billing, tone dialling and selective call barring.
16. Provision of additional facilities.
17. Special network access.
18. Tariff principles.
19. Cost accounting principles.
20. Discounts and other special tariff provisions.
21. Specifications for network access.
22. Non-payment of bills.
23. Consultation with interested parties.
24. Conciliation and resolution of disputes.
25. Enforcement.

SCHEDULE I

DESCRIPTION OF FACILITIES REFERRED TO IN REGULATIONS 15 AND 16

PART 1

FACILITIES REFERRED TO IN REGULATIONS 15(1) AND 15(2)

- (a) Tone dialling or DTMF (dual-tone multifrequency operation)
- (b) Selective call barring for outgoing calls

2000-18

Repealed
Subsidiary
2001/090

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

PART 2

FACILITIES REFERRED TO IN REGULATIONS 16(1) AND 16(2)(b)

- (a) Calling-line identification
- (b) Direct dialling-in (or facilities having an equivalent function)
- (c) Call forwarding

PART 3

SERVICES AND FACILITIES REFERRED TO IN REGULATION 16(2)(c)

- (a) Community-wide access to green or freephone services
- (b) Shared cost services
- (c) Community-wide premium rate services or shared revenue services
- (d) Community-wide calling-line identification
- (e) Access to operator services in a Member State
- (f) Access to directory enquiry services in a Member State

SCHEDULE II

INFORMATION TO BE SUPPLIED TO THE AUTHORITY IN ACCORDANCE WITH REGULATION 12(3)

Technical characteristics of network interfaces

SCHEDULE III

SUPPLY-TIME AND QUALITY OF SERVICE INDICATORS, DEFINITIONS AND MEASUREMENT METHODS IN ACCORDANCE WITH THE REQUIREMENTS OF REGULATION 13(3)

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001****Repealed
Subsidiary
2001/090****Title.**

1. These Regulations may be cited as the Telecommunications (Open Network Provision) (Voice Telephony) Regulations 2001.

Interpretation.

2.(1) For the purposes of these Regulations—

“consumer” means any natural person who uses a publicly available telecommunications service for purposes which are outside his trade, business or profession;

“the Data Protection Directives” means Directive 95/46 of the European Parliament and of the Council of October 24, 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data¹ and Directive 97/66 of the European Parliament and of the Council of December 15, 1997 concerning the processing of personal data and protection of privacy in the telecommunications sector²;

“the EEA Agreement” means the agreement on the EEA signed at Oporto on 2 May 1992 as adjusted by the Protocol signed at Brussels on 17 March 1993;

“the ONP Committee” has the meaning given in the Telecommunications (Leased Lines) Regulations 2001;

“Organisation having Significant Market Power” means a person who the Authority has determined, in accordance with regulation 4, to be a person who has significant market power;

“processing”, in relation to information or data, means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including any one or more of the following—

- (a) retrieval, consultation or use of the information or data;
- (b) disclosure of the information or data by transmission, dissemination or otherwise making available;
- (c) alignment, combination, blocking, erasure or destruction of the information or data;

¹ O.J. 1995, L281/31

² O.J. 1998, L24/1

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

“publicly available telephone services” means either fixed publicly available telephone services or publicly available mobile telephone services or both such services;

“the Relevant Market” means any market in the provision of any one or more of the networks and services referred to in regulation 4(1) which the Authority considers to be such a market for the purpose of making a determination under regulation 4;

“the Revised Voice Telephony Directive” means Directive 98/10/EC of the European Parliament and of the Council of 26 February 1998 on the application of open network provision (ONP) to voice telephony and on universal service for telecommunications in a competitive environment³;

“special network access” means access to a fixed public telephone network at a network termination point other than the commonly provided network termination points referred to in Schedule II;

(2) Except where the context otherwise requires and subject to sub-regulation (1), any word or expression used in these Regulations which is also used in the Ordinance has the same meaning in these Regulations as it has in the Ordinance.

(3) Consequent upon the extension of the Revised Voice Telephony Directive to the EEA by Decision No. 35/99 of the EEA Joint Committee which came into force on 27 March 1999 the references to “Member State” in these Regulations shall be interpreted as including a contracting party to the EEA Agreement.

Scope.

3.(1) Regulations 7, 10(b), 11 and 12(1) and (2) apply to the operating of public mobile telephone networks and to the provision of publicly available mobile telephone services.

(2) Save as provided in sub-regulation (1), these Regulations do not apply to the operating of public mobile telephone networks or the provision of publicly available mobile telephone services or to both.

Significant market power.

4.(1) For the purposes of the Revised Voice Telephony Directive and of these Regulations the Authority shall determine, on the coming into force of

³ O.J. No. L101, 1.4.98, P.24

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

**Repealed
Subsidiary
2001/090**

these Regulations and from time to time, whether a person who has been granted an authorisation under the Ordinance—

- (a) to establish or operate, or establish and operate, fixed public telephone networks;
- (b) to provide voice telephony services; or
- (c) to establish or operate, or establish and operate, such networks and provide such services,

is a person who has significant market power.

(2) The Authority shall, in making a determination under sub-regulation (1) but subject to sub-regulation (3), presume that a person has significant market power if he has twenty-five per cent (25%) or more of the Relevant Market.

(3) The Authority may, after taking into account the matters referred to in sub-regulation (4)—

- (a) determine that a person who has less than twenty-five per cent (25%) of the Relevant Market is a person who has significant market power; and
- (b) determine that a person who has twenty-five per cent (25%) or more of the Relevant Market is a person who does not have significant market power.

