



MALTA COMMUNICATIONS AUTHORITY

# Fixed and DDI Number Portability Ordering Process Specification

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# 1 SCOPE

The obligation to support number portability for fixed and Direct Dial-In (DDI) numbers is specified in the MCA Decision Notice *Number Portability in Malta* under Decision 1/2022. Unless otherwise stated, references to decisions in this document, in the format *Decision X/2022*, refer to decisions in the aforementioned Decision Notice.

This document specifies those aspects of the fixed and DDI number portability ordering process that either:

- Involve exchanges between the operators; or
- Involve actions by one operator that affect other operators or the subscriber.

However, this document does not specify all the details of the internal procedures and processing that each operator must undertake to support the required functionality<sup>1</sup>.

The procedures in this document apply to porting of numbers in the fixed domain, irrespective of the type of access (e.g. copper, fibre, cable, radio) used to deliver the service, and include procedures to port:

- a. Fixed Numbers; and
- b. DDI numbers.

In cases where the access connection to the subscriber is not provided by the recipient operator such as when the access connection is transferred under virtual unbundled local access (VULA) or local loop unbundling (LLU) and the subscriber is at the same time porting his/her number, some integration of the process adopted for VULA or LLU and the number portability process is required.

The original document had been written on the basis that the operator is both service provider and network operator. Section 19 of this document provides guidance on how to apply this Specification where the service provider and network operator are distinct entities and in cases where VULA or Wholesale Line Rental (WLR) is used on the donor operator's network.

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<sup>1</sup> Some parts of this Specification are written at a functional level, for example the actions to be undertaken by one operator and trusted by the other operator, whilst others such as the exchange of messages are written at a detailed technical level to ensure compatibility between the operators.

## 2 DEFINITIONS

**‘Block Operator’** means the operator to whom the Authority allocated the number block containing the number that is being ported.

**‘Consumer’** means any natural person who uses or requests a publicly available electronic communications service, for purposes which are outside his trade, business, craft or profession, as defined in article 2 of the Electronic Communications (Regulation) Act (CAP. 399).

**‘DDI number’** means a single number having the form of “abcdxxxx”, “abcdexxx” or “abcdefxx” (known as 4+4, 5+3 and 6+2 DDI respectively) where the digits x are not used for routing in the public network. To avoid any doubts a DDI number is allocated to a single customer but represents a block of 10,000, 1,000 or 100 numbers.

**‘Donor operator’** means the operator that provides service to a subscriber number before porting and includes any agents or other persons however so described acting for this operator.<sup>2</sup>

**‘Recipient operator’** means the operator that provides service to a subscriber number after porting and includes any sales agents or other persons however so described acting for this operator.

**‘Subscriber’** means the legal holder of the active account who is not necessarily the user of the fixed or DDI service<sup>3</sup>.

**‘Working day’** means from 09:00 – 18:00 hours from Monday to Friday and 09:00 – 13:00 hours on Saturday but excluding public holidays.

*Note (1): Where the term ‘subscriber’ is used in terms of the ‘subscriber number’ (i.e. the number to be ported), it shall be understood to also include the number in a porting request submitted by an applicant, i.e. a person without an active subscription.*

*Note (2): Where the term ‘person’ is used, it applies to both natural and legal persons, unless otherwise specified.*

## 3 ABBREVIATIONS

BRA	Basic Rate Access of ISDN
CPE	Customer Premises Equipment
DDI	Direct Dial-In
ECN/S	Electronic Communications Networks and/or Services
FNP	Fixed and DDI Number Portability
ID	Identification Document (which may be Maltese identity card or driving licence, or a passport for foreign nationals)
ISDN	Integrated Services Digital Network
LLU	Local Loop Unbundling
ONT	Optical Network Terminal
PABX	Private Automatic Branch Exchange
PRA	Primary Rate Access of ISDN
SIP	Session Initiation Protocol
VULA	Virtual Unbundled Local Access
WLR	Wholesale Line Rental

<sup>2</sup> In case of a WLR subscriber requesting to port, the WLR operator is considered as the donor operator.

<sup>3</sup> Where there is a difference between the subscriber and the user, the rights to number portability apply to the subscriber rather than the user.

## 4 OVERVIEW

When requesting number portability, the subscriber would:

- open an account with the new (recipient) operator with a new subscription but using an existing number that he/she is already using with the old (donor) operator;
- request the new operator to close his/her account with the old operator on his/her behalf; and
- request all the operators to change their routing arrangements so that calls will be routed to the new operator.

The solution should therefore ensure that incoming calls to the subscriber's number are handled in such a way that the subscriber does not lose incoming call traffic.

Subscribers may use number portability when they change address and take a new account with a new operator at a new location. There is no requirement to use the new number at the same location as it was used before it was ported.

The design of the porting process is asynchronous and sequential; a sequence of actions are specified with each action starting only after completion of the previous action<sup>4</sup>.

The design minimises the state information that needs to be held by the donor operator and therefore minimises the problems of re-establishing the process after any unforeseen disruption.

Due to the different technical requirements applicable in the processes for the porting of DDI and individual numbers using ISDN PRA technology (or its SIP equivalent) and porting using LLU, they are being treated separately from those processes which are applicable to conventional individual numbers. To this effect those processes explicitly addressing ISDN PRA numbers (or its SIP equivalent) and porting using LLU, which represent the utmost minority of portings, are being denoted in this document in *italics* to facilitate comprehension.<sup>5</sup>

Given the introduction of the right to request porting within one (1) month from termination of the contract or other similar arrangement (as per Decision 8/2022), requests for porting may also be received from persons whose subscription is no longer active, (hereafter referred to as 'applicants'). In such cases, there are minor changes in the porting process to ensure that the applicant is eligible to avail of the right to request such porting in the first place. Thus, in such cases the first step of the process involves initial screening checks on the applicant's eligibility to request porting after termination of a contract (or other similar arrangement). Once the applicant's eligibility to avail of this right is confirmed, the applicant's request should be treated in line with all applicable norms and procedures when porting subscriber numbers.

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<sup>4</sup> Except when the donor operator informs the network access operator during the Instruction Phase in the case of a porting WLR subscriber.

<sup>5</sup> For new access seekers intending to use VULA, the current flows established by the MCA for VULA Number Portability would be communicated to such access seeker and discussed accordingly.

## 5 SUBSCRIBER HANDLING

The recipient operator shall provide a one-stop shop for number portability, which enables subscribers to order their new account and to apply for number portability at the same time from the recipient operator. The procedure enables subscribers to appoint the recipient operator as their mandatory (legally authorised agent) to close their account with the donor operator and to port the number.

The recipient operator must explain to subscribers requesting porting that:

- (i) they should not attempt to terminate the contract or other similar arrangement with the donor operator because this will be done automatically for them upon successful porting; and
- (ii) such automatic termination can have implications on any other services, such as in a bundled offer, that they may have with the donor operator. However, the recipient operator is not expected to inform these subscribers, on a case-by-case basis, of the nature and extent of such implications.

The recipient operator shall also inform subscribers that the donor operator will charge them a penalty for early termination, if applicable, as detailed further in Section 9.2 of this document.

Upon successful porting, in accordance with Decision 15/2022, the recipient operator is to inform subscribers through a durable medium<sup>6</sup> (e.g. email, SMS on a mobile number associated with the subscriber, letter) of the right granted to eligible consumers to request the donor operator to issue a refund for any remaining monetary credit. Subscribers are to be directed to the donor operator for further details on credit refunds, however they should be informed by the recipient operator that the request has to be submitted to the donor operator within two (2) weeks from successful porting. Recipient operators must also include a note on this consumer right in their porting form.

The recipient operator may compensate non-eligible subscribers (e.g. pre-paid or hybrid tariff subscribers who are not considered as consumers) for any loss of unused monetary credit but is not required to do so.

A recipient operator may offer to:

- Port a number onto a new account; or
- Port a number onto an active account thereby replacing an already allocated and activated number with the ported number.

The second option gives subscribers an opportunity to try out a new account before altering their existing established subscription with another operator.

When a number is ported onto an active account the number that is replaced shall be released and returned to the pool of numbers which, after an appropriate quarantine period<sup>7</sup>, may be re-used for other subscribers.

In the case of accounts with multiple numbers, a subset of the numbers may be ported with the others remaining with the existing operator.

The porting procedure does not include functions that would require the donor operator to send a technician to the subscriber's premises.

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<sup>6</sup> All references to the term 'durable medium' in this document are in accordance with the definition included in regulation 2 of SL 399.48.

<sup>7</sup> As stipulated in the National Numbering Conventions.

If a subscriber wishes to arrange for porting to take place at a specific date and time in the future, the recipient operator is to lead the porting process, and cooperate with the donor operator as necessary, to fulfil this request in a manner that is consistent with the timeframes and parameters established in Section 11 of this document.

As designed, failure of the porting process should be a rare occurrence. However, in line with Decision 13/2022, it should be noted that whenever there is a failure in the porting process which may result in some loss of service, the recipient operator shall inform the donor operator with immediate effect. The donor operator shall in turn proceed, as soon as possible, and in any case not later than one (1) working day, to reactivate the subscriber's number and related services under the same terms and conditions previously offered until porting is successfully concluded and the services are activated by the recipient operator. In any case, where there is a loss of service as a result of a failure in the porting process, this should not exceed one (1) working day.

