



GUIDELINES ON SHORTCODE OPERATION IN NIGERIA

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THE NIGERIAN COMMUNICATIONS ACT, 2003

GUIDELINES ON SHORT CODE OPERATIONS IN NIGERIA, 2023

1. Introduction

- 1.1 The Nigerian Communications Commission (hereinafter referred to as the Commission) is established under the Nigerian Communications Act, 2003 to create and provide a regulatory framework for the Nigerian Communications Sector and all matters related thereto and for that purpose.

In exercise of the powers conferred upon it by Sections 70, 71, 72, 128, particularly Section 72 of the Nigerian Communications Act, 2003 and all other enabling powers in that behalf, the Commission hereby makes this Guidelines.

- 1.2 This Guidelines is intended to prescribe a standard of practice for providers of short code services and to provide a framework for the provision of these services and for the protection against misuse.

2. Objectives

- 2.1 Prescribe a regulatory framework for the provision of a minimum standard of practice for providers of short code services and to provide a procedure for the provision of these services.
- 2.2 Provide guidance on the standard and procedure which network operators and VAS aggregators are expected to adhere to in the provision of the Short Code Services.
- 2.3 Ensure a well-developed and organized short codes market in Nigeria with appropriate legal framework that meets international best practice.

3. Scope and Operation

- 3.1 This Guidelines shall apply to Mobile Network Operators, VAS Aggregators,

Application developers and Content Service Providers.

4. Short Code Classification and Categorization

- 4.1 There shall be classification and categorization of Short Codes issued by the Commission based on classes of services namely:
- (a) Short Codes for Government related services; and
 - (b) Short Codes for non-Government related services (as shown in Schedule 1 of this Guidelines).
- 4.2 The Commission shall issue Short Codes to Content Service Providers from time to time as the need arises. It shall also issue Short Codes to Value Added Services (VAS) Aggregators for test purposes only.
- 4.3 Number Band per Short Code Category
- There shall henceforth be number band per short code category – as a result of the new developed classes and categories of short code:
- (a) The 3-digit short codes shall be reserved exclusively for critical services.
 - (b) The 4-and 5-digit short codes shall be used for other services as the Commission may determine from time to time.
- 4.4 The Commission shall develop a harmonized common service codes for accessing common information and services across all networks to enhance customer experience. The number bands and common service codes shall be as shown in Schedule 2 to the Guidelines.
- 4.5 All harmonized common service codes referred to above will be at no charge except “voice mail deposit and retrieval” that will attract tariffs on the end-user for usage across all networks.
- 4.6 There shall be a “**Stop service**” short code for implementation by Mobile Network Operators (MNOs). This service may be used by communication network subscribers to stop the use of any type of network service(s) voluntarily subscribed to at any specific time as desired by the subscriber.
- 4.7 The database of the mobile switching centres shall be configured to keep track of all services voluntarily subscribed to by each individual subscriber via a subscription medium.

- 4.8 When the “stop service code” is sent from a subscriber’s mobile phone, the list of all the services voluntarily subscribed to by that specific subscriber is displayed on the mobile phone by means of Unstructured Supplementary Service Data (USSD). From the displayed list of subscribed services, the subscriber may specify the specific service(s) to unsubscribe.
- 4.9 The Commission shall solely allocate and regulate the operation of short codes including monitoring, compliance and enforcement of this Guidelines in compliance with the Act and relevant subsidiary legislations.
- 4.10 The Commission shall at its discretion define, create and allocate number bands per Short Code.

5. Application and Renewal Process

- 5.1 The Commission may from time to time approve or give authorisation for the use of short codes in a non-discriminatory manner, upon an application by Network Operators, Value Added Services Aggregators, Content Service Providers and others.
- 5.2 The Commission shall reserve the right to allocate short code(s) upon payment of a fee to be determined by the Commission.
- 5.3 The Commission may assign short codes subject to the following conditions:
- a. Fairness and transparency in assignment
 - b. Proper usage and proper purpose

6. Application and Renewal fee for Short Code

- 6.1 All applicants for Short Codes or renewal of Short Codes shall pay a fee in a manner and as determined by the Commission from time to time. Provided that short codes issued for government services may be exempted from payment of fees.
- 6.2 Licensees shall pay a fee for issuance and renewal of the Short Codes.
- 6.3 Non-Licensees shall pay a fee for both the application and the renewal of the Short Codes.