(4) In making a determination under sub-regulation (3), the Authority shall take into account—

- (a) the ability of the person to influence conditions in the Relevant Market;
- (b) the turnover of the person in relation to the size of the Relevant Market;
- (c) the control that the person may have of the means of access to end-users;
- (d) the access that the person may have to financial resources; and
- (e) the experience that the person may have in providing products and services in the Relevant Market.

Availability of services.

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

5.(1) The Minister shall ensure the availability to users at an affordable price of fixed publicly available telephone service where the services included are, in addition to voice telephony service—

- (a) the giving of access to emergency services as set out in regulation 10(b)(ii);
- (b) the provision of operator assistance as set out in regulation 10(b)(i);
- (c) directory services as set out in regulation 7;
- (d) the provision of public pay-telephones as set out in regulation 8; and
- (e) the provision of service under special terms and the provision of special facilities for customers with disabilities or with special social needs as set out in regulation 9.

(2) The Minister shall ensure that any scheme designed to secure the affordability referred to in sub-regulation (1) is transparent and non-discriminatory.

(3) The Authority shall publish or ensure that there are published, after taking into account the views of the parties referred to in regulation 23, rules and criteria for ensuring that the services referred to in sub-regulation (1) are affordable.

(4) The Authority shall ensure the publication of regular reports on how the tariffs which are being charged from time to time for the provision of the services referred to in sub-regulation (1) are evolving.

Provision of network connections and access to telephone services.

6.(1) The Authority shall ensure that throughout Gibraltar all reasonable requests for—

- (a) connection to a fixed public telephone network at a fixed location;
- (b) access to fixed publicly available telephone service; or
- (c) the connection referred to in paragraph (a) and the access referred to in paragraph (b),

are met by at least one person.

(2) The Authority may, if necessary, designate one or more persons to meet the requests for connection or access or both referred to in sub-regulation (1).

(3) The connection referred to in paragraph (a) of sub-regulation (1) must be capable of—

- (a) allowing users to make and receive local and international calls;
- (b) carrying speech; and
- (c) carrying facsimile or data communications or both such communications.

Directory services.

7. The Authority shall ensure that—

- (a) subscribers have the right to an entry in publicly available telephone directories and to verify, correct or request the removal of that entry;
- (b) directories covering all subscribers
 - (i) to whom telephone numbers, including fixed, mobile and personal numbers, have been allocated; and
 - (ii) who have not requested not to be included in such directories,

are available to users;

- (c) the directories referred to in paragraph (b), whether printed or electronic or both—
 - (i) include, to the extent permitted by the subscriber, the name, address and telephone number of each subscriber who has not requested not to be included in the directories;
 - (ii) are in a form approved by the Authority; and
 - (iii) are updated on a regular basis;

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

- (d) at least one telephone directory enquiry service covering all listed subscribers' numbers, save for the numbers of those subscribers who have requested not to have their numbers included in that service, is available to all users including users of public pay telephones;
- (e) in order that the services referred to in paragraphs (b), (c) and (d) are provided, a person who assigns telephone numbers to subscribers meets all reasonable requests from those persons who have to provide the directories referred to in paragraphs (b) and (c) or the telephone directory enquiry service referred to in paragraph (d) or both to make available to them the details that they have to provide under paragraphs (b), (c) or (d) or paragraphs (b), (c) and (d), as the case may be, in respect of those subscribers;
- (f) a person who assigns telephone numbers to subscribers, when providing subscribers' details under paragraph (e), does so—
 - (i) on terms which are fair, cost-oriented and non-discriminatory; and
 - (ii) in a format which is agreed between the provider and the recipient of such details or, where no agreement is reached, in a format which is approved by the Authority;
- (g) a person who has to provide the directories referred to in paragraphs (b) and (c) or the telephone directory enquiry service referred to in paragraph (d) or both, acts in a non-discriminatory manner in his treatment and presentation of the information provided to him for the purpose; and
- (h) a person, when processing any data or information pursuant to this regulation, complies with the law on the protection of personal data and privacy including the Data Protection Directives.

Public pay-telephones.

- 8.(1) The Authority shall ensure that—
- (a) public pay-telephones are provided in such numbers and are located in such areas as are necessary to meet the reasonable needs of users; and
 - (b) emergency calls can be made from public pay-telephones, free of charge and without having to use coins or cards, using

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

**Repealed
Subsidiary
2001/090**

number “112”, being the single European emergency call number referred to in Council Decision 91/396/EEC of 29 July 1991 on the introduction of a single European emergency call number,⁴ and such other number or numbers as may be designated for the purpose by the Authority.

(2) Paragraph (a) of sub-regulation (1) shall not apply to a specific geographical area where the Authority is satisfied that the requirements of that paragraph have been complied with.

Specific measures for disabled users and users with special social needs.

9. The Authority shall, where appropriate, take such measures as are necessary to ensure that disabled users and users with special social needs have equal access to and can afford fixed publicly available telephone service where directory services are the services included in addition to voice telephony service.

Connection of terminal equipment and use of the network.

10. The Authority shall ensure that—

- (a) all users provided with a connection to a fixed public telephone network may connect and use terminal equipment suitable for the connection provided; and
- (b) all users provided with a connection to a fixed public telephone network or to a public mobile telephone network or both have access to
 - (i) operator assistance services and telephone directory enquiry services of the nature referred to in regulation 7(d) unless—
 - (aa) a subscriber decides otherwise; or,
 - (bb) in the case of services which incur a charge to a subscriber, due warning of disconnection has been given to the subscriber in accordance with regulation 22; and
 - (ii) emergency services, free of charge, using the numbers referred to in paragraph (b) of regulation 8(1).

Contracts.