**Annex 1** contains a standard porting request form to be used by subscribers/applicants when requesting portability. The form includes explicit acceptance by the subscriber/applicant of the warnings and advice outlined above. Any storage and handling of subscribers' personal data should be in conformity with all applicable privacy and data protection norms.

## 6 CONDITIONS TO BE SATISFIED

The following conditions must be satisfied when a subscriber applies for porting:

- a. The subscriber must not have any bills owing to the donor operator relating to the number to be ported that are still unpaid after the due date printed on the bill or statement.
- b. The person who signs the Porting Form requesting number portability for a specific number is the subscriber, or his/her legally authorised representative, who holds the account for the same specific number in the donor operator's network.
- c. The number to be ported must not be associated with a line where 'Carelink' is installed. Where the subscriber has 'Carelink' installed on the number to be ported, the subscriber must first terminate his/her 'Carelink' service from his/her service provider prior to applying for porting.
- d. In the event that the subscriber requesting porting uses customer premises equipment (CPE), (such as an Optical Network Terminal (ONT) and a modem), fibre or extension wiring that is rented from the donor operator itself or the donor operator's access provider, then the subscriber must agree that the donor operator may send technicians to the subscriber's premises in order to recover this property after porting has taken place. In the case of fibre or extension wiring, the employees of the donor operator shall abide by the instructions of the subscriber whenever possible so that they may collect the assets of the donor operator or its access provider with the least inconvenience to the subscriber.
- e. In the case of porting of numbers on an ISDN Access (or its SIP equivalent), the subscriber may either:
  - port all numbers that were associated with the same access; or
  - port a subset of numbers that were associated with the same access, provided the header number is not ported.

In other words it shall not be possible for a subscriber to request porting of a header number unless all the numbers on the same access are also ported. Should the subscriber wish to port a subset of numbers that include the header number, then the subscriber must arrange with the donor operator to change the header number before he/she applies for porting with the recipient operator.

- f. In the case where the number to be ported is associated with a service whose conditions of contract (or other similar arrangement) require a minimum spend within a specified period in lieu of paying periodic rental charges, then the donor operator may refuse porting until the minimum spend has been reached or the shortfall paid. The donor operator shall inform the recipient operator of the policy in this regard so that the recipient operator may inform the subscriber who requests porting accordingly.
- g. With the exception of numbers belonging to the same multi-line account, requests for porting forwarded by the recipient operator to the donor operator must be for porting of an individual number or a DDI number and not a batch of numbers (i.e. Porting Form and supporting documents must be sent by the recipient operator to the donor operator on a per individual or DDI number basis).

It is to be noted that the subscriber's account with the recipient operator may be of a different type to that with the donor operator. For example the account with the recipient operator may be post-paid whereas the account with the donor operator was pre-paid, and vice versa.



A subscriber requesting the porting of numbers pertaining to the same multi-line account shall be able to submit solely one duly filled in and signed porting form for all numbers to be ported (subject that the signatory in question is authorised to request porting for all the numbers in question) rather than a signed porting form for each number. In such cases, the numbers pertaining to the same multi-line account and which are to be ported shall be listed in the porting form<sup>8</sup>.

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<sup>8</sup> The possibility for a subscriber to submit one porting form to request the porting of numbers pertaining to the same multi-line account has been introduced in June 2019.

## 7 RECIPIENT OPERATOR RESPONSIBILITIES UPON RECEIVING A PORTING REQUEST

When the recipient operator receives a request for porting from the subscriber, the recipient operator shall perform the following:

- a. Confirm that the person signing the Porting Form requesting porting is legally authorised to request porting of the number in question. This would require that:
  - in the case of an account held by a natural person, the person who signs the Porting Form must be the same as the subscriber who holds the account associated with the number to be ported;
  - in the case of an account held by a natural person who has given the power of attorney to an authorised representative, then the Porting Form must be signed by the authorised representative and the latter must also show the recipient operator the original or authenticated copy of the letter of authorisation and provide a copy of the letter of authorisation to the recipient operator;
  - in the case of an account held by a company, the person who signs the Porting Form must be the authorised legal representative, as published by the Malta Business Registry, of the company that holds the account associated with the number to be ported; or
  - in the case of an account held by a corporate entity that is not a company (e.g. clubs), then the Porting Form must be signed by an official who has the authority to represent the corporate entity (e.g. President) and the official must also provide written proof that he or she is authorised to sign on behalf of the corporate entity.
- b. Confirm that there is a reasonable match between the subscriber's name and address on the subscriber's ID and the subscriber's name and address on the Porting Form.
- c. Confirm with the subscriber that the number to be ported does not have a Carelink service associated with it.
- d. Inform the subscriber that as soon as porting is completed the donor operator may:
  - Terminate all supplementary services provided by the donor operator including star (or supplementary) services associated with the ported number, if applicable;
  - Terminate any voice mailbox and erase any stored messages on the ported number, if applicable;
  - Remove the details of the ported number in the Directory maintained by the donor operator;
  - Take any necessary action to recover its property or that of its access provider if the subscriber is using CPE or fibre/wiring rented from the donor operator or its access provider in relation to the number to be ported.
- e. Inform the subscriber that in case the retail tariffs of the donor and recipient operators are different, the charges applicable after porting may not become effective until one (1) working day after porting has been completed.

- f. Inform the subscriber that in case the account with the donor operator was of a pre-paid or hybrid nature (with the exception of consumer accounts<sup>9</sup>), then any unused monetary credit will be lost. Moreover, in the case of a pre-paid account whose conditions of contract (or other similar arrangement) require a minimum spend within a specified period in lieu of paying periodic rental charges, then the donor operator may refuse porting until the minimum spend has been reached or the shortfall paid.
- g. Inform the subscriber that the donor operator will charge him/her a penalty for early termination, if applicable, as detailed further in Section 9.2 of this document.
- h. Explain to the subscriber that he/she should not attempt to terminate the contract or other similar arrangement with the donor operator because this will be done automatically for him/her as part of the porting process, and that such automatic termination can have implications on any other services, such as in a bundled offer, that the subscriber may have with the donor operator.
- i. Obtain from the subscriber the following documents:
  - A correctly filled-in and signed Porting Form (template attached at Annex 1). The subscriber may send this Form to the recipient operator via online means (e.g. email), post, fax or another person, provided the Form is signed.
  - A photocopy of the ID of either the subscriber (in case of natural persons), or the person holding the power of attorney (in case of natural persons represented by an authorised representative), or of the legal representative of a company (in case of companies) or of the authorised official (in case of a corporate entity that is not a company).
  - A photocopy of the letter of authorisation given by the subscriber to an authorised representative giving him/her the power of attorney (in the case of an application signed by an authorised representative) or a photocopy of the evidence that the official signing the Porting Form is authorised to do so (in the case of a corporate entity that is not a company), if applicable. The original or authenticated copy of the letter of authorisation or the evidence of authorisation are also to be shown to the recipient operator.
- j. The recipient operator is required to provide the applying port-in subscriber with a copy of the signed porting form, either in a printed or electronic format.
- k. Following the completion of the above tasks, the recipient operator shall send an Authorisation Request via the Webservice and a copy of the signed Porting Form and a copy of all the documents listed under paragraph 7i above to the donor operator by fax, email or other appropriate electronic method which is acceptable to both parties. In accordance with the *Number Portability Inter-operator Webservice Specification*, the *accountType* field in the Authorisation Request shall indicate whether the account associated with the number to be ported is active or terminated.
- l. Retain a copy of the documents listed in paragraph 7i above, as well as emails and/or documents sent to the donor operator related to porting, for a period of twelve (12) months or, if there is a dispute, until such a dispute is finally concluded, whichever is the longer. Documents images may be stored electronically, in which case there is then no requirement to store paper copies.

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<sup>9</sup> In the case of pre-paid or hybrid consumer accounts, the recipient operator is to inform the subscriber, upon successful porting, of his/her right to request a refund of any remaining monetary credit from the donor operator in accordance with Decision 15/2022.

(Note: The process of subscriber checking (e.g. credit check) by the recipient operator for its own purposes is outside the scope of this document.)

The MCA recommends that the recipient operator takes all practicable measures to ensure that the number to be ported is entered correctly into the Authorisation Request.

If an Authorisation Request has been refused, but the problem causing the refusal has been resolved and the subscriber wishes the operator to resubmit the request, then the recipient operator is not required to ask the subscriber to sign a new porting request form or resubmit his/her documents unless more than four (4) weeks have elapsed since the previous form was signed. A new transaction identifier should be used for the resubmission.

