

No. R. 964

30 September 2005

I, Dr, Ivy Matsepe-Casaburri, Minister of Communications in terms of section 96 of the Telecommunications Act, of 1996 (Act No. 103 of 1996), hereby give notice that I have approved the regulations in the schedule, made by the Independent Communications Authority of South Africa under section 96 of the said Act.

SCHEDULE

FUNCTIONAL SPECIFICATION FOR MOBILE NUMBER PORTABILITY UNDER THE NUMBER PORTABILITY REGULATIONS

General

- 1 (1) Where this functional specification places a requirement on the donor side, the donor operator shall ensure that the donor service provider fulfils that part of the requirement that is relevant to them. Where this functional specification places a requirement on the recipient side, the recipient operator shall ensure that the recipient service provider fulfils that part of the requirement that is relevant to them. In some circumstances, for a given porting, the same entity may be a donor service provider in relation to one operator and a recipient service provider in relation to another operator and therefore these terms should be interpreted in terms of function rather than identity.

Definitions

- 2 The definitions contained in the number portability regulations apply.
 - (1) “**CLI**” means caller line identity
 - (2) ‘**donor side**’ means the donor operator or the donor service provider.
 - (3) “**MSISDN**” means the mobile station international integrated services digital network (ISDN) number
 - (4) ‘**recipient side**’ means the recipient operator or the recipient service provider.

Scope

- 3 (1) This functional specification applies to the portability of subscriber numbers in all the number ranges that have been or will be allocated for use by mobile network operators and their service providers and includes the following mobile number ranges-

072,073,076,082,083, and 084.
- (2) Numbers within the referred to in sub-regulation (1) ranges that are used for-
 - (a) on-net short codes,

- (b) community service telephone,
 - (c) voicemail message retrieval by the subscriber to whom the message is sent, or
 - (d) that are not reachable from outside the network that serves the numbers are excluded from the scope of number portability. For an exclusion of any other range not listed in sub item (a) prior approval has to be obtained in writing from the Authority.
- (3) Numbers used for information and other similar services and short numbers are included if these numbers can be reached from outside the network.
- (4) This functional specification applies to:
- (a) Mobile network operators in accordance with the number portability regulations;
 - (b) Other network operators, other than those referred in paragraph (a) who route calls to portable mobile numbers in accordance with the number portability regulations, and
 - (c) Service providers who are placed under obligations through contracts with mobile network operators in accordance with the number portability regulations and sub regulation (3) above.

Requirements on the porting procedure

- 4 (1) The procedure for number portability shall provide for requests for number portability from the subscriber to be handled by the recipient side.
- (2) Network operators shall-
- (a) agree on the times for supporting number portability procedures and shall include at least 09H00-17H00 Monday to Friday and 09H00-13H00 on Saturdays, excluding public holidays; and
 - (b) ensure that service providers support the number portability procedures during the times referred in paragraph (a).
- (3) In this regulation all references to "hours" refer to hours within the period agreed between the operators for supporting number portability in accordance with sub regulation (2).
- (4) When the recipient side receives a request for number portability, it shall advise the subscriber to retrieve any message or any other information stored by the donor side that could be lost when the account is closed.

- (5) Recipient shall advise subscriber that credit and unused usage allowances are not portable from one account to another and that third party services used by the subscriber that work only on the donor network will not work on the recipient network.
- (6) Requests for the porting of a mobile number passing between a recipient side and a donor side shall not include the name or address of the subscriber: Provided that in the case post-pay subscribers, the requests may include subscriber's account number with the donor service provider.
- (7) A recipient side shall validate a porting request.
- (8) In the case of pre-pay mobile numbers, the only validation of the subscriber's right to the number shall be a CLI check of possession of the number: Provided that other checks may apply for the opening of the new account.
- (9) A donor side may reject a request to port only on the following grounds:
 - (a) the MSISDN number is not a valid number on the donor operator's network,
 - (b) the MSISDN number is excluded from number portability under sub-regulation 2 (2),
 - (c) the account number in the request is not the account number used by the donor side for the MSISDN for which porting is requested (post-pay only);
 - (d) the classification of the account does not match, example a request is made under the pre-pay procedure for a post-pay account;
 - (e) the subscriber is already subject to suspension of outgoing or incoming calls because of failure to pay a bill;
 - (f) the number is already subject to a porting process
 - (g) the number has already been ported in the last two months;
 - (h) any other reason agreed to by the Authority and notified to the operators in writing.
- (10) At the time when a donor side rejects a request, it shall report the reason for rejection to the recipient side.
- (11) A donor side shall not reject a request to port a mobile number under a post pay account on the grounds that the subscriber still owes money, nor may they delay the porting until the debt is collected,