⁴ O.J. No L 217 6.8.1991, P31

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

11.(1) The Authority shall ensure, except where an existing contract already complies with the requirements set out in sub-regulations (2) and (3), that a person who has been granted an authorisation under the Ordinance to provide access to fixed public telephone networks or public mobile telephone networks or both offers to enter into—

- (a) a new written contract; or
- (b) a written variation of an existing contract,

with each of his subscribers which new contract or contract as varied shall comply with the requirements set out in sub-regulations (2) and (3).

(2) The contracts referred to in sub-regulation (1) shall either specify the service to be provided or shall make reference to terms and conditions which are publicly available.

(3) The contracts referred to in sub-regulation (1) or the publicly available terms and conditions referred to in sub-regulation (2) shall—

- (a) specify, at least—
 - (i) the time that it will take for the subscriber's equipment to be initially connected to the network;
 - (ii) the maintenance service offered to the subscriber;
 - (iii) the compensation or refund schemes or both such schemes which the person offers for the benefit of subscribers in the event that the service which the person has contracted to provide is not provided; and
 - (iv) a summary of the method of initiating procedures for the settlement of disputes in accordance with regulation 24; and
- (b) provide information on the standards of quality available for the service offered to the subscriber.

(4) The Authority may, on its own initiative or following a request by a body representing user or consumer interests, direct that the conditions of -

- (a) a contract referred to in sub-regulation (1); and
- (b) the compensation and refund schemes referred to in paragraph (a)(iii) of sub-regulation (3),

insofar as such conditions concern matters subject to the provisions of these Regulations shall be altered in order to protect the rights of users or subscribers or both.

(5) Any person who is a party to a contract referred to in sub-regulation (1) shall comply with any direction given in accordance with sub-regulation (4).

(6) A person to whom sub-regulation (1) applies and who does not comply with that sub-regulation is guilty of an offence and is liable—

- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale; and
- (b) on conviction on indictment, to a fine.

Publication of and access to information.

12.(1) The Authority shall ensure that a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks or public mobile telephone networks or both such networks or to provide publicly available telephone services or both to operate both or either of such networks and to provide such services publishes, for the benefit of consumers, adequate and up-to-date information on the standard terms and conditions subject to which he—

- (a) allows access to and use of such networks as he is operating;
- (b) provides publicly available telephone services; or
- (c) allows the access referred to in paragraph (a) and provides the services referred to in paragraph (b).

(2) In particular but without prejudice to the generality of sub-regulation (1), the Authority shall ensure, under that sub-regulation, that—

- (a) the tariffs charged to end-users;
- (b) any minimum contractual period, if relevant; and
- (c) the conditions subject to which the contracts referred to in regulation 11(1) may be renewed,

are set out clearly and accurately.

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

(3) The Authority shall ensure that a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks provides to the Authority–

- (a) details of such technical interface specifications for access to his networks as are identified in Schedule II;
- (b) details of any changes in the interface specifications for access to his networks; and
- (c) information on any new interface specifications for access to his networks.

(4) A person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks shall provide to the Authority the details referred to in paragraph (b) of sub-regulation (3) before he implements those changes.

(5) A person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks shall provide to the Authority the information referred to in paragraph (c) of sub-regulation (3) before he introduces those specifications.

(6) The Authority may set such a period of notice as it shall consider suitable before the changes referred to in paragraph (b) of sub-regulation (3) may be implemented or the specifications referred to in paragraph (c) of sub-regulation (3) may be introduced or both.

(7) A person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks shall inform the Authority of any particular characteristics of his networks which are found to affect the correct operation of terminal equipment.

(8) The Authority shall make the information referred to in sub-regulation (7) available to suppliers of terminal equipment upon their request.

(9) The Authority shall ensure that the information referred to in paragraphs (a), (b) and (c) of sub-regulation (3), paragraph (a) of regulation 13(5), regulations 14(5) and (8), paragraph (a) of regulation 16(2) and regulations 17(7) and 22(2), is made available in an appropriate manner in order to provide easy access to that information to such parties as may have a legitimate interest.

(10) The Authority shall ensure that reference is made in the Gazette to the manner in which the information referred to in sub-regulation (9) is made available.

(11) A person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks and who does not comply with any one or more of sub-regulations (4), (5), (7), is guilty of an offence and is liable—

(a) on summary conviction to a fine not exceeding level 5 on the standard scale; and

(b) on conviction on indictment, to a fine,

for each such act of non-compliance.

Quality of service.

13.(1) The Authority may, in accordance with this regulation, set standards of quality for publicly available telephone services with which standards persons who have been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide fixed publicly available telephone services or both must comply.

(2) In order to meet the standards referred to in sub-regulation (1), the Authority may set performance targets, in particular, for—

(a) an Organisation having Significant Market Power;

(b) a person who has been designated in accordance with regulation 6(2); or

(c) the person referred to in paragraph (a) and the person referred to in paragraph (b).

(3) The Authority shall ensure that an Organisation having Significant Market Power or a person who has been designated in accordance with regulation 6(2), keeps and provides to the Authority, at its request, up-to-date information concerning his performance in relation to the standards referred to in sub-regulation (1) which performance shall be based on the parameters, definitions and measurement methods set out in Schedule III.

(4) The Authority may, without prejudice to sub-regulation (3), direct that a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide fixed publicly available telephone services or both for more than 18 months, keeps and provides to the Authority, at the Authority's request, the information referred to in sub-regulation (3).

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

(5) The Authority, where appropriate and taking into account the views of interested parties in accordance with regulation 23–

- (a) shall ensure that the standards of quality referred to in sub-regulation (1) and the performance targets referred to in sub-regulation (2) are published in accordance with regulation 12(9); and
- (b) may, without prejudice to sub-regulation (2) and where such targets do not exist, set performance targets for a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide fixed publicly available telephone services or both who is an Organisation having Significant Market Power or is a person who has been designated in accordance with regulation 6(2).