## 8 DONOR OPERATOR RESPONSIBILITIES UPON RECEIVING A PORTING REQUEST

On receiving the porting request from the recipient operator, the donor operator shall be responsible to perform the following actions in order to assess whether the applicant qualifies for porting:

- a. Confirm that the person requesting porting is legally authorised to request porting of the number in question. This would require that:
  - in the case of an account held by a natural person, the person who signs the Porting Form must be the same as the subscriber who holds the account associated with the number to be ported;
  - in the case of an account held by a natural person who has given the power of attorney to an authorised representative, then the Porting Form must be signed by the authorised representative. The latter must also show the recipient operator the original or authenticated copy of the letter of authorisation and provide a copy of the letter of authorisation to the recipient operator;
  - in the case of an account held by a company, the person who signs the Porting Form must be the authorised legal representative, as published by the Malta Business Registry, of the company that holds the account associated with the number to be ported;
  - in the case of an account held by a corporate entity that is not a company (e.g. clubs), then the Porting Form must be signed by an official who has the authority to represent the corporate entity (e.g. President) and the official must also provide written proof that he or she is authorised to sign on behalf of the corporate entity.
- b. Confirm that there is a perfect match between the subscriber's ID number on the Porting Form and the ID number in the donor operator's records associated with the account. Moreover the donor operator shall confirm that there is a reasonable match between the subscriber's name and address on the subscriber's ID and the name and address in the donor operator's records. If both checks result in a positive match then the porting may proceed but if either one of the two checks results in a negative match, the porting is refused. If, on the other hand, the donor operator cannot perform the checks because the data pertaining to the subscriber's ID is not stored in the donor operator's records, then the donor operator will accept the request for porting provided that there is a reasonable match between the signature on the Porting Form (i.e. the porting request) and the signature on the original contract for the service between the subscriber and the donor operator.
- c. Confirm that the number to be ported does not have a Carelink service associated with it.
- d. Confirm that the subscriber does not have unpaid bills whose due date has been exceeded. In the case that the subscriber has unpaid bills that are overdue, the donor operator may refuse porting until overdue payments are effected.
- e. In the case of a pre-paid account, check whether the customer satisfies the conditions of contract (or other similar arrangement) if these require a minimum spend within a specified period in lieu of paying periodic rental charges. If this condition is not satisfied, the donor operator may refuse porting until the minimum spend has been reached or the shortfall paid.
- f. Confirm that the Porting Form is correctly filled. In particular, confirm that there is no serious mismatch between the signature on the copy of the ID sent and the signature on the Porting Form.

- g. Retain a copy of the emails and/or documents sent by the recipient operator related to porting, for a period of twelve (12) months or, if there is a dispute, until such a dispute is finally concluded, whichever is the longer. Documents images may be stored electronically, in which case there is then no requirement to store paper copies.

The logic to be applied by the donor operator is included in Figure 1 and applies to both post-paid and pre-paid accounts.

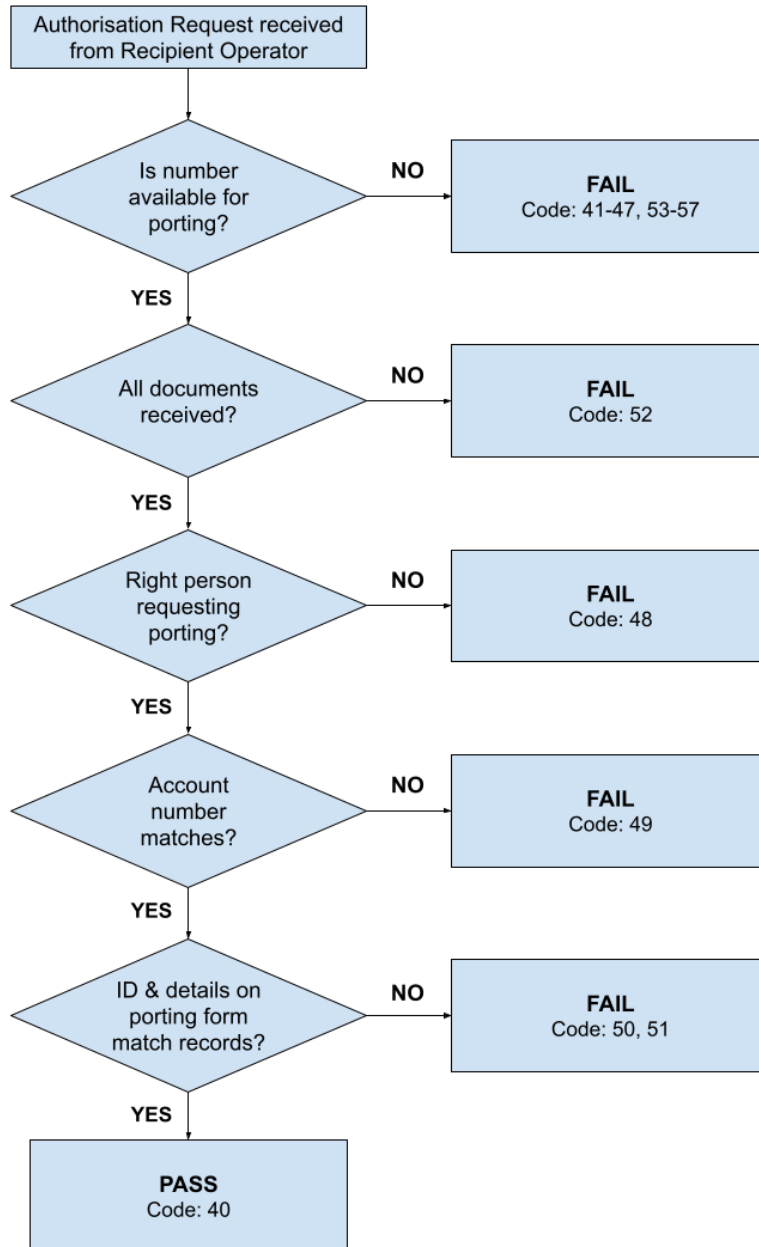


Figure 1. Donor Operator Logic

## 9 OTHER CONSIDERATIONS

### 9.1 Porting after contract termination

The right to request porting<sup>10</sup> after termination of a contract (or other similar arrangement) pursuant to regulation 94(6) of SL 399.48 “Electronic Communications Networks and Services (General) Regulations” (as detailed in Decisions 8/2022 and 9/2022) brings with it unique challenges that need to be overcome to ensure that only porting requests that are authentic and eligible are fulfilled. This section provides an overview of the actions by the recipient operator and the last serving provider, who would act as the donor operator, that comprise the ‘initial screening’ of the porting request that needs to be implemented to determine the applicant’s authenticity and eligibility to avail of the right to *request* porting and the steps needed thereafter to further process the request itself.

An applicant should be considered eligible to port a number after termination of a contract (or other similar arrangement) if he/she can prove that he/she is the same person (natural or legal) who last held the account associated with the terminated number (e.g. through past bill and ID). It should also be ensured that the application was received within the eligible timeframe (i.e. within one (1) month from the date of termination) and that the applicant had not renounced this right upon termination. The initial screening process should thus entail the following:

1. When an applicant wishes to port a terminated number, a porting form must be submitted to the recipient operator clearly identifying (a) the name of the last serving provider for the number to be ported, and (b) the type of account last held with the last serving provider. The last serving provider shall be considered to be the donor operator for the purposes of processing the porting request;
2. The recipient operator should perform some checks on the applicant’s details in line with steps (a) and (b) in Section 7 of this document. These checks depend on the type of the account associated with the terminated number as last held with the donor operator. If these steps are carried out successfully, the recipient operator shall then perform steps (i) to (l) in Section 7 of this document. These include that the recipient operator should raise an Authorisation Request with the details received from the applicant, including an indication that the account associated with the number to be ported is indeed terminated, and send copies of the porting form, applicant’s ID and any documentation received (as applicable) to the donor operator;
3. The donor operator is to confirm the applicant’s eligibility to request porting by:
  - a. Confirming that the details provided by the applicant match details held on record for the subscriber who last held an account associated with the terminated number to be ported, by performing steps (a) and (b) in Section 8 of this document. These checks depend on the type of the account associated with the terminated number as last held with the donor operator;
  - b. Confirming that the subscriber in question had not renounced the right to request porting upon termination of the contract (or other similar arrangement); and
  - c. Confirming that the number was terminated within one (1) month from the date of the request submission.

If the application passes the initial screening checks, then the applicant is to be treated as a subscriber, and all applicable conditions to proceed with the porting request must be adhered to in line with these Specifications, whilst taking into account the terminated nature of the number to be ported.

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<sup>10</sup> The applicant can also request *reactivation* of the number with the last serving provider. Such reactivation should also be carried out following robust authentication of the applicant’s claim and verification to ensure that eligibility conditions are satisfied. The steps to be adopted are at the discretion of the service provider, provided that any such reactivations shall only be for the same person (natural or legal) that was the last subscriber associated with the number to be reactivated.

Provided that the applicant's request also satisfies all other conditions associated with the Authorisation Phase, an Authorisation Response should then be sent by the donor operator to the recipient operator indicating that the porting process may proceed to the next steps accordingly.

Notwithstanding, as noted in the Decision Notice *Number Portability in Malta*, the recipient operator may in turn inform the applicant that "applicants deemed ineligible *by right* may still be considered for reactivation by the block operator on a *voluntary* basis", at which point they may then proceed to submit a porting request as per norm, if needed.