- 6.4 Notwithstanding the provisions of paragraph 6.1 above, all Applicants including Licensees and Non-Licensees shall pay a processing fee to be determined by the Commission.
- 6.5 National Emergency Number for emergency services will not attract any fee or charge for usage by the consumer. However, all other categories of Short Codes apart from Common Service Codes shall be paid for.
- 6.6 A Network Operator shall not charge an End User for a category of messages, including Short Messaging Services, containing help or error or messages requesting for information or stopping a service.

7. Validity Period of Allocated Short Code

- 7.1 All allocated Short Codes shall have a validity period as stipulated in the letter of allocation by the Commission. Upon expiration of the validity period, the allottee shall be required to apply for a renewal as provided for in Paragraphs 5.1 and 5.2 of this Guidelines.

8. Conditions and Process for the Suspension of Allocated Short Code by the Commission

- 8.1 Allocated short codes may be suspended by the Commission in any of the following circumstances-
- (a) The use of Short Code(s) for purposes and classifications for which they were not allocated.
 - (b) The use of Short Code(s) by allottees beyond the validity period contained in their letter of allocation without renewal.
 - (c) The expiration of the operating licence of the allottee without renewal.
 - (d) The use of allocated Short Code(s) for purposes considered to be a threat to National Security.
- 8.2 Notwithstanding the provisions in 8.1(a) to 8.1(d) above, the Commission reserves the right to suspend the use of any allocated Short Code(s) for unauthorized use.
- 8.3 Where an allottee is deemed to have contravened the provisions of Paragraphs 8.1 to 8.2 of this Guidelines, the Commission shall:

- (a) Inform the allottee in writing of such infractions on the usage of the allocated Short Code(s).
- (b) Give the allottee not less than Fifteen (15) working days to respond to the Notice.
- (c) Suspend such allocated short code(s) if it considers such response not satisfactory.

9. Conditions and Process for the Withdrawal of Allocated Short Code by the Commission

9.1 The Commission will commence the process of withdrawal of allocated Short Code(s) if in the exercise of its discretion, it is not satisfied with the response from an allottee or a Licensee as the case may be.

9.2 The Commission shall notify the allottee of its decision to commence the process of withdrawal of allocated Short Code(s).

9.3 Notwithstanding the provisions of Paragraphs 9.1 and 9.2 of this Guidelines, the Commission shall reserve the right to withdraw any allocation without notice if in its opinion the usage of such allocation contravenes National Security, public safety, public order, public morality or public health.

10. Voluntary Surrender of Allocated Short Code by Allottees

10.1 Allottees can voluntarily surrender allocated Short Codes at any time.

10.2 Nothing in this provision shall suggest a refund of the licence or allocation fee in any way.

11. Code of Practice, Quality and Operational Guidelines

11.1 Network Operators, VAS Aggregators and Content Service Providers shall:

- (a) Be primarily responsible for contravention of any of the provisions of this Guidelines and appropriate sanctions shall be imposed accordingly.
- (b) Ensure that service providers provide the highest quality of service to the consumers and that consumers are:
 - (i) Provided with sufficient information to enable them make informed decisions about using Short Codes.
 - (ii) Provided convenient, fair and efficient means of resolving complaints arising in respect of content services using the availability of an independent complaints handling

mechanism.