(6) The Authority may, in order to ensure that the information is accurate, direct that the information referred to in sub-regulations (3) and (4) be audited by an entity which is independent of the person providing the information.

(7) The Authority may direct that an entity which has undertaken an audit of the information referred to in sub-regulations (3) and (4), shall analyse how that information compares with other such information provided under this regulation by other persons.

Conditions of access and use and essential requirements.

14.(1) Without prejudice to regulations 24(1), (2) and (3), the Authority shall ensure that procedures for the resolution of disputes are in place to address situations where–

- (a) persons who have been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide fixed publicly available telephone services, or both; or, at least,
- (b) those persons who have been granted an authorisation under the Ordinance to provide voice telephony services and who are Organisations having Significant Market Power,

take measures such as the interruption, termination, significant variation or reduction in the availability of services provided, at least, to persons who have been granted an authorisation under the Ordinance to operate telecommunications networks or provide telecommunications services or both, and such measures are disputed by the recipient of such services.

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

Repealed
Subsidiary
2001/090

(2) The procedures for the resolution of disputes referred to in sub-regulation (1) shall—

- (a) be transparent;
- (b) give each party to a dispute an opportunity to state his case; and
- (c) provide for a reasoned decision to be notified to the parties to the dispute within one week of the decision having been taken.

(3) The parties referred to in sub-regulation (2) shall, without prejudice to their right to apply to a court, abide by the decision referred to in that sub-regulation.

(4) The Authority may direct that a third party be appointed to assist in the resolution of or to resolve a dispute referred to in sub-regulation (1) and such a direction shall include provisions as to—

- (a) the payment of the reasonable costs and expenses of that person; and
- (b) the procedures to be adopted by that person.

(5) A summary of the procedures referred to in sub-regulations (1) and (4) shall be published in accordance with regulation 12(9).

(6) The Authority may, by notice served on persons who have been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide fixed publicly available telephone services or both, impose restrictions on the access to or the use of such networks or services or both on the grounds of the essential requirements set out in sub-regulation (9).

(7) The notice referred to in sub-regulation (6) shall specify which of the essential requirements set out in sub-regulation (9) is the ground upon which the restrictions imposed by the Authority are based.

(8) The notice referred to in sub-regulation (6) shall be published in accordance with regulation 12(9).

(9) The essential requirements referred to in sub-regulation (6) are—

- (a) security of network operations;
- (b) maintenance of network integrity;

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

- (c) interoperability of services;
- (d) protection of data; and
- (e) effective use of the frequency spectrum.

(10) In imposing a restriction in accordance with sub-regulation (6) the Authority shall ensure that—

- (a) any restriction is based on objective criteria identified before such restrictions are imposed;
- (b) any restriction based on the grounds of maintenance of network integrity is kept to the minimum necessary for the network to operate normally; and
- (c) any restriction based on the grounds of protection of data is imposed only in accordance with the provisions of the Data Protection Directives and any other relevant legislation on the protection of personal data and privacy.

(11) The Authority may take any measures which are necessary in order to ensure that—

- (a) the availability of fixed public telephone networks or fixed publicly available telephone services or both is maintained in the event of a catastrophic breakdown of a network or in cases of force majeure such as extreme weather, earthquake, flood, lightning or fire; and
- (b) the integrity of fixed public telephone networks is maintained.

(12) The Authority shall, without prejudice to any notice issued under sub-regulation (6), ensure that—

- (a) in the event of the circumstances referred to in paragraph (a) of sub-regulation (11) taking place, persons who have been granted an authorisation under the Ordinance to operate public telecommunications networks and provide publicly available telecommunications services take all the necessary steps—
 - (i) to ensure that, insofar as is practicable in all the circumstances, the availability of fixed public telephone networks is maintained; and

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

Repealed
Subsidiary
2001/090

- (ii) to maintain, insofar as is practicable, the highest level of service in order to meet any priorities that the Minister, after consultation with the Authority, may specify;
- (b) restrictions imposed by persons who have been granted an authorisation under the Ordinance to operate public telecommunications networks and provide publicly available telephone services on access to and use of fixed public telephone networks on the grounds of the security of network operations are proportionate, non-discriminatory and are based on objective criteria identified before such restrictions are imposed;
- (c) restrictions imposed by persons who have been granted an authorisation under the Ordinance to operate public telecommunications networks and provide publicly available telephone services on access to and use of fixed public telephone networks on the grounds of the maintenance of network integrity, where such restrictions are imposed in order to protect, inter alia, network equipment, software or stored data, are—
 - (i) the minimum necessary for the network to operate normally;
 - (ii) non-discriminatory; and
 - (iii) based on objective criteria identified before such restrictions are imposed;
- (d) conditions imposed by persons who have been granted an authorisation under the Ordinance to operate public telecommunications networks and provide publicly available telephone services on access to and use of fixed public telephone networks or fixed publicly available telephone services or both, which are based on the grounds of the protection of data, may be imposed only in accordance with the provisions of the Data Protection Directives and any other relevant legislation on the protection of personal data and privacy;
- (e) persons who have been granted an authorisation under the Ordinance to operate public telecommunication networks and to provide publicly available telecommunications services take all necessary steps, insofar as is practicable in all the circumstances, to ensure that the integrity of those networks is maintained; and

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

- (f) persons who have been granted an authorisation under the Ordinance to operate public telecommunications networks and provide publicly available telephone services do not impose any restrictions based on the grounds of the interoperability of services on the use of such terminal equipment as is operating in accordance with the Ordinance and regulations made under it.