### **9.1.1 Interim solution for handling of applicants requesting porting of terminated numbers**

The solution described in this section shall only apply until 30 November 2023, as prescribed in the Decision Notice *Number Portability in Malta*, specifically in Chapter 7 - Implementation.

Upon receipt of an applicant's request to port a terminated number, the recipient operator is to initiate a communication with the last serving provider, (donor operator), via the Number Portability Contact Desk. The recipient operator is to send the donor operator (by email or other agreed electronic method) a copy of the porting form, a copy of any ID submitted by the applicant, the bill or statement, and, if applicable, the letter of authorisation (together with related IDs) to the donor operator.

Upon receipt of the request, the donor operator is to carry out some initial screening checks to establish the applicant's *eligibility to avail of the right to request* porting after termination of a contract (or other similar arrangement), namely whether:

- the applicant is authenticated as being either the last subscriber associated with the terminated number or an authorised representative, such as the legal representative of a company: therefore, the applicant's details should match the details registered with the donor operator;
- the request for porting the terminated number was received within one (1) month from the date of termination; and
- the right for porting after termination was not renounced by the subscriber prior to termination.

If all the above initial screening checks are satisfied, the donor operator is required to take any necessary measures (technical or otherwise) to be able to receive and handle the Authorisation Request to be submitted by the recipient operator via Webservice. For example, the donor operator may need to re-include the terminated number in any operational databases or systems, as required, to efficiently process the Authorisation Request. Once the donor operator is ready to receive the Authorisation Request, it is to inform the recipient operator accordingly. It is to be noted that, if the donor operator requires some form of 'reactivation' of the terminated number on its network to facilitate the handling of the porting request, such reactivation should be invisible to the applicant, that is, it should not trigger the establishment of a new, or the reactivation of the last, contract (or other similar arrangement) associated with this number between the applicant and the donor operator.

Once informed that the donor operator is ready to process the request, the recipient operator is to raise an Authorisation Request via the Webservice (thereby completing all the elements of step (k) of Section 7 of this document). Given the terminated nature of the number in question, recipient operators are to ensure that the field *accountType* is populated with the variable that matches the same type of account last held by the applicant on the terminated number.



Besides the above, additional measures are to be taken in the interim by the recipient and donor operators to record the 'terminated status' of the number in the porting request either through the Authorisation Request itself, or using other means. For instance, operators may keep a record of all transactions involving terminated numbers by keeping a log of related *transactionIDs*. Another option which may be considered is to use the *extraInformation* field, which may be populated with descriptive text (e.g. "Terminated Status"). It should be noted that once the final solution is in place, such temporary measures would no longer be required, as it would be expected that, with regard to all terminated numbers, any inter-operator communication outside of the Webservice would take place only if necessary and *after* an Authorisation Request is raised by the recipient operator via the Webservice.

Subsequently, the donor operator would respond to the Authorisation Request using the same Authorisation Response Codes currently in use for porting of active numbers, albeit some rejection scenarios would not be allowable given the terminated status of the number.

Where there is a failure in the porting process of a terminated number, the last serving provider is not required to formally reactivate service provision to the applicant, since that requirement is only incumbent on the donor operator in the case of an active subscription. In this regard, if the last serving provider needed to 'reactivate' the number on its network to facilitate the handling of the porting request, it should in turn take all necessary measures to deactivate the number once again. Where applicable, for the purposes of the submission of the e164Terminated message, such reactivation should not be considered as having 'reset' the days elapsed from the one (1) month 'transitory period' as defined in the Decision Notice *Number Portability in Malta*.

The interim solution proposed is not prescribing any change to the Webservice code or logic per se, and it should therefore be readily implementable by operators. Indeed, the proposal only introduces minor changes to the operational process involved in handling porting requests for terminated numbers. Notwithstanding, the Authority recognises that the dependence on inter-operator communication outside the Webservice may introduce some delays in the Preparation Phase and possibly lead to a rise in complaints by end-users. In this regard, the Authority augurs that the parties concerned should cooperate so that together they comply with these Specifications to ensure a timely fulfilment of porting requests, even when these involve terminated numbers.

## **9.2 Early Termination**

Many subscribers have complex contractual agreements with their network operator involving benefits and a minimum period of contract. Some subscribers may be uncertain of the details of these agreements such as the termination date of the contract and the penalty payable for early termination.

Wherever possible it is recommended that operators print the termination date of the contract and the current level of penalty for early termination on the subscriber's invoices.

Recipient operators may request information on the termination date of the contract and the penalty payable for early termination from the donor operator on behalf of the subscriber and with his/her consent, and the donor operator shall answer these requests in short order and as effectively as possible.

If a recipient operator wishes to pay an early termination penalty to the donor operator on behalf of a porting subscriber with the subscriber's consent, the donor operator shall accept such payment.

Donor operators are not allowed to refuse to port a number until the subscriber has paid any early termination penalty that may be owing to the donor operator, unless he/she has an outstanding bill that has not been paid within the normal period agreed to, (i.e. bill becomes overdue). To be in a position to port, such a subscriber may settle any reasonable termination penalty. However, operators may agree voluntarily between each other not to accept as a new subscriber a person who has not paid the termination penalty due to the donor operator.

### **9.3 Detection of Erroneous Terminations**

To facilitate early detection of erroneous terminations, the MCA recommends that the operator communicates with the subscriber to inform or confirm that the account is being terminated and advise him/her to contact the said operator's customer services as soon as possible if he/she disagrees. This applies regardless of whether the number being terminated is served by the block operator or by another operator (i.e. ported in<sup>11</sup>). It could be best practice to inform the subscriber, at this point, that he/she has the right to request to port out or reactivate the same number for one (1) month from the termination date if his/her personal details are registered and up-to-date. Such communication should be sent through a durable medium such as email or SMS on a mobile number associated with the subscriber. In any case, operators are to ensure conformity with the parameters established in Decision 8/2022.

## **10 SUPPORT OF INTER-OPERATOR COMMUNICATIONS**

In general, the communications between the operators involved in the porting process shall be made by using the Webservice described in the *Number Portability Inter-Operator Webservice Specification*, which also defines the format of the messages (e.g. Authorisation Request) referred to in this Specification.

In addition to the operation of the Webservice, each operator shall provide a Number Portability Contact Desk with telephony and email contact that shall be staffed continuously by appropriately trained staff during the specified 'working day' hours. The operators shall exchange the contact details with each other and with the MCA so that the information in Annex 3 of this Specification document may be kept up-to-date.

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<sup>11</sup> The handling of terminated ported in numbers is addressed in further detail in Section 14 of this document.

# 11 PORTING PROCESS

## 11.1 Introduction

The porting process consists of six phases:

- Preparation Phase;
- Authorisation Phase;
- Waiting Phase 1;
- Finalisation Phase;
- Waiting Phase 2; and
- Instruction Phase.

These phases may follow each other in close succession. After completion of the process the recipient operator informs all the other operators, fixed and mobile, of the porting so that they can update their routing tables.

There are differences in timing and in the actions needed especially in the Finalisation Phase between the procedures for:

- Individual subscriber numbers on analogue or ISDN BRA (or its SIP equivalent)
  - *ISDN PRA (or its SIP equivalent) with individual numbers*
  - *ISDN PRA (or its SIP equivalent) with DDI numbers*

In the next pages, Figure 2 shows the phases and the main time constraints for the porting of individual numbers. Figures 3 and 4 respectively show the phases and the main time constraints for the porting of individual and DDI numbers (either on ISDN PRA or its SIP equivalent). All days are working days.

The porting process is organised on an individual request basis rather than a batch basis.

For the purpose of this process, the portability hours refer to working days, i.e. from 09:00 - 18:00 hours from Monday – Friday, and 09:00 – 13:00 hours on Saturdays excluding public holidays.

Because in fixed networks it is not possible to retain a subscription without a working exchange line, there is no provision for maintaining the subscriber active on the donor operator's network until other operators have had time to update their routing tables. This will mean that incoming calls to the donor operator's network that have a prefix attached to the called party number will fail in the short period between the donor operator closing the account and the other operators updating their routing. However since the portings are being arranged for times when traffic is low, this should not be a serious problem.

