



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

National Directory Database (“NDD”)

Request for Expressions of Interest for Managing and Maintaining the NDD

Information Notice

Reference: ComReg 24/12
Version: Final
Date: 15/02/2024

Additional Information

Document No:	24/12
Date:	15 February 2024

Introduction

1. The National Directory Database ("NDD") is a record of all subscribers of voice communications services in Ireland, including those with fixed, personal and mobile numbers who have not refused to be included in that record, kept in accordance with Regulation 95 (3) of the European Electronic Communications Code Regulations 2022 (the ECC Regulations)¹ and Regulation 14 of the e-Privacy Regulations.² The NDD holds details of subscriber preferences for listing their telephone numbers as entered on the NDD by providers of number-based interpersonal communications services ("ECS Providers").
2. The function of the NDD is primarily to facilitate the compilation of and access to information for directory and directory enquiry services. In accordance with the e-Privacy Regulations, the NDD continues to be the basis for the operation of the "opt-out" register for direct marketing purposes.³
3. ComReg has the power to require a person to manage and maintain the NDD under Regulation 95 of the ECC Regulations.
4. Pursuant to ComReg Decision D16/18 ("D16/18"),⁴ ComReg decided that Porting Access B.V. ("PortingXS") would manage and maintain the NDD. This decision will expire on 30 June 2024, in line with ComReg Decision D06/22⁵ ("D06/22").
5. ComReg is now considering its options in respect of the management and maintenance of the NDD after the 30 June 2024. The continuing need for an NDD manager and the appointment of any NDD manager is subject to a consultation process. As part of this consultation process, ComReg will take into account any expressions of interest it receives. Where a person expresses an interest, the information requested to be submitted as part of such an expression of interest is set out below.

¹ Implementing Article 112 of the Code (Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (Recast)), S.I. No. 444 of 2022.

²The European Communities (Electronic Communications Networks and Services) (Privacy and Electronic Communications) Regulations 2011. S.I. No. 336 of 2011.

³ The e-Privacy Regulations provide that subscribers of publicly available telephone services have certain rights in relation to the potential inclusion of their personal data in a Directory and/or Directory Enquiry Service. The e-Privacy Regulations prohibit unsolicited communications (including telephone calls or calls by automated calling machines or facsimile machines) for the purpose of direct marketing ("Direct Marketing Communications") to subscribers who do not consent to receiving such communications.

⁴ ComReg Decision D16/18 and ComReg document 18/108 [Management and Maintenance of the National Directory Database | Commission for Communications Regulation \(comreg.ie\)](#)

⁵ ComReg Decision D06/22 and ComReg document 22/54 [National Directory Database \(NDD\) Management and maintenance of the NDD Response to Consultation and Decision | Commission for Communications Regulation \(comreg.ie\)](#)

6. The purpose of this Information Notice is to extend an invitation to all persons who are interested in managing and maintaining the NDD to express their interest in doing so by **5:00pm on Thursday 7 March 2024**.

Background to ComReg Decision D16/18

7. The NDD must be managed and maintained in accordance with law and in particular, in accordance with the relevant provisions of the ECC Regulations and the e-Privacy Regulations.
8. In accordance with D16/18,⁶ the NDD is managed and maintained in accordance with:
 - The Operational Specification agreed with ComReg.⁷ This document specifies the process and all technical requirements necessary for managing and maintaining the NDD.⁸
 - Agreed terms of access to the NDD, as approved by ComReg.⁹
 - Established agreements with ECS providers (number based interpersonal communication service providers) that provide data to the NDD to give effect to Regulation 95 of the ECC Regulations.
 - Established licence agreements with Directory Data Users (“DDU”) (who can be directory service providers, directory enquiry service providers or direct marketers).
 - Back-up and security arrangements for the contents of the NDD (the data contained on the NDD is put in escrow) to ensure the security, integrity and continuity of the NDD.
 - A Joint Controllership Arrangement with ComReg for managing and maintaining the NDD in respect of data protection and associated matters.
9. The Terms of Access and all relevant information on how to access any information on the NDD are published currently on the PortingXS website [NDD - PXS](#). The Operational Specification and Licence Agreements are available to inform parties that interact with the NDD including ComReg, ECS providers, directory information services providers (directory service providers and directory enquiry service providers) or direct marketers.