(13) In exercising their respective powers under Part IV of the Ordinance, the Minister and the Authority shall each ensure that persons who have been granted an authorisation under the Ordinance to operate public telecommunications networks and provide publicly available telephone services and who use the frequency spectrum—

- (a) do so effectively; and
- (b) avoid harmful interference between radio-based systems which could restrict or limit access to or use of fixed public telephone networks or fixed publicly available telephone services or both.

(14) A party referred to in sub-regulation (2) who does not abide by the decision referred to in that sub-regulation is guilty of an offence and is liable—

- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale; and
- (b) on conviction on indictment, to a fine.

Itemised billing, tone dialling and selective call barring.

15.(1) In order to ensure that users, as soon as is reasonably practicable, have access over fixed public telephone networks to the facilities of—

- (a) tone dialling; and
- (b) itemised billing and selective call barring,

as facilities available on request, the Authority may, unless in the Authority's opinion these facilities are widely available, designate one or more persons to provide these facilities to most telephone users and to ensure that these facilities are generally available by 31 December 2001.

(2) The facilities of tone dialling and selective call barring referred to in sub-regulation (1) are listed and described in Part 1 of Schedule 1.

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

(3) The Authority shall ensure that, where itemised bills are provided to the subscriber of a fixed public telephone network or of a fixed publicly available telephone service or both—

- (a) the itemised bills shall, subject to the Data Protection Directives and any other relevant legislation on the protection of personal data and privacy and at no extra charge to the subscriber, contain at least such details as will allow the subscriber to verify and control such charges as he may incur in using the network or service or both;
- (b) the itemised bills shall not include details of the calls which that subscriber makes and for which he is not charged; and
- (c) the subscriber may be offered, where appropriate and at a reasonable cost or free of charge, a facility whereby the itemised bills contain varying degrees of detail over and above the minimum level referred to in paragraph (a).

(4) The Authority may by direction set down the details which are to be contained in an itemised bill in order to satisfy the requirements of paragraph (a) of sub-regulation (3).

Provision of additional facilities.

16.(1) The Authority shall, taking into account—

- (a) the state of network development;
- (b) market demand; and
- (c) progress with standardisation,

ensure that dates are set for the introduction of the facilities listed and described in Part 2 of Schedule 1.

(2) The Authority shall ensure that—

- (a) the dates referred to in sub-regulation (1) are published in accordance with regulation 12(9);
- (b) persons who have been granted an authorisation under the Ordinance to provide voice telephony services and who are Organisations having Significant Market Power provide, by such a date as shall be set in accordance with sub-regulation (1) and subject to technical feasibility and economic viability, the facilities listed and described in Part 2 of Schedule 1;

Telecommunications

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

- (c) persons who have been granted an authorisation under the Ordinance to provide the facilities listed and described in Part 3 of Schedule 1, do so subject to the Data Protection Directives and any other relevant legislation on the protection of personal data and privacy;
- (d) a person who has been granted an authorisation under the Ordinance to operate a public telecommunications network and provide a voice telephony service who does not yet offer the facility of number portability to a subscriber upon the request of the subscriber, shall provide to that subscriber should that subscriber so request, for a reasonable period after the subscriber has changed to a different provider of voice telephony service, a facility—
 - (i) to re-route telephone calls to the new number of the subscriber for a reasonable fee; or
 - (ii) to advise—
 - (aa) those who contact him and are seeking such information; and
 - (bb) those who call the old number, of the new number without charging the called party for this service; and
- (e) any charges for the facilities referred to in this regulation are reasonable.

Special network access.

17.(1) The Authority shall ensure that a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks and who is an Organisation having Significant Market Power in the operation of fixed public telephone networks—

- (a) deals with reasonable requests for special network access to his fixed public telephone networks from persons providing telecommunications services;
- (b) does not take a final decision to restrict or deny special network access to his fixed public telephone networks in response to a request for such special network access from a person providing telecommunications services until the person

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

**Repealed
Subsidiary
2001/090**

who has made the request has had an opportunity to put his case to the Authority;

- (c) where a request referred to in paragraph (b) is refused, provides to the person making the request a prompt and fully reasoned explanation why the request has been refused;
- (d) only imposes charges for special network access to his fixed public telephone networks, by persons providing telecommunications services, which are cost-oriented in accordance with the principles and guidelines set out in paragraph 3 of the Schedule to the Telecommunications (Open Network Provision) (Framework) Regulations 2001;
- (e) acts in a non-discriminatory manner when he makes use of –
 - (i) fixed public telephone networks; and, in particular,
 - (ii) any form of special network access to fixed public telephone networks,for the purposes of providing publicly available telecommunications services;
- (f) without prejudice to paragraphs (a), (b) and (c)–
 - (i) allows persons providing similar telecommunications services to have access to his fixed public telephone networks, for the purpose of providing those services, under similar conditions and in similar circumstances; and
 - (ii) provides to other persons providing similar telecommunications services to those that he provides, special network access to his fixed public telephone networks and information relating to special network access under the same conditions and of the same quality as he provides for the purpose of such of his own services or those of his subsidiaries or partners; and
- (g) makes available to the Authority such details as the Authority may request of such agreements as he may have entered into with persons providing telecommunications services for special network access to his fixed public telephone networks.

(2) The Authority may agree to limit the obligation contained in paragraph (a) of sub-regulation (1) where, in the Authority's opinion–

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

- (a) there are technically and commercially viable alternatives to the special network access requested; and
 - (b) the special network access requested is inappropriate in relation to the resources available to meet the request.
- (3) The Authority may, without prejudice to sub-regulation (6)–
- (a) on its own initiative;
 - (b) at any time; and
 - (c) where justified,

in order to ensure effective competition or interoperability of services or both, direct that specific conditions be included in an agreement of the nature referred to in paragraph (g) of sub-regulation (1).