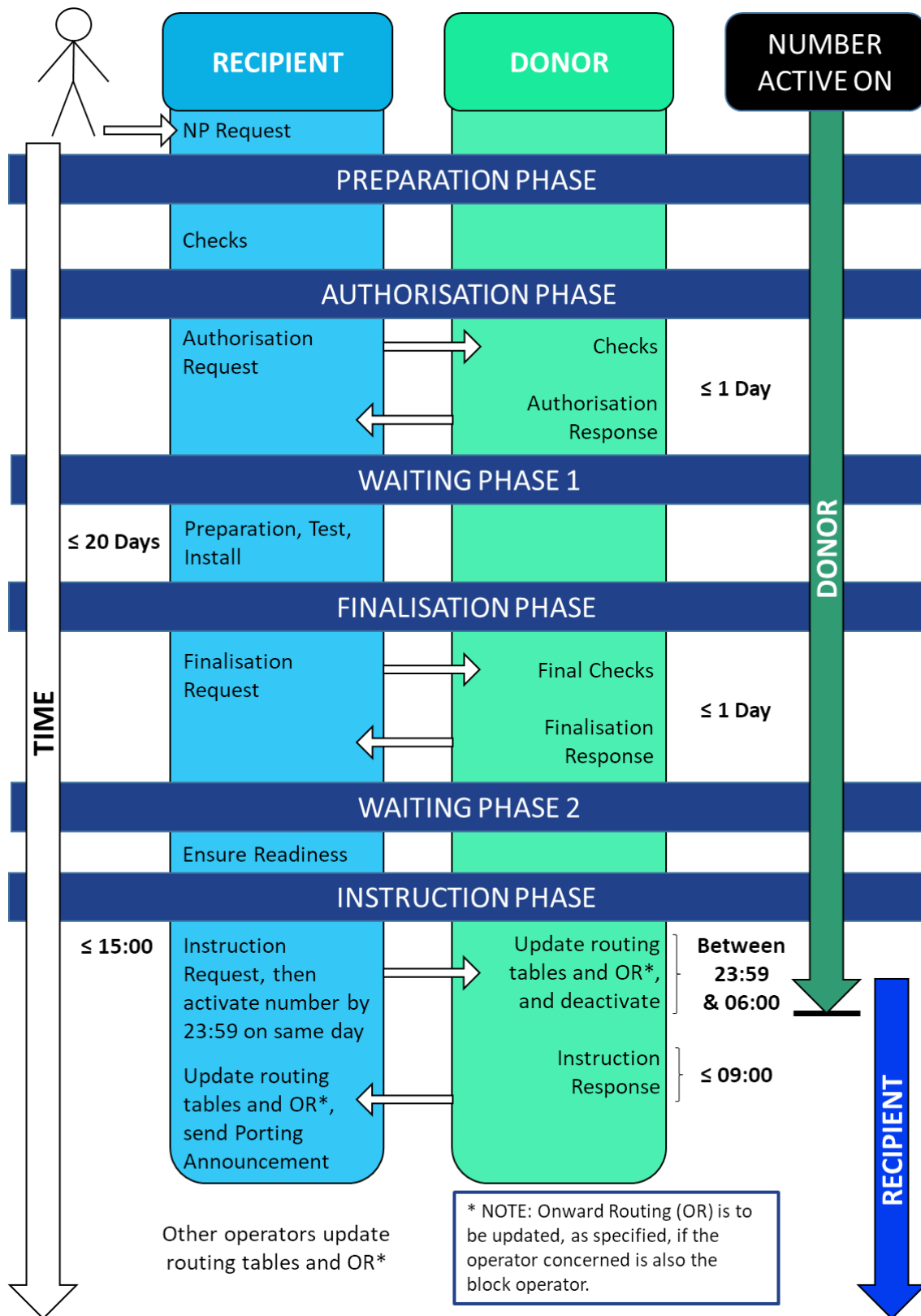
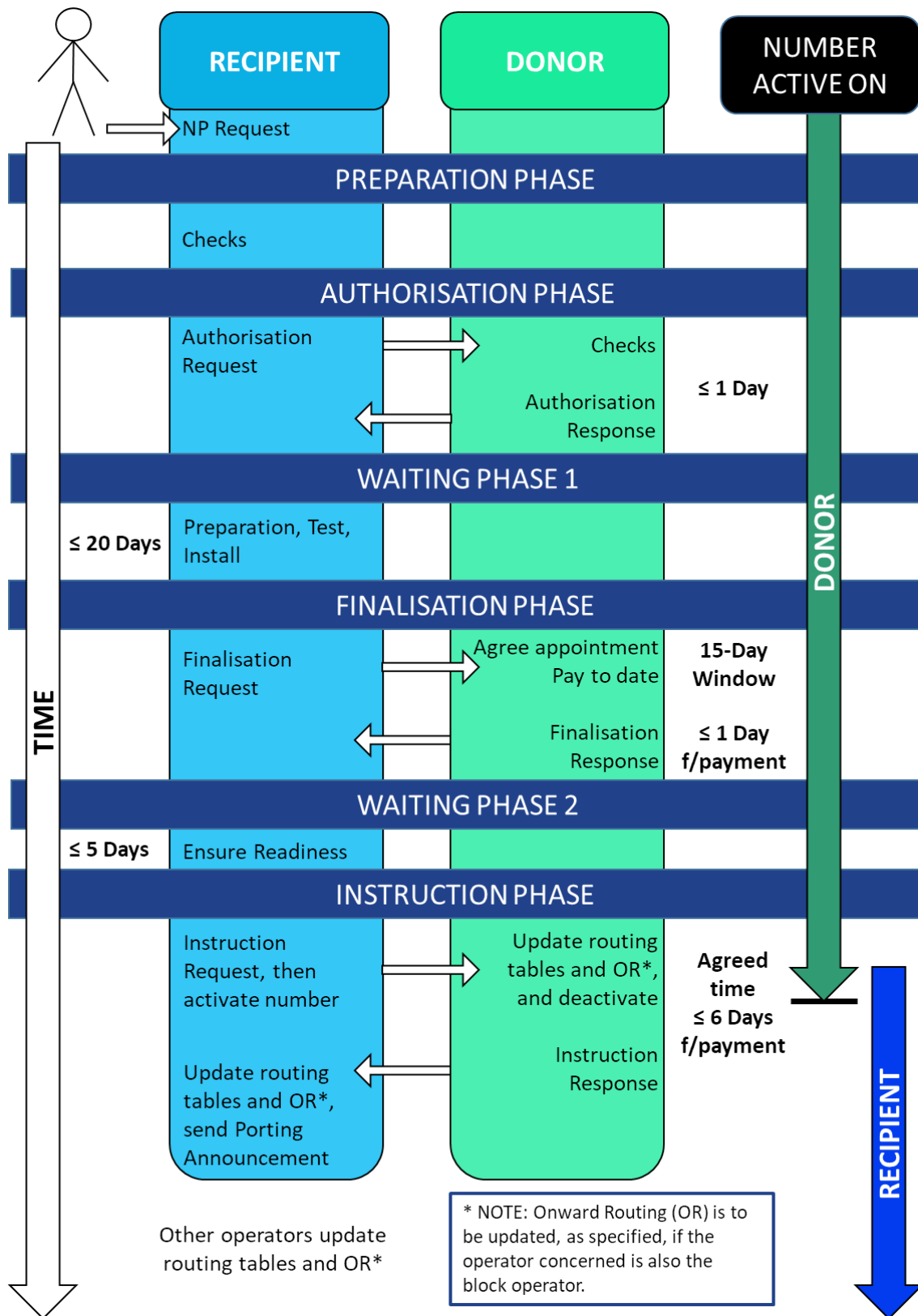