- (iii) Sufficiently informed of the nature, prices, terms and conditions of using the Short Codes at the time of sale, advertising and using the services.
 - (iv) Able to distinguish content considered suitable only for adults or which should not be made available to children.
 - (v) Able to readily access the unsubscribe mechanism for each content service, discontinue a service and avoid incurring further charges, without undue delay. Where a refund is considered, the licensee shall make the refund via the same medium or mode through which the amount was received.
- (c) Ensure that no content service shall be promoted as being “free” if it is obtainable only by the use of premium rate service involving a charge to the customer.
- (d) Ensure that short message service sent using short codes and received by consumers must be stored by the Network Operators and Service Providers for a minimum period of two (2) years.
- (e) Ensure that all subscription terms and billing intervals are specified and any associated charges for services rendered shall be disclosed.
- (f) Ensure that the terms and conditions of service must set out the refund processes where the competition mechanism or voting conditions change prior to entry.
- (g) Submit Service Level Agreements or any other agreement to the Commission.
- (h) Obtain authorization from other government agencies where such authorization is required.
- (i) Maintain a customer support service where complaints would be addressed within a reasonable time frame. In a situation where a complaint is not considered, reasons for the decision must be conveyed to the complainant within forty-eight (48) hours of such decision.

11.2 The Commission shall at its discretion periodically audit the usage of the assigned number resources to ensure that the resources are utilized in accordance with this Guidelines and for the intended purposes and the allottee(s) shall submit all materials relevant for the audit to the Commission subject to seven (7) days

Notice by the Commission.

12. Eligibility and Use of Allocations

12.1 Short Code Allocations

Licenseses of the Commission, government agencies and any other organization the Commission may deem fit are eligible for allocation of short codes.

12.2 Short Codes for Public Emergency Services

Subject to the provision in Paragraph 6.5 of this Guidelines, the Commission may allot or approve the use of a National Emergency Number for emergency services which will not attract any fee or charge for usage by the consumer.

12.3 Facilitation of Traffic to Unallocated Numbers

Mobile Network Operators (MNOs) must ensure that traffic is not delivered to Short Codes that do not exist within the Nigerian Communications Commission Numbering Plan.

12.4 Activation of Short Code Allocations

- (a) Short Code allocations must be put into service by the allottee(s) within a period of six months from the date of allotment.
- (b) The allottee(s) shall inform the Commission in writing on the date of activation and the dialing format on or before activation of the Short Code allocations.
- (c) The Commission may withdraw any Short Code allocation that is not activated within the stipulated period or where the Commission is not informed of the activation date including the dialing formats or both.

12.5 Transfer of the Allocated Resource

Number resources allocated by the Commission are not transferable to another entity or another service without the prior written approval of the Commission. The Commission shall conduct regular audits on their utilization to ensure that the resources are utilized in accordance with this Guidelines and for the intended purposes.

12.6 Dialing Formats

Network Operators shall ensure that the allocated short codes are dialed in the prescribed format including the prescribed Unstructured Supplementary Service

Data (USSD) protocol formats.

12.7 Protocol for USSD Strings Design

Network Operators and Service Providers may format Short Codes with USSD strings as may be necessary. Such strings shall be designed from the allocated number resources and associated services. Additionally, the initial digit of the allocated series shall form the first decimal digit of the USSD in consistence with the guiding principles outlined in this Guidelines.

13. Advertising and Promotions

- 13.1 In line with the Commission's Guidelines on Promotional Advertisements, all advertising and promotional materials shall clearly include the name(s) and contact details of Network Operators, Content Service Providers and VAS Aggregators.
- 13.2 The system shall not be used to disseminate offensive, obscene or seditious information.
- 13.3 All terms and conditions including pricing information shall be clearly spelt out and conspicuously displayed.
- 13.4 All advertisements and promotions shall clearly indicate whether a service is a subscription or not; terms and conditions of programme clearly stated and service pricing information clearly and conspicuously indicated.
- 13.5 All advertising promotional materials and service help messages shall clearly display the consumers right to "opt in" or "opt out" of any promotion, programme or service, whether subscription based or otherwise.
- 13.6 The Network Operator shall set out measures to safeguard to the satisfaction of the Commission that no sexually suggestive or explicit material is transmitted in the course of the service.
- 13.7 VAS Aggregators shall implement appropriate mechanisms to ensure and make available by appropriate means at least two methods of directly contacting the Content Service Provider. In this regard, all advertisements shall include the name, telephone numbers and contact details of the relevant Content Service Provider.