- (4) the Authority shall without prejudice to sub-regulation (6)–
- (a) if so requested by a party to an agreement of the nature referred to in paragraph (g) of sub-regulation (1); and
 - (b) where justified,

direct that specific conditions be included in that agreement in order to ensure effective competition or interoperability of services or both.

(5) Any conditions specified by the Authority under sub-regulation (3) or (4) shall be–

- (a) non-discriminatory;
- (b) fair and reasonable; and
- (c) to the benefit of users.

(6) The Authority may, in the interests of users, make a direction specifying–

- (a) conditions to be included in agreements of the nature referred to in paragraph (g) of sub-regulation (1) which are non-discriminatory, fair and reasonable;

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

- (b) that agreements of the nature referred to in paragraph (g) of sub-regulation (1) be entered into and performed in an efficient and timely manner; and
- (c) conditions to be included in agreements of the nature referred to in paragraph (g) of sub-regulation (1) which require that the relevant party–
 - (i) conforms with relevant standards; and
 - (ii) complies with essential requirements; or
 - (iii) maintains end-to-end quality; or
 - (iv) complies with essential requirements and maintains end-to-end quality.

(7) The Authority shall publish or shall ensure the publication in accordance with regulation 12(9) of any direction that the Authority may have made under sub-regulation (6).

(8) Technical and commercial arrangements for the provision by a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks and who is an Organisation having Significant Market Power in the operation of fixed public telephone networks of special network access to his fixed public telephone networks to persons providing telecommunications services shall, subject to paragraphs (b) and (c) of sub-regulation (1) and sub-regulations (3), (4), (5) and (6), be a matter for agreement between the party seeking such access and the party offering such access.

- (9) A person who–
 - (a) has been granted an authorisation under the Ordinance to operate fixed public telephone networks;
 - (b) is an Organisation having Significant Market Power in the operation of fixed public telephone networks; and
 - (c) has been requested to provide special network access to his fixed public telephone networks to persons providing telecommunications services,

may, without prejudice to paragraph (d) of sub-regulation (1), include in his charges for providing the special network access such costs as he may have incurred in providing that special network access.

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

(10) Without prejudice to regulation 13(2) of the Telecommunications (Licensing) Regulations 2001 and to section 48 of the Ordinance, the Authority shall keep confidential those parts of an agreement of the nature referred to in paragraph (g) of sub-regulation (1) which deal with the commercial strategy of the parties to that agreement.

Tariff principles.

18.(1) Without prejudice to regulation 5 and to sub-regulations (2) and (3), the Minister and the Authority shall ensure that a person who has been granted an authorisation under the Ordinance to operate a fixed public telephone network and to provide fixed publicly available telephone services and who is an Organisation having Significant Market Power—

- (a) sets tariffs for use of his fixed public telephone network and fixed publicly available telephone services which follow the basic principles and guidelines of cost orientation set out in paragraph 3 of the Schedule to the Telecommunications (Open Network Provision) (Framework) Regulations 2001;
- (b) without prejudice to regulations 8 (5) to (9) of the Telecommunications (Interconnection) Regulations, 2001, sets tariffs for access to and use of his fixed public telephone network which are not based on the use to which such access and use is to be put except to the extent that the user requires different services or facilities;
- (c) sets tariffs for facilities additional to the provision of connection to his fixed public telephone network and fixed publicly available telephone services which are sufficiently unbundled so that the user is not required to pay for facilities which are not necessary in the provision of the service which the user may have requested;
- (d) only changes tariffs after he has given an appropriate period of notice to that effect which period shall be determined by the Minister after consultation with the Authority; and
- (e) publishes the notice referred to in paragraph (d) in such a manner as the Minister, after consultation with the Authority, shall consider appropriate.

(2) Without prejudice to regulation 5, sub-regulation (1) shall not apply if the Minister is satisfied that there is effective competition in the market in Gibraltar for fixed publicly available telephone services.

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

(3) Without prejudice to the generality of regulation 4(5) of the Telecommunications (Open Network Provision) (Framework) Regulations 2001, the Minister, unless competition has become effective as set out in that regulation, may set the tariff level for the use of fixed public telephone networks and fixed publicly available telephone services and the setting of such level shall not be subject to sub-regulation (1) and (2).

Cost accounting principles.

19.(1) The Authority shall ensure that, where a person is under an obligation to set tariffs which are cost-oriented in accordance with regulation 18(1)–

- (a) the cost accounting systems applied by that person for the purpose of setting those tariffs are suitable to enable the person to comply with regulation 18;
- (b) a competent body, independent of that person, verifies that the person has properly applied the cost accounting systems referred to in paragraph (a) when setting those tariffs;
- (c) a statement to the effect that the person has properly applied the cost accounting systems referred to in paragraph (a) is published annually; and
- (d) a description of the cost accounting systems referred to in paragraph (a), showing–
 - (i) the main categories under which costs are compiled; and
 - (ii) the rules in accordance with which costs are allocated to voice telephony services,

is made available to the Authority at the Authority's request.

(2) The Commission of the European Communities shall, if it so requests, be provided with the information referred to in paragraph (d) of sub-regulation (1).

(3) The Authority shall ensure that persons who have been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide voice telephony services or both make available to the Authority, at the Authority's request, such accounting information and in such detail as will enable the Authority to verify whether they are complying with these Regulations.

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

(4) The information referred to in sub-regulation (3) shall be made available—

- (a) in confidence; and
- (b) without prejudice to regulation 13(2) of the Telecommunications (Licensing) Regulations 2001 and to section 48 of the Ordinance.