Figure 2. Overview of process for porting active individual fixed numbers



**Figure 3. Overview of process for porting active individual fixed numbers on ISDN PRA or its SIP equivalent**

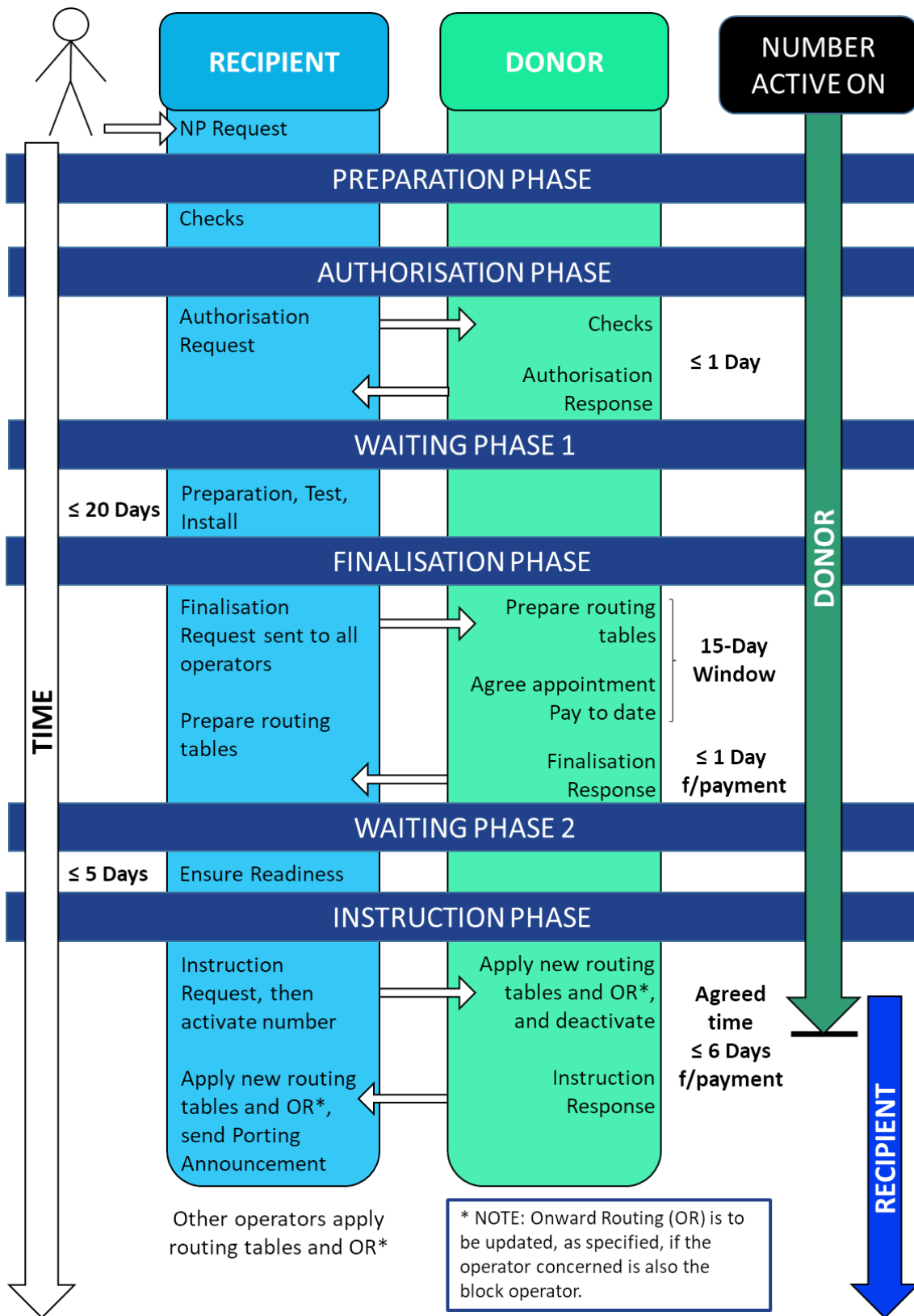


Figure 4: Overview of process for porting active fixed DDI numbers

## **11.2 Preparation Phase**

The Preparation Phase includes:

- a) the validation work to be carried out by the recipient operator (see Section 7 of this document); and
- b) the recipient operator's own qualification and financial checks (e.g. identity check, credit check) for the subscriber.

The Authorisation Phase shall be started only after these checks have been completed satisfactorily.

## **11.3 Authorisation Phase**

The purpose of this phase is to allow the recipient operator to request authorisation to port from the donor operator who carries out the validation checks and actions listed in Sections 8 and 9.1 of this document (as applicable). This enables the recipient operator to establish as early as possible whether the number may be ported or whether there are any problems that will cause the porting to be refused.

### **11.3.1 Authorisation Request**

At any time the recipient operator may send an Authorisation Request to the donor operator for the porting of a number subject that the checks carried out by the recipient operator during the Preparation Phase have been completed satisfactorily. Where a subscriber has more than one number for which porting is requested, the recipient operator shall send a separate Authorisation Request for each number to be ported even when a single porting form has been received in the case of a multi-line account, and each number shall be handled as a separate porting. Consequently, some numbers pertaining to the same multi-line account may continue with the porting but others may not if they have been refused.

The format of the Authorisation Request is given in the Webservice Specification.

If a customer requesting Number Portability is a subscriber of a service provider using WLR from an access network operator, the WLR operator shall be considered as the donor operator and so the Authorisation Request shall be sent to the WLR operator.

### **11.3.2 Authorisation Response**

After completing the checks specified in Sections 8 and 9.1 of this document (as applicable), the donor operator shall reply by sending an Authorisation Response. The time limit for the response shall be one (1) working day.

Without prejudice to the above, if the recipient operator does not receive an Authorisation Response within the specified time limit, the recipient operator should contact the donor operator and the donor operator should explain the reason to the recipient operator.

The format of the Authorisation Response is given in the Webservice Specification.

The Authorisation Response shall indicate whether the request for porting has been accepted (Code=40) or not (see codes at Annex 2.1). If the Authorisation Request has been refused, the recipient operator may consult the subscriber to resolve the problem and may submit a revised Authorisation Request. After two (2) refusals for the same number the recipient operator shall not submit further Authorisation Requests until it or the subscriber has resolved the problem with the donor operator.

The receipt of the Authorisation Response by the recipient operator marks the end of the Authorisation Phase.

## 11.4 *Waiting Phase 1*

The purpose of this phase is to allow a period for the recipient operator to prepare, install and test its lines or radio access to the subscriber.

To this effect, where the Authorisation Response is positive (accepted), the recipient operator may wait for up to twenty (20) working days before sending a Finalisation Request.

If the recipient operator has not sent a Finalisation Request within this time limit then it shall not proceed further but shall cancel the process and restart the porting process if requested by the subscriber. (Note: The recipient operator is not required to send a cancellation message. It is assumed that the process will be cancelled at the recipient operator by the expiry of a timer.)

In the case of a number portability application using a Local Loop Unbundling (LLU) solution, Steps 1A to 21A identified in LLU ordering process shall be carried out within the twenty (20) day timeframe applicable for this phase. Unlike in the case of conventional portings, in which the timeframe is controlled totally by the recipient operator, in LLU both the recipient operator and the donor operator/unbundler shall adhere with the timeframes established for each of them as specified in the same LLU ordering process.

## 11.5 *Finalisation Phase*

The purpose of this phase is to allow:

- The donor operator to repeat any checks after the Waiting Phase, i.e. checks where the Authorisation Response may no longer be valid (e.g. payment may now be beyond the due date);
- *The donor operator and other fixed and mobile operators to prepare new routing tables for DDI numbers.*

### 11.5.1 *Finalisation Request*

As soon as the recipient operator is ready for implementation, the recipient operator sends a Finalisation Request to the donor operator in respect of a number for which porting has been accepted by the donor operator. The format of the Finalisation Request is given in the Webservice Specification.

- *Where the number to be ported is a DDI number, the Finalisation Request shall be sent to all fixed and mobile operators in Malta so that they can all prepare new routing tables.*

### 11.5.2 *Finalisation Response*

The handling of the Finalisation Request differs for the three cases.

- Individual numbers on e.g. analogue, digital, and ISDN BRA (or its SIP equivalent)
- *Individual numbers on ISDN PRA (or its SIP equivalent)*
- *DDI numbers on ISDN PRA (or its SIP equivalent)*

#### **Individual numbers on e.g. analogue, digital and ISDN BRA (or its SIP equivalent)**

On receipt of the Finalisation Request, the donor operator shall:

- Repeat checks under Section 8 of this document for factors where the results were time-dependent (e.g. outstanding dues), provided that for terminated numbers, the date of the Finalisation Request is immaterial to the evaluation of the applicant's eligibility to request porting during the one (1) month transitory period following the date of termination of the contract (or other similar arrangement); and
- Send a Finalisation Response to the recipient operator within one (1) working day of receiving the Finalisation Request.



In the case of a number portability application using a Local Loop Unbundling (LLU) solution, in line with Step 22A of the LLU ordering process, outstanding payments checks would include all invoices issued by GO which are still pending irrespective of the due date.

Once the Finalisation Phase is completed the applicant's agreement with the recipient operator to port the number is considered as finalised. At this point the timing of the one (1) working day to carry out number portability from when an agreement is concluded between the subscriber and the recipient operator, as per regulation 94(8) of SL 399.48 and the European framework, shall commence.

***Individual numbers on ISDN PRA (or its SIP equivalent)***

*On receipt of the Finalisation Request, a fifteen (15) working day window shall commence during which the subscriber shall contact the donor operator:*

- *to pay his/her bill up to the current date or to pay the most recent issued bill whichever is the later*
- *to arrange, also with the recipient operator, a porting time within a window of one (1) to six (6) working days from the date when the bill is paid.*

*The donor operator shall:*

- *Send a Finalisation Response to the recipient operator within one (1) working day of receiving the payment (the donor operator shall not wait for cheques to clear).*

***DDI numbers on ISDN PRA (or its SIP equivalent)***

*The treatment shall be the same as for individual numbers on ISDN PRA (or its SIP equivalent) except that the donor operator and all other operators shall prepare new routing tables for implementation after the porting has been broadcast (porting announcement). The preparation of the tables may be time consuming and should be started at this stage.*

Without prejudice to the above, if the recipient operator does not receive a Finalisation Response within the specified time limit, the recipient operator should contact the donor operator to clarify matters.

The format of the Finalisation Response is given in the Webservice Specification.

The Finalisation Response shall indicate whether the request for porting has been finalised (Code=60) or not (see codes at Annex 2.2).

After the donor operator sends a Finalisation Response with Code 60 (request finalised and ready for porting), the donor operator shall cease to be entitled to refuse the porting.

## **11.6 Waiting Phase 2**

The purpose of this phase is to allow a short gap before the Instruction Phase. This is needed because the arrival of the Finalisation Response may not coincide with the readiness of the recipient operator for the Instruction Phase. If the Finalisation Response is received by the recipient operator after 14:00 hours it shall be considered as received at 09:00 hours of the following working day, unless the recipient operator is still in a position to send the Instruction Request to the donor operator by 15:00 hours.

(Note: As already stated above, once the Finalisation Response is issued, the Number Portability applicant's agreement with the recipient operator to port the number is being considered as finalised. From this point onwards the donor operator is not allowed to refuse a request, hence, the Waiting Phase 2 timeframe has been kept to a minimum also taking into consideration that the circumstances relating to the porting in question may change, e.g. a bill becomes overdue.)

