



An Coimisiún um
Rialáil Cumarsáide
Commission for
Communications Regulation

Nuisance Communications – Launch of ‘Do Not Originate’ Protocol

Information Notice

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Commission for Communications Regulation

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1 Introduction

1.1 Background

- 1.1 Telephone communications are essential to our everyday lives, from calling our family and friends, to calling organisations for services and products.
- 1.2 In recent years there had been a marked increase in nuisance communications experienced by consumers on telephones. For example, FraudSMART¹ in its October 2021 monitoring report² observes that 72% of those surveyed stated that fraudsters have contacted them over the phone and 32% said they had been contacted via text message.
- 1.3 Consumers are being defrauded of money, as well as being inconvenienced, confused, and threatened by nuisance communications. Consumers are also being manipulated into providing sensitive personal information, such as Personal Public Service numbers and banking information.
- 1.4 To promptly confront this scourge, ComReg established the Nuisance Communications Industry Taskforce (“NCIT”) earlier this year, comprising fixed and mobile network operators whose networks collectively carry more than 90% of fixed voice traffic and 100% of mobile voice traffic in Ireland. The focus for ComReg and the NCIT is to restore trust in our telecommunications services by putting in place interventions to reduce the prevalence of the damaging effects of nuisance communications and their impact on Irish consumers and society.
- 1.5 The NCIT has agreed a workplan to implement a range of interventions, which are designed to reduce the impact of nuisance communications on Irish consumers. In September 2022, ComReg published an Information Notice (ComReg 22/77³), which provides an update on the work of the NCIT.
- 1.6 Given the extent of the fraud and the damaging effect it is having on trust in Irish telecommunications services, NCIT members should now be fully focused on speedy implementation and accelerated deployment of these interventions. ComReg

¹ FraudSMART is a fraud awareness initiative developed by Banking & Payments Federation Ireland (“BPF”) in conjunction with the following member banks, Allied Irish Bank plc, Bank of Ireland, Barclays Bank Ireland, KBC Bank Ireland, PermanentTSB and Ulster Bank.

Launched in October 2017, the campaign aims to raise consumer and business awareness of the latest financial fraud activity and trends and provide simple and impartial advice on how best they can protect themselves and their resources.

² [FraudSMART-Monitor-Oct21.pdf](#)

³ ComReg 22/77: Nuisance Communications - Update on the Nuisance Communications Industry Taskforce see <https://www.comreg.ie/publication/nuisance-communications-update-on-the-nuisance-communications-industry-taskforce>

understands that most are committed to the deployment of applicable interventions.

- 1.7 It will come as no surprise that consumers are increasingly not answering calls as they are unsure of their legitimacy. In many respects, this is an existential threat for the telecoms industry as no calls means no business. Consumers who answer scam calls can be deceived into divulging personal or financial information. Trust is at issue here and scam calls are steadily eroding consumer trust in their telecoms service providers.
- 1.8 Mistrust in phone numbers is clearly a very serious problem and it is imperative that it is addressed speedily, to help restore confidence in our telecommunications services, to protect consumers and organisations, combat criminal activity, and to ensure that genuine calls are not missed. This is a significant problem for commercial and social activity and can mean lost business and reputational damage for organisations inadvertently associated with scam calls, if for example their phone number is improperly used to deceive and defraud consumers.
- 1.9 Consumers are targeted in numerous ways, be that by phone call or text message. Resolving the nuisance communications problem requires a multi-pronged approach - there is no single solution.

2 Do Not Originate Protocol

2.1 The Do Not Originate List (“DNO List”)

- 2.1 One simple and swift measure to protect consumers is for telecoms operators to block phone calls that are known to be fake.
- 2.2 Many organisations have phone numbers that are never used for making calls. These are typically phone numbers that consumers call for information (e.g., a call centre) or to report an issue (e.g., credit card problem). These are “inbound-only” phone numbers as they are only intended for inbound calls to an organisation (see Figure 1). The numbers are never used for making calls to consumers or end users.