14. Dispute Resolution

Any dispute arising from the operation of this Guidelines shall first be resolved by parties in accordance with the dispute resolution clause in their commercial agreement. Where parties are unable to resolve disputes arising therefrom such dispute should be referred to the Commission.

15. Interpretation

“Application Service Provider” means a person that provides an application service.

“Class licence” means a licence for any or all persons to conduct a specified activity and may include conditions to which the conduct of that activity shall be subject.

“Content” means any sound, text, still picture, moving picture or other audio-visual representation, tactile representation or any combination of the preceding contents which is capable of being created, manipulated, stored, retrieved or communicated electronically.

“Content Service Provider” means a person or a business that provides some kind of communications service, storage service or processing service or any combination of the three.

“Critical Services” means services of national importance such as emergency services, government services, financial services and other services as may be defined by the Commission from time to time.

“Licensee” means a person who either holds an individual licence or undertakes activities which are subject to a class licence granted by the Commission under Chapter IV of the Nigerian Communications Act 2003.

“Network Service Provider” means a person who provides network services.

“Subscription Medium” means a Subscriber Identity Module (SIM) smart card, embedded SIM card, Electronic SIM, a Removable User Identity Module (R-UIM) smart card, a CDMA Subscriber Identity Module (CSIM) smart card, a Universal Subscriber Identity Module (USIM) smart card or any other mobile phone subscription medium marketed from time to time by licensees, containing the telephone number of a subscriber, encoded network identification details, the personal identification number and other user data normally provided by a licensee for the provision of Network Services.

“VAS Aggregator” means a Licensee that provides simplified, direct and secured connection to content and application providers for access to all network operators that have the capability to transmit value added services to end users.

16. Citation

This Guidelines shall be cited as Guidelines on Short Code Operations in Nigeria 2023

Issued by the Nigerian Communications Commission

this..... day of..... , 2023

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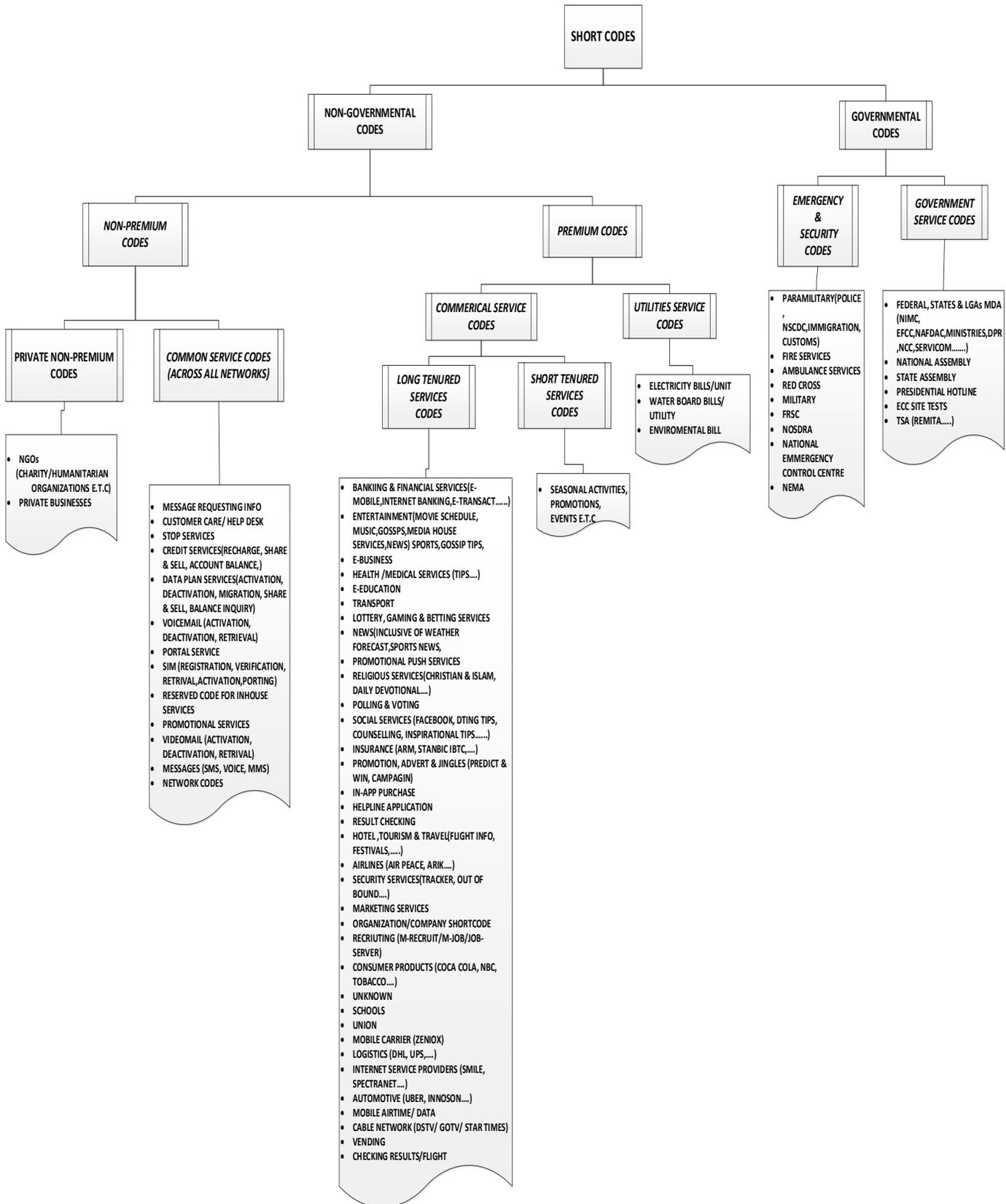
THE NIGERIAN COMMUNICATIONS COMMISSION ACT, 2003
GUIDELINES ON SHORT CODE OPERATION IN NIGERIA