## 11.7 Instruction Phase

The recipient operator shall send the Instruction Request by:

- 15:00 hours of the same day on receiving the Finalisation Response, for individual numbers where the access is not based on ISDN PRA (or its SIP equivalent); or
- *the end of day five (5) working days after the receipt of the Finalisation Response, for DDI numbers and individual numbers on ISDN PRA (or its SIP equivalent) .*

If the recipient operator has not sent the Instruction Request within these time limits, then the recipient operator shall not proceed to send the Instruction Request but may send a repeat of the Finalisation Request at any time up to the end of the tenth (10<sup>th</sup>) whole working day following the receipt of the Finalisation Response. After the ten (10) working days expire, the recipient operator would have to restart the porting process from the beginning.

- *In the case of DDI numbers and individual numbers on ISDN PRA (or its SIP equivalent), a further up-to-date payment will be required to take place before resending the Finalisation Request.*

The Instruction Phase is based on an automated procedure that is always followed and should be sufficient for individual lines. However additional manual interactions for DDI numbers and individual numbers on ISDN PRA (or its SIP equivalent) may need to be applicable.

- *The manual additions are intended primarily for ISDN PRA (or its SIP equivalent), and involve human communications between technicians of the recipient and donor operators. They are designed especially for the case where the activation by the recipient operator and the deactivation by the donor operator need to be synchronised because, for example, the subscriber has limited line capacity on its terminal equipment, e.g. only one ISDN PRA or IP port on its PABX and this has to be swapped from one operator to the other, possibly by technicians from the operators, at the same time as the accounts are changed.*

In the case of a number portability application using a Local Loop Unbundling (LLU) solution, in line with Step 23A of the LLU ordering process, the removal of the analogue voice service shall take place.

### 11.7.1 Instruction Request

Within the time limits specified for Waiting Phase 2, the recipient operator sends an Instruction Request to the donor operator by 15:00 hours in respect of a number for which porting has been finalised by the donor operator.

The format of the Instruction Request is given in the Webservice Specification.

The Instruction Request triggers the deactivation of the account by the donor operator, preceded by updates to the routing tables of the donor operator, and the implementation of onward routing when the donor operator is also the block operator. However, it is understood that when an applicant requests porting of a terminated number, the donor operator would have already deactivated the associated account. In such a case, the Instruction Request sent by the recipient operator would only trigger updates to the routing tables and, when the donor operator is also the block operator, the implementation of onward routing.

### 11.7.2 Actions by the recipient operator

After sending the Instruction Request the recipient operator shall activate the number to be ported on its network at any time between:

- The sending of the Instruction Request; and
- 23:59 hours on that day.

If for any reason the recipient operator does not activate the number within this period and the porting request was for an active number on the donor's network, the recipient operator shall as

soon as possible contact the donor operator by telephone to request the donor operator not to apply onward routing (if applicable) and/or deactivate the account corresponding to the number to be ported as yet; or if the donor operator's network has already applied onward routing and/or deactivated the account, these actions are to be reverted and the number shall be reinstated on the donor operator's network in line with Decision 13/2022.

However, when an applicant requests porting of a terminated number and for any reason the recipient operator does not activate the number within the abovementioned period, the recipient operator shall as soon as possible contact the donor operator by telephone only if the donor operator is also the block operator. In such a case, the recipient operator is to request the donor operator not to apply onward routing; or if the donor operator's network has already applied onward routing, this action is to be reverted.

### **11.7.3 Actions by the donor operator**

After receiving the Instruction Request, the donor operator shall:

- Update the routing tables (*or apply new routing tables in the case for DDI numbers*) and, if the donor operator is also the block operator, apply onward routing for individual numbers, then subsequently
- Deactivate the subscriber's account (this action is not applicable when the porting request was for a terminated number)

at any time between:

- 23:59 hours on that day; and
- 06:00 hours the following morning.

As part of the deactivation of the subscriber's account, the donor operator at this point may terminate:

- all supplementary services associated with the ported number;
- any mailboxes with the loss of any messages stored in them and any other services attached to the ported number; and
- any service bundled with the telephone line providing the ported number, if applicable.

If for any reason the donor operator does not deactivate the number within this period, it shall as soon as possible contact the recipient operator by telephone to discuss how to proceed. In resolving any such problems, the highest priority shall be given to maintaining continuity of service for the subscriber.

As mentioned earlier, if the Instruction Request pertains to a porting of a subscriber of a WLR operator, the WLR operator is considered as the donor operator. The recipient operator shall therefore send the Instruction Request to the WLR operator (as the donor operator).

### **11.7.4 Instruction Response**

After updating the routing tables, implementing onward routing (only when the donor operator is also the block operator) and deactivating the subscriber's account (only for active numbers), the donor operator shall send an Instruction Response to the recipient operator by 09:00 hours on the next working day from receipt of the Instruction Request.

The format of the Instruction Response is given in the Webservice Specification.

The Instruction Response shall indicate whether the account has been closed and, for cases when the donor operator is also the block operator, whether onward routing was also applied (Code=70) or not (see codes at Annex 2.3).

On receiving a successful Instruction Response, the recipient operator shall update its routing tables (or apply new routing tables in the case for DDI numbers). This will ensure that calls originating from the recipient operator's network are handled appropriately. When the recipient operator is also the block operator, it shall remove any onward routing applied to support previous portings.

In the case of a subscriber porting from a WLR operator, after sending an Instruction Response with a successful response code to the recipient operator, the WLR operator shall send an Instruction Response (Code=75) to inform the access network operator to disconnect the line.

***Differences for DDI numbers and individual numbers on ISDN PRA (or its SIP equivalent)***

*The subscriber and operators shall agree a time for the porting at a time when the subscriber's incoming traffic is low.*

*The operators shall make whatever arrangements are necessary and are in the interests of the subscriber in accordance with the following principles:*

- *When the number to be ported is active on the donor operator's network at the time the subscriber submits the porting request, the activation of the account on the recipient operator's network shall take place before the account is deactivated on the donor operator's network. When the account associated with the number to be ported had already been terminated at the time when the applicant submitted the porting request, only the recipient operator would be required to activate the account on its network at this stage.*
- *Onward routing (when the donor operator is also the block operator) or new routing tables shall be brought into effect on the donor operator before the account is deactivated.*
- *After the account has been activated on the recipient operator's network and subsequently the donor operator takes the necessary action to bring into effect new routing tables, apply onward routing (as applicable) and deactivate the account, the recipient operator shall bring into effect its new routing tables. When the recipient operator is also the block operator, it shall also remove any onward routing applied to support previous portings.*
- *In the case that the subscriber has hard-wired connections to the PABX or similar customer premises equipment, the recipient operator shall provide a technician to attend the subscriber's premises at a mutually agreed time with a minimum notice of one (1) working day. In the case of fibre-based services where the donor operator may need to be present at the customer's site, the site visit shall be co-ordinated by the recipient operator at a date and time that is convenient to all parties.*

## 11.8 Time limits

The following table gives the maximum time limits for the different phases for different types of account. All days are working days.

Phase	Individual numbers on e.g. analogue, digital and ISDN BRA (or its SIP equivalent)	Individual numbers on ISDN PRA (or its SIP equivalent)	DDI numbers on ISDN PRA (or its SIP equivalent)
Preparation Phase	No limit	No limit	No limit
Authorisation Phase, time for donor operator to respond to message	One (1) working day	One (1) working day	One (1) working day
Waiting Phase 1	Twenty (20) working days	Twenty (20) working days	Twenty (20) working days
Finalisation Phase, time for donor operator to respond to message	One (1) working day	Duration up to subscriber within fifteen (15) working day window but donor operator must send response within one (1) day of bill payment	Duration up to subscriber within fifteen (15) working day window but donor operator must send response within one (1) day of bill payment
Waiting Phase 2	Up to 15:00 hours of the same day after receipt of Finalisation Response	End of day, five (5) working days after receipt of Finalisation Response	End of day, five (5) working days after receipt of Finalisation Response
Instruction Phase	Deadline of 15:00 hours for implementation during the night	Time to be agreed within six (6) working days of bill payment	Time to be agreed within six (6) working days of bill payment

## 11.9 Resubmission of a request

The resubmission functionality allows an operator to resend a request or response that has been refused using the same transaction identifier, with possibly certain parameters changed. In particular, all parameters can be modified except for the following:

- Recipient Operator
- Donor Operator

This functionality is only applicable under specific conditions as defined below:

### Authorisation Phase

The recipient operator can resubmit an Authorisation Request when:

- The donor operator replied to an initial Authorisation Request sent by the recipient operator with an Authorisation Response Code 41 (if there are any technical reasons that would not allow the process to be continued on the day) or Code 52.

The donor operator can resubmit an Authorisation Response when:

- The recipient operator specifies a Webservice return code other than 0, 1 or 2 for the previous Authorisation Response sent by the donor operator.