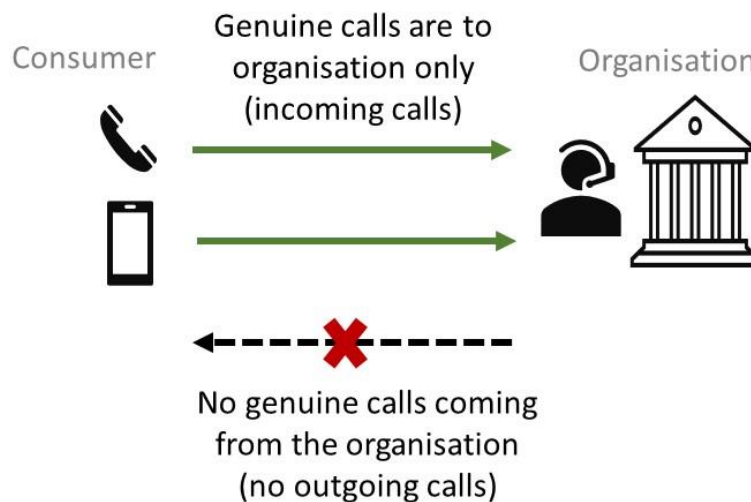


Figure 1: Organisation using a telephone number for incoming-only calls

- 2.3 Fraudsters sometimes make calls that look like they originate from these numbers to deceive consumers into answering the calls, this is known as “spoofing”. Consumers may recognise the number as one associated with a trusted source and may answer it, sometimes resulting in financial loss.
- 2.4 Compiling a list of these numbers and requesting telecoms operators to block calls that pretend to originate from them will mitigate the problem. The list is called the “Do Not Originate” or “DNO” List, which comprises a list of phone numbers that never make outbound calls.
- 2.5 Calls presenting as originating from numbers on the DNO List are fake and should be blocked by telecoms operators so that they never reach the consumer. By introducing and implementing the DNO List on their networks, telecoms operators will block any scam calls on these numbers. Such calls will therefore not be routed to consumers, protecting them from attempted fraud.
- 2.6 In the following section ComReg outlines the benefits of the DNO List to consumers and organisations.

2.2 Rationale for the Do Not Originate List

To protect consumers

- 2.7 Callers may recognise certain numbers due to their prevalence as contact numbers in advertisements, on websites and flyers etc., and thus may be inclined to answer calls displaying these numbers because they seemingly come from a trusted source.

Unfortunately, callers may be misled and/or scammed as a result. This erodes consumer trust in phone numbers and makes them reluctant to answer genuine calls in the future.

To protect organisations

- 2.8 Organisations need to protect their reputations and brands. Nuisance calls can mislead, frustrate, confuse, and even deceive consumers into divulging personal or financial information, leading to theft in many cases. If consumers associate nuisance calls with specific organisations or brands, this will result in reputational damage – and consumers may be less inclined to trust them in the future. Rebuilding trust takes time, money, and effort.
- 2.9 In the following section, ComReg provides a summary of the DNO trial conducted recently with industry, to validate the benefits to consumers and organisations of implementing DNO on Irish fixed and mobile networks.

2.3 DNO Trial

- 2.10 In September 2022 ComReg and industry conducted a DNO trial. Five telecoms operators (both fixed and mobile) took part and 17 numbers, which were supplied by participating organisations, were included on the trial DNO List. Large quantities of calls purporting to originate from those numbers were blocked by the trial operators.
- 2.11 The results were immediate and effective. ComReg collected data from the trial operators which showed that all calls presenting as originating from these numbers were blocked on the trial networks, meaning that no calls got through.
- 2.12 The DNO trial proved that the implementation of a DNO List works to eliminate scam calls on the listed numbers. This protects consumers from scam calls and the negative consequences of such calls (e.g., divulging personal information, financial impact).
- 2.13 ComReg now considers it appropriate to roll out the DNO List on a wider basis. This means that
- All operators will be requested to implement blocking of the DNO List numbers on their networks.
 - Other organisations wishing to include numbers on the DNO List will be able to do so by following a simple application process (see Section 3.2).
- 2.14 The following section describes implementing a DNO List and related Frequently Asked Questions (FAQs).