Discounts and other special tariff provisions.

20.(1) The Authority shall ensure that, where a person is under an obligation to set tariffs which are cost-oriented in accordance with regulation 18(1), discount schemes for the subscribers of that person are fully transparent and are published and applied in a non-discriminatory manner.

(2) The Authority may direct that the discount schemes referred to in sub-regulation (1) be modified or withdrawn.

Specifications for network access.

21. The Authority shall ensure that, where fixed publicly available telephone services are provided to users over the integrated services digital network (ISDN) at the S/T reference point,⁵ the integrated services digital network (ISDN) termination points comply with the relevant physical interface specifications, in particular, those for the socket, referenced in the ONP List of Standards referred to in Article 5 of the ONP Framework Directive.

Non-payment of bills.

22.(1) The Authority shall authorise measures to ensure that, in cases of non-payment by a subscriber of telephone bills for the use of a fixed public telephone network, due warning is given to that subscriber before—

- (a) the service which he is receiving is interrupted; or
- (b) he is disconnected from the network,

as a result of such non-payment.

⁵ The S/T reference point is the point with the S/T reference in ETSI standards the reference numbers of which are published from time to time in the list of standards in the Official Journal of the European Communities

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

(2) The measures referred to in sub-regulation (1) shall be proportionate, non-discriminatory and published in accordance with regulation 12(9).

(3) Except in the case of any one or more of the following–

- (a) fraud;
- (b) persistent late payment of the telephone bills referred to in sub-regulation (1);
- (c) non-payment of the telephone bills referred to in sub-regulation (1),

the measures referred to in this regulation shall ensure, as far as is technically feasible, that any interruption of a service is limited to interruption of the service the subject of the non-payment referred to in sub-regulation (1).

(4) The Authority may decide that, where appropriate, complete disconnection from the network for the non-payment referred to in sub-regulation (1) takes place only after such a period as the Authority may prescribe.

(5) During the period referred to in sub-regulation (4), calls for which the subscriber the subject of the disconnection is not charged shall be permitted.

Consultation with interested parties.

23. The Authority shall take into account the views of –

- (a) the representatives of persons operating public telecommunications networks;
- (b) users;
- (c) consumers;
- (d) manufacturers of telecommunications equipment; and
- (e) providers of telecommunications services,

on issues related to the scope, affordability and quality of publicly available telephone services.

Conciliation and resolution of disputes.

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

24.(1) The Authority shall ensure that procedures are in place to address disputes between any party, including users, consumers or persons operating telecommunications networks or providing services or both, and a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide fixed publicly available telephone services or both, concerning an alleged infringement of these Regulations.

(2) The procedures referred to in sub-regulation (1) shall, in particular, apply in cases where users are in dispute with a person who has been granted an authorisation under the Ordinance to operate fixed public telephone networks or provide fixed publicly available telephone services or both over their telephone bills or over the terms and conditions subject to which telephone service is provided or both.

(3) The procedures referred to in sub-regulation (1) shall be easily accessible and inexpensive and shall provide for the resolution of disputes without unnecessary delay and in a fair and transparent manner.

(4) The parties to a dispute referred to in sub-regulation (1) shall abide by such a decision as may be made by the body before which such a dispute is properly brought.

(5) If the Authority appoints a third party to assist in the resolution of or to resolve a dispute referred to in sub-regulation (1), the appointment shall include provisions as to—

- (a) the payment of the reasonable costs and expenses of that person; and
- (b) the procedures to be adopted by that person.

(6) Without prejudice to sub-regulation (7), when a dispute is brought before the Authority concerning an alleged infringement of the rights or obligations created by or under these Regulations which involves persons in more than one Member State, and a user or other person by means of a written notification to the Authority and the Commission of the European Communities invokes the conciliation procedure referred to in Articles 26(3) and (4) of the Revised Voice Telephony Directive, the Authority may, where it finds that there is a case for further examination, refer the matter to the chairman of the ONP Committee.

(7) The Authority may, on its own initiative and following written notification to the Commission of the European Communities, refer to the chairman of the ONP Committee an alleged infringement of the rights or obligations created by or under these Regulations which involves persons in more than one Member State.

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

2000-18

Repealed
Subsidiary
2001/090

(8) The user or other person invoking the conciliation procedure referred to in sub-regulation (6) shall bear his own costs of participating in that procedure.

(9) The procedure referred to in sub-regulation (6) shall be without prejudice to the rights of any person to apply to a court, save insofar as the parties concerned have entered into an agreement for the resolution of disputes between them which provides otherwise.

(10) This regulation shall be without prejudice to the power of the Authority to direct, in accordance with regulation 11(4), that the conditions of contracts and of compensation or refund schemes or both such schemes be altered.

(11) A party referred to in sub-regulation (4) who does not abide by a decision of the nature referred to in that sub-regulation is guilty of an offence and is liable—

- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale; and
- (b) on conviction on indictment, to a fine.

Enforcement.

25. Without prejudice to any right which any person may have by virtue of any provision in these Regulations or otherwise to bring civil proceedings in respect of any contravention or apprehended contravention of any duty referred to in such provision, or to have any dispute concerning that duty resolved pursuant to regulation 24, compliance shall be enforceable by the Authority or the Minister or both by civil proceedings for an injunction or for any other appropriate relief.