- unless the subscriber is already subject to suspension of outgoing or incoming calls because of failure to pay a bill.
- (12) A donor side shall not reject a request to port a mobile number on a pre-pay or post-pay account because the subscriber's terminal is locked to the operator's network.
 - (13) The arrangements for removing locks referred to in sub regulation (12) shall be independent of the implementation of number portability.
 - (14) The procedure for number portability shall result in the ported number being activated on the network of a recipient operator before the number is de-activated on the network of the donor operator.
 - (15) A recipient side may make temporary use of numbers for subscribers who are awaiting number portability.
 - (16) The donor side shall respond to requests from a recipient side, and effect any actions requested, as soon as possible and within one hour where the responses or actions are required as soon as possible.
 - (17) Where a recipient side requests a donor side to deactivate an account and apply rerouting at a specific time, the donor side shall effect these actions as close as possible to the time requested and not earlier than the time requested and no later than one hour after the time requested.
 - (18) Where network operators synchronise changes to their networks, the changes shall be made at a time of low network traffic to be agreed between the operators and specified in the ordering system specification and shall be completed within one hour.

Quality requirements

- 5(1) The arrangements for number portability may not result in an increase in the call set up time for a call to a ported number of more than two seconds compared to the call set up time for a call to the same subscriber on the same network if they were using a non-ported number.
- (2) The arrangements for number portability may not result in an increase in the one-way transmission time for a call to a ported number of more than 20 milliseconds compared to the one-way transmission time for a call to the same subscriber on the same network if they were using a non-ported number.
- (3) Every mobile network operator or its nominated agent shall report to the Authority at six month intervals for the first two years of operation and thereafter annually the following statistics:
 - (a) The number of requests received as recipient for the porting of individual numbers, with the figures shown separately for prepay and post-pay (recipient operator reports);

- (b) The number of requests made by the recipient side that have been rejected by the donor side for the porting of individual numbers, with the figures shown separately for prepay and post-pay (recipient operator reports, separate figures for each donor operator);
- (c) Reasons for the donor side to reject requests for portings (donor operator reports);
- (d) The number of portings where responses were not received or actions were not effected within the time limits specified in this functional specification;
- (e) Recipient operator reports separate figures for each donor operator;
- (f) The number of ported numbers that have been returned to the block operator under sub regulation 6 (5) below; and
- (g) Recipient operator reports separate figures for each block operator

Other requirements

- 6(1) Where a number that is subject to number portability is used for more than one service, for example for both voice calls and **SMS**, a subscriber may not take one service from one service provider or network operator and another service with the same number from another service provider or network operator.
- (2) Neither a donor service provider nor a donor operator is required to disclose a subscriber's service profile to the recipient service provider or the recipient operator.
- (3) When an operator who is handling a call determines that the called number is ported and determines the identity of the operator currently serving that called ported number, the operator shall add a prefix to the called number that identifies the current recipient operator.
- (4) Where the retail or interconnection charges for calling a number change as a result of the number being ported, the operators affected are not required to apply the new charges until midnight at the end of the first whole working day after the recipient operator adds the number to the list of ported numbers that it serves and makes the updated list available to other operators: Provided that the Authority may vary this requirement as necessary and may introduce a requirement for all operators to synchronise changes to billing and charging if it considers it necessary.
- (5) Every recipient operator shall provide test numbers that enable users who have ported their numbers-

- (a) to check that their CLI is being sent correctly; and
 - (b) to request an incoming test call to be made within the next five minutes and routed via the Telkom network to check that incoming calls are being routed correctly
- (6) These test services contemplated in sub-regulation (5) shall be available at no more than a cost based charge to the users who have ported their numbers and the operators concerned may levy interconnection charges on a cost basis for them. Provided that the provision of the test numbers shall be dimensioned to a 2% grade of service.
- (7) Where service is ceased on a ported number without the number being ported again, the operator who was serving that number shall inform other operators and remove that number from the list of ported numbers that it serves when it next updates that list.
- (8) The operator who was serving the number shall not re-use that number for another subscriber.
- (9) The number contemplated in sub-regulation (7) shall return to the block operator concerned to whom it was originally allocated and the block operator shall quarantine the number for at least three months.
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