⁶ Pursuant to ComReg decision D16/18 and Clause 3 of the decision instrument.

⁷ Available on the PortingXS website [NDD - PXS](#) PortingXS – National Directory Database.

⁸ And details of the current PortingXS’ National Directory Database Service, notably, the terms of formats, functionality, interfaces, connections and its services.

⁹ Pursuant to Regulation 95 of the ECC Regulations, the Terms of Access to the NDD shall be fair, objective, cost orientated and non-discriminatory and in accordance with the laws of Ireland and subject to the Courts of Ireland.

10. It is anticipated that similar requirements (as outlined in paragraph 8 above) will need to form part of any new decision in relation to an NDD manager from 1 July 2024.

Information Requested

11. In order for ComReg to conduct an assessment of any expression of interest, such expression should be accompanied by the following minimum information (i) – (vi):
 - i. An outline of the persons expertise in order to manage and maintain the NDD, including:
 - Current and future technical competence and expertise in managing and maintaining the NDD.
 - ii. An overview of how the technical requirements of the NDD would be fulfilled, including:
 - A full description of how the functionality of the NDD central database will be managed and maintained.
 - Details of the infrastructure, systems, processes and security to be used to manage and maintain the NDD.
 - An overview of how a guaranteed level of service will be maintained, in terms of the technical interface with ECS providers, service to licensees and any relevant quality measures.
 - An overview of any future system requirements, technical interface and process for ECS providers providing updates to the NDD.
 - iii. An overview of how the back-up and security requirements of the NDD would be fulfilled, including:
 - Details of any back-up and security arrangements to ensure security, integrity and continuity of the NDD, for example, an escrow arrangement.
 - iv. An overview of costings and revenues involved with the management and maintenance of the NDD, including:
 - Details of the proposed investment to be undertaken in order to implement the management and maintenance of the NDD and associated source of funds.
 - Details of indicative costs - operation or other costs associated with management and maintenance of each element of the NDD concerned; this should also include an annual breakdown of any projected costings for a minimum of three years and up to five years commencing 1 July 2024.

- Details of indicative revenues, including an annual breakdown of any projected revenues for a minimum of three years and up to five years commencing 1 July 2024.
- v. Details of any proposed arrangements to give effect to the requirements of Regulation 95 of the ECC Regulations and for the purpose of providing reasonable access to the NDD, including:
- Agreements with relevant ECS providers.
 - Agreements, contract terms, term and conditions of access including pricing to provide reasonable access to information on the NDD, to potential licensees i.e. directory service providers, directory enquiry service providers or direct marketers.
- vi. In addition, please also include:
- Details of any proposed transition plan to migrate all parties with a minimal impact from the current manager of the NDD onto a different solution.
 - A letter from the CEO confirming the undertakings legitimate interest in managing and maintaining the NDD and confirming agreement that the accompanying information, which is requested to be submitted, (i-vi above), has been prepared by appropriate members of staff, is fully accurate, up-to-date, and comprehensive.
12. Should ComReg proceed to appoint an NDD manager, it should be noted that a Joint Controllership Agreement with ComReg will be required to enter into.

Next Steps

13. Expressions of interest should be sent by email to retailconsult@comreg.ie with the subject title “Expression of Interest in Managing and Maintaining the NDD” by **5:00pm on Thursday 7 March 2024**.
14. ComReg will need to assess the proposal of any undertaking who expresses an interest in managing and maintaining the NDD. Therefore, following receipt of any such expressions of interest ComReg may further request information in relation to any expressions of interest received.
15. ComReg will evaluate the information received from interested persons, where applicable, and consider same in the context of proceeding to consult on the management and maintenance of the NDD.