Telecommunications

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

SCHEDULE I

Regulations 15 and 16

**DESCRIPTION OF FACILITIES REFERRED TO IN
REGULATIONS 15 AND 16**

PART 1

FACILITIES REFERRED TO IN REGULATIONS 15(1) AND 15(2)

Tone dialling or DTMF (dual-tone multifrequency operation)

- (a) This is a facility whereby a fixed public telephone network supports the use of—
- (i) DTMF telephones for transmitting signals to the telephone exchange, using tones defined in ETSI ETR 207; and
 - (ii) the tones referred to in sub-paragraph (i) for the purpose of end-to-end signalling throughout the network both within Gibraltar and between Gibraltar and Member States.

Selective call barring for outgoing calls

- (b) This is a facility whereby the subscriber can, on request to the telephone service provider, bar outgoing calls—
- (i) of a specific type;
 - (ii) to specific types of numbers; or
 - (iii) of a specific type and to specific types of numbers.

PART 2

**FACILITIES REFERRED TO IN REGULATIONS 16(1) AND
16(2)(B)**

Calling-line identification

- (a) This is a facility whereby the number of the party initiating a call is identified to the party being called prior to the call being established.

Direct dialling-in (or facilities having an equivalent function)

**TELECOMMUNICATIONS (OPEN NETWORK PROVISION)
(VOICE TELEPHONY) REGULATIONS, 2001**

(b) This is a facility whereby users on a private branch exchange (PBX), or a similar private system, can be called directly from the fixed public telephone network without intervention by the private branch exchange (PBX) attendant.

Call forwarding

(c) This is a facility whereby incoming calls are conveyed to another destination in Gibraltar or in a Member State when, for instance,

- (i) there is no reply from the number initially called;
- (ii) the number initially called is engaged; or
- (iii) the number initially called has been programmed to automatically do so.

PART 3

**SERVICES AND FACILITIES REFERRED TO IN REGULATION
16(2)(C)**

Community-wide access to green or freephone services

(a) These services, variously known as green numbers, freephone services and so on, include dial-up services where the caller pays nothing for the call to the number dialled.

Shared cost services

(b) These services include dial-up services where the caller pays only part of the cost of the call to the number dialled.

Community-wide premium rate services or shared revenue services

(c) Premium rate service is a facility whereby charges for the use of a service accessed through a telecommunications network are combined with the charge for calling that network.

Community-wide calling-line identification

(d) This is a facility whereby the number of the party initiating a call is identified to the party being called prior to the call being established.

Access to operator services in a Member State

2000-18

Repealed
Subsidiary
2001/090

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

(e) This is a facility whereby users of a fixed public telephone network in Gibraltar can call the operator or assistance service in a Member State.

Access to directory enquiry services in a Member State

(f) This is a facility whereby users of a fixed public telephone network in Gibraltar can call the directory enquiry service in a Member State.

SCHEDULE II

Regulation 12

INFORMATION TO BE SUPPLIED TO THE AUTHORITY IN ACCORDANCE WITH REGULATION 12(3)

Technical characteristics of network interfaces

1. The information to be supplied to the Authority in accordance with regulation 12(3) are the technical characteristics of interfaces at such network termination points as are commonly provided and such information shall, where applicable, include a reference to such of any one or more of the following as are relevant:

- (a) Gibraltar standards;
- (b) Gibraltar recommendations;
- (c) International standards;
- (d) International recommendations.

2. The technical characteristics referred to in paragraph 1, for analogue or digitally presented networks or both, shall include those applicable at—

- (a) single line interfaces;
- (b) multiline interfaces;
- (c) direct dialling-in (DDI) interfaces; and
- (d) such other interfaces as are commonly provided.

3. The technical characteristics referred to in paragraph 1, for integrated services digital networks (ISDNs), where these are provided, shall include—

- (a) the specification of basic and primary rate interfaces at the S/T reference points,⁶ which specification shall include that of the signalling protocol;
- (b) details of bearer services able to carry voice telephony service; and

⁶ The S/T reference point is the point with the S/T reference in ETSI standards the reference numbers of which are published from time to time in the list of standards in the Official Journal of The European Communities.

2000-18

Repealed
Subsidiary
2001/090

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

(c) those applicable at such other interfaces as are commonly provided.

4. The technical characteristics referred to in paragraph 1 shall include those applicable at any interfaces which are commonly provided and which are different to those referred to in paragraphs 2 and 3.

Telecommunications

TELECOMMUNICATIONS (OPEN NETWORK PROVISION) (VOICE TELEPHONY) REGULATIONS, 2001

2000-18

Repealed
Subsidiary
2001/090

SCHEDULE III

Regulation 13

SUPPLY-TIME AND QUALITY OF SERVICE INDICATORS, DEFINITIONS AND MEASUREMENT METHODS IN ACCORDANCE WITH THE REQUIREMENTS OF REGULATION 13(3)

INDICATOR (NOTE 1)	DEFINITION	MEASUREMENT METHOD
Supply time for initial connection	ETSI ETR 138	ETSI ETR 138
Fault rate per access line	ETSI ETR 138	ETSI ETR 138
Fault repair time	ETSI ETR 138	ETSI ETR 138
Unsuccessful call ratio	ETSI ETR 138	ETSI ETR 138
Call set up time	ETSI ETR 138	ETSI ETR 138
Response times for operator services	ETSI ETR 138	ETSI ETR 138
Response times for directory enquiry services	As for operator services	As for operator services
Proportion of coin and card operated public pay-telephones in working order	ETSI ETR 138	ETSI ETR 138
Billing accuracy	See note 2	See note 2

Note 1

Indicators should, if applicable, allow for performance to be analysed at regional level (i.e. no less than level 2 in the Nomenclature of Territorial Units for Statistics (NUTS) established by Eurostat.)

Note 2

Billing accuracy. Gibraltar definitions and measurement methods are to be used until such time as a common definition and measurement method are agreed at European level.