3 Implementing the Do Not Originate List

- 3.1 The NCIT agreed that call blocking based on a DNO List should be implemented as soon as possible, as an initial intervention to deal with nuisance calls.
- 3.2 ComReg, working with other members of the NCIT, has specified and agreed the processes that it will use for collating and distributing a DNO List to operators.
- 3.3 ComReg will compile a list of such numbers (the DNO List) on an ongoing basis and distribute it monthly to operators, who in turn will implement call blocking.
- 3.4 The approach is modelled on the DNO process successfully implemented by Ofcom⁴ in the UK and other regulatory authorities, including those in Belgium, Australia, and the US.
- 3.5 The introduction of the DNO measure is in line with ComReg's obligations under the Communications Regulation Act 2002, as amended⁵.
- 3.6 For more information on the DNO process, please refer to ComReg 22/86a "Guidance Note for organisations and Application Form".

3.2 Who can apply to add numbers to the DNO List?

- 3.7 It is important to understand the types of organisations that should include numbers on the DNO List. Only certain phone numbers are appropriate for inclusion.
- 3.8 Organisations need to carefully consider if any of their phone numbers should be included on the DNO List. Note that adding a number to the DNO List will not affect customers calling the number.
- 3.9 To assess if a phone number(s) is appropriate for inclusion on the DNO List, the following types of numbers are most suitable:
 - Inbound-only phone numbers that are used as contact numbers for consumers and/or end users and for which there is a high potential for consumer harm through the improper use of the numbers e.g., bank helplines.

⁴Ofcom is the UK regulator for communications services, see <https://www.ofcom.org.uk/home>

⁵ Please refer to Annex 1 for further details.

- Inbound-only phone numbers that are widely advertised or visible on many assets e.g., vehicles and signage.
- Inbound-only phone numbers that have a high level of consumer recognition attached to them.
- Inbound-only phone numbers that experience a high volume of calls from consumers and/or end users.

3.10 Organisations should not apply to add numbers to the DNO List if:

- Contact phone numbers are used for incoming and outgoing calls. This is very important as numbers that are included on the DNO List will be blocked. If a number is included on the DNO List and an attempt is made to make outgoing calls from the number, those calls will be blocked.
- The phone numbers have a low probability of being spoofed (e.g, internal business numbers.)

3.11 Residential telephone numbers will not be included on the DNO List.

3.3 How do organisations add or remove numbers from the DNO List?

3.12 Organisations that wish to add numbers to or remove numbers from the DNO List must apply to ComReg. The application process is set out in ComReg 22/86a .

3.4 When do organisations apply to the DNO List?

3.13 Organisations may apply to have numbers included on the DNO List at any time.

3.14 By applying for inclusion on the DNO List early, scam calls on the numbers will be blocked sooner.

3.5 Which organisations will have numbers included on the DNO List?

3.15 Organisations should carefully consider the criteria for inclusion on the DNO List before applying to add a number or numbers to the DNO List (see Section 3.2).

- 3.16 ComReg expects that the DNO List will be mainly comprised of inbound-only phone numbers of large organisations that are widely advertised and experience large call volumes. However, there may be other scenarios that could necessitate a number being added to the DNO e.g., based on the nature of the service offered by the organisation in question.
- 3.17 Please note that due to technical constraints some telecoms operators may initially face capacity constraints in implementing the DNO List in full. While ComReg expects the telecoms operators to address any such constraints over time, it may be necessary in the short term to restrict the DNO List. While this is not expected at the moment, ComReg may restrict requests to add numbers to the DNO List based on important criteria such as the scale and number of calls being answered monthly.

3.6 Who will compile and maintain the DNO List?

- 3.18 ComReg is the point of contact for the DNO List and will:
- Compile and maintain the DNO List.
 - Circulate the DNO List to authorised telecoms operators.
 - Circulate regular updates of the DNO List to telecoms operators (as new numbers are added or removed).

3.7 DNO List Fees

- 3.19 There are currently no fees for applying to add numbers to or remove numbers from the DNO List.