Explanatory Notes

1. Short Codes are numbers shorter than full numbers which can be used to address wireless Short Messaging Service (SMS) and Multi-Media Messaging Service (MMS) messages and Voice Services from mobile phones or fixed lines.
2. The Numbers are specifically designed to be shorter and easier to remember than normal telephone numbers. The numbers are at different technological levels, unique to each Operator.
3. Common Short Codes are short code numbers that are the same across all Mobile Network Operators for providing similar services.
4. The Common Short Codes has its unique characteristics;
 - a. While normal telephone numbers (following the E.164 standard) form a prefix code, no numeral used as telephone numbers acts simultaneously as the prefix of another, since conventional landline phones numbers are sent all at once, so the network knows the end of the dialed number.
 - b. On a landline phone, one could not use the shortcode 12345, since one could not dial the number 1 234 567 8901 or 1 234 500 0000, or any number that shared the prefix 12345, but on a mobile phone, there is no such ambiguity.
 - c. The Short Codes function through the End Users, Carriers, Connection, Application Developers and Content Service Providers.
 - d. End Users are people or an entity that use Short Codes for Communication with Application; the carriers provide the Network infrastructure for the delivery of messages between end users and connection Aggregators.

- e. Connection Aggregators provide connectivity between Carrier Networks and Content Service Providers, Content Service Providers provide the technology platform for Short Code service applications and Application Developers often license content to Content Service Providers for delivery to end users

Schedule 1: PROPOSED SHORTCODES CLASS AND CATEGORIES



SCHEDULE 2: HARMONIZED COMMON SERVICE CODES ACROSS NETWORKS

S/N	HARMONIZED SERVICES	HARMONIZED CODES
1	CALL CENTER/HELP DESK	300
2	VOICE MAIL DEPOSIT	301
3	VOICE MAIL RETRIEVAL	302
4	SIM VERIFICATION	304
5	STOP SERVICE	305
6	CREDIT RECHARGE	311
7	DATA PLAN	312
8	BORROW SERVICES	313
9	SHARE SERVICES	321
10	CHECK BALANCE	322
11	DATA PLAN BALANCE	323