3.8 What will operators do with the DNO List?

- 3.20 Telecoms operators will block calls that have Calling Line Identifiers (CLIs) that match phone numbers on the DNO List. Call blocking will occur regardless of whether the calls are coming from within Ireland or elsewhere.
- 3.21 ComReg expects telecoms operators to implement blocking of numbers on the DNO List within two working days of receiving the DNO List.
- 3.22 Telecoms operators should immediately report to ComReg if any issues arise as a consequence of implementing blocking of numbers on the DNO List on their

networks.

3.9 Limitations of the DNO List

- 3.23 The DNO List is expected to be an effective tool in combating nuisance calls on spoofed numbers.
- 3.24 However, organisations should note that adding a number to the DNO List does not guarantee that all calls purporting to be from that number will necessarily be blocked e.g., if the DNO List is not implemented by all operators. In other cases, technical constraints may mean that a small number of calls are still routed.
- 3.25 Despite this, it is anticipated that implementing the DNO List should, by and large, reduce the number of nuisance calls purporting to be from the numbers on the DNO List.

3.10 Next Steps

- 3.26 ComReg urges all telecoms operators to implement the DNO List quickly, as a first step in eliminating nuisance communications on telephone numbers.
- 3.27 Organisations that have been affected by nuisance communications in the past may be keen to add their inbound-only numbers to the DNO List.
- 3.28 For queries in relation to this document or on the DNO List, please email dno@comreg.ie.

Annex 1

Legal Background

1. Key relevant ComReg legal powers in relation to the Do Not Originate List include the following:
 - ComReg’s statutory function under section 10(1)(b) of the Communications Regulation Act 2002⁶, as amended, to manage the national numbering resource (the maintenance of trust in the national numbering resource is a key potential rationale for use of this power); and
 - ComReg’s statutory objective under section 12(1)(a) of that Act to ensure the efficient management and use of numbers from the national numbering scheme in the State.
2. The following legal powers of ComReg may also be of relevance:
 - ComReg’s power under Regulation 15(1) of the Authorisation Regulations 2011⁷ – under this power, ComReg may amend the rights, conditions and procedures rights of use for numbers provided that any such amendment may only be made in objectively justified cases and in a proportionate manner; and
 - ComReg’s power under Regulation 24(1) of the Framework Regulations⁸ to issue directions to an undertaking for the purpose of ensuring compliance with the security obligations in Regulation 23(1) and (2) of the Framework Regulations.
3. In terms of the European Electronic Communications Code⁹, Articles 40 (“Security of networks and services”); 41 (“Implementation and Enforcement”); 93 (“Numbering Resources”) and 94 (“Procedure for granting of rights of use for numbering resources”) are likely to be of potential relevance.
4. Relevant provisions of the Communications Regulation Bill 2022¹⁰, which amongst other things transposes certain provisions of the European Electronic Communications Code, include provisions set out in Part 2: Security of networks and services.

⁶ Revised consolidated Law Reform Commission version is here- [Revised Acts \(lawreform.ie\)](#)

⁷ [S.I. No. 335/2011 - European Communities \(Electronic Communications Networks and Services\) \(Authorisation\) Regulations 2011. \(irishstatutebook.ie\)](#)

⁸ [S.I. No. 333/2011 - European Communities \(Electronic Communications Networks and Services\) \(Framework\) Regulations 2011. \(irishstatutebook.ie\)](#)

⁹ Directive (EU) 2018/1972, see here- [Directive \(EU\) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code \(Recast\)Text with EEA relevance. \(europa.eu\)](#)

¹⁰ [b8622d.pdf \(oireachtas.ie\)](#)

5. Relevant provisions of S.I. No. 444 of 2022¹¹, the European Union (Electronic Communications Code) Regulations 2022, which transposes most provisions of the European Electronic Communications Code in the State, but which has yet to be commenced, include: Regulation 79 (“Numbering Resources”); Regulation 80 (“Procedure for granting rights of use for numbering resources”) and Regulation 83 (“Access to numbers and services”).

¹¹ [pdf \(irishstatutebook.ie\)](https://www.irishstatutebook.ie/eli/2022/si/444/2022-01-01)