## **Finalisation Phase**

The recipient operator can resubmit a Finalisation Request when:

- The donor operator replied to an initial Finalisation Request sent by the recipient operator with a Finalisation Response Code 61 (if there are any technical reasons that would not allow the process to be continued on the day).

The donor operator can resubmit a Finalisation Response when:

- The recipient operator specifies a Webservice return code other than 0, 1 or 2 for the previous Finalisation Response sent by the donor operator.

## **Instruction Phase**

The recipient operator can resubmit an Instruction Request when:

- The donor operator replied to an initial Instruction Request sent by the recipient operator with an Instruction Response Code 71 (if there are any technical reasons that would not allow the process to be continued on the day).
- The donor operator specifies a Webservice return code other than 0, 1 or 2 for the previous Instruction Request sent by the recipient operator.

The donor operator can resubmit an Instruction Response when:

- The recipient operator specifies a Webservice return code other than 0, 1 or 2 for the previous Instruction Response sent by the donor operator.
- In the case of a WLR subscriber, the access network operator specifies a Webservice return code other than 0, 1 or 2 for the previous Instruction Response (Code 75) sent by the donor operator<sup>12</sup>.

For all phases, when the same request or response is resubmitted more than two (2) times, the operator is only allowed to resubmit again after an interval agreed on by the operators involved, and as required by the circumstances. For instance, in case the donor operator responds with system unavailable twice consecutively, the donor operator should advise the recipient operator on the expected downtime of the system and hence agree on a suitable interval before the next resubmission.

### **11.10 Out of sequence messages or codes**

Operators shall not send codes that relate to messages other than the one for which they have been specified. Where a recipient operator receives a message with a code specified for a different message (e.g. a Finalisation Response with Code 43), the recipient operator shall ignore the response and shall contact the donor operator and the donor operator shall send the correct response with the appropriate code.

If during the Finalisation Phase or the Instruction Phase the donor operator realises that it erroneously failed to refuse an application during the Authorisation Phase and had authorised the porting, the porting process should still take place unless there is a risk that subscribers or other third parties are negatively affected. The donor operator may not use any other response codes during the Finalisation Phase and the Instruction Phase to refuse such a porting application and shall continue with the porting process.

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<sup>12</sup> The donor operator sends the Instruction Response Code 75 to the access network operator only after it receives the successful Webservice return code from the recipient operator for the previous Instruction Response sent by the donor operator.

### **11.11 Cancellation of a porting request**

The subscriber/applicant may not cancel porting by contacting the donor operator. Also, as from the submission of the signed Porting Form to the recipient operator, the subscriber/applicant may not cancel porting by contacting the recipient operator.

During the Authorisation Phase and the Finalisation Phase (but not the Instruction Phase), the recipient operator may send an Abort message to the donor operator to abort the porting. The circumstances in which such a message would be sent include the detection that a wrong number to be ported was sent in the Authorisation Request.

On receipt of an Abort message, the donor operator shall terminate its processes in relation to the porting.

## **12 PORTING ANNOUNCEMENT AND DATA PUBLICATION**

The objective is to provide all other operators, fixed and mobile, with a list of the active ported in numbers that are currently served by each operator.

Each recipient operator shall send a Porting Announcement to each other operator within sixty (60) seconds of receiving a positive Instruction Response that completes the porting.

The recipient operator should deliver the Porting Announcement to all operators. If any operator does not respond with a successful Webservice return code, the recipient operator is obliged to resubmit the Porting Announcement to the respective operator according to the retry scheme defined in the Webservice Specification.

The format of the Porting Announcement is also given in the Webservice Specification.

Upon receipt of the Porting Announcement, an operator that is neither the recipient operator nor the donor operator shall update its routing tables meaning that calls originating from subscribers on this operator's network and from other operators using this operator for indirect routing are routed to the recipient operator. When the block operator is neither the recipient operator nor the donor operator, upon receipt of the porting announcement, the block operator shall also take care to update any onward routing applied to support previous portings such that calls originating from subscribers of other operators using the block operator for indirect routing are onward routed to the recipient operator.

All operators shall include the ported number in their list of active ported in numbers except when the recipient operator is also the block operator, in which case each operator shall remove the number from its list of ported in numbers.

## **13 WINBACK**

In accordance with Decision 16/2022, donor operators are not allowed to initiate contact with the subscriber/applicant during the porting, or within two (2) months of the completion of the porting or within one (1) week of a porting request being refused, with the exception that exit surveys may be sent in writing to subscribers selected for such surveys on a random basis. Contacts to solve problems that affect the subscriber's service that have arisen during the porting process are allowed.

Furthermore, after successful porting, the donor operator is allowed to initiate contact with subscribers/applicants if this is necessary to address issues related to the processing of refunds (such as in the case of advance payments received by the donor operator or monetary credit refunds due to consumers on pre-paid or hybrid tariffs), the settlement of any outstanding unpaid bills which become overdue after the porting process, as well as to settle other pending payments due to the donor operator, such as for early termination fees and/or remaining charges, such as on handsets. In any case, donor operators must refrain from any winback attempts whilst in communication with the subscriber/applicant.

Commencing as from the receipt of the signed porting form, recipient operators shall not accept requests from other operators or the subscriber/applicant to cancel the porting request, or port the respective number again, until two (2) months have elapsed from when the porting is functional.

Where the recipient operator becomes aware of an alleged breach of the requirements in this Section, the recipient operator shall either obtain the consent of the subscriber/applicant affected before making any complaint to the MCA about the donor operator, or otherwise adequately substantiate the complaint with tangible evidence.



## 14 TERMINATION OF SERVICE ON PORTED IN NUMBERS

When a number to be terminated corresponds to a ported in number, the last serving provider (formerly the recipient operator for this number) must inform all operators, fixed and mobile, so that they update the list of ported in numbers, and specifically to inform the block operator that the number is being returned to it, such that the aforesaid block operator can ensure that onward routing is ceased. This obligation is fulfilled through the sending of an e164Terminated message. General provisions governing the sending of the e164Terminated message are provided in Section 14.1 of this document.

However, due account must be taken of the subscriber's right to request porting or number reactivation for a period of one (1) month from the date of termination, not only for cases where the terminated number is ported in, but also when it belongs to a block allocated to the last serving provider. To this end, fixed voice communications services providers<sup>13</sup> are required to:

- Inform the subscriber of his/her right to request porting or reactivation for a period up to one (1) month from termination of the contract (or other similar arrangement), in line with Decision 8/2022; and
- Be able to receive, acknowledge and record in their systems any requests from subscribers to renounce such right<sup>14</sup>, in line with Decision 9/2022.

In order to safeguard this right, in the context of a terminated number that was ported in, the last serving provider is to apply the submission timeframes for sending the e164Terminated message as specified in Section 14.2 of this document.

### 14.1 General Provisions

The last serving provider shall send an e164Terminated message to each of the other operators, fixed and mobile, when it ceases to supply service on a ported in number and the number is not ported to another operator or reactivated during the period of one (1) month from the date of termination of contract (or other similar arrangement).

Following the submission of the e164Terminated message, if any operator does not respond with a successful Webservice return code, the last serving provider is obliged to resubmit the e164Terminated message to the respective operator according to the retry scheme defined in the Webservice Specification. The format of the e164Terminated message is also given in the same Webservice Specification.

Under clause 14, Section 3.2 of the revised National Numbering Conventions of June 2006 (as updated in May 2014), operators are required:

*“Whenever use of a number by a subscriber ceases, not to re-allocate the number to another subscriber for a period of at least three months”.*

For the purposes of determining the point at which the “use of a number by a subscriber ceases”, operators should consider this to be upon the lapse of the one (1) month transitory period (starting from the termination date) which is granted to subscribers to permit the possibility of requesting porting or reactivation after the termination of the contract (or other similar arrangement).

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<sup>13</sup> All references to the term ‘voice communications service’ in this document are in accordance with the definition included in article 2 of CAP. 399.

<sup>14</sup> Subscribers may communicate their decision to renounce such right at any point during the active period of the subscription in question, and also throughout the entire one-month period from the date of termination. Beyond the end of this one-month period, it would be redundant if the last serving provider continues to receive, acknowledge and record such renunciation requests as the end-user would no longer have the right to request the porting of a terminated number.

In the case of ported in numbers, this requirement shall apply to the block operator after the number has been returned to it, i.e. after it has received the e164Terminated message. Furthermore, the last serving provider is prohibited from re-allocating the terminated ported in number to another subscriber regardless of the elapsed time.

## **14.2 Submission timeframes for the e164Terminated message**

With a view to facilitate the implementation of the right to request porting or reactivation of a terminated, ported in number within one (1) month from termination of the contract (or other similar arrangement), the e164Terminated message shall be sent after the lapse of five (5) days from the end of the one (1) month transitory period<sup>15</sup>, in accordance with the principle established in the Decision Notice; except when the number has been ported to another operator or reactivated during the lapse of this one-month period.

This delay of a few days from the end of the transitory period is intended to ensure that any last minute requests received from applicants during the eligible period would still be handled by the last serving provider, rather than result in a situation whereby a terminated number would have already been returned to the block operator.

When an applicant requests the porting of a terminated fixed number, the time required by the recipient operator from receiving a porting request up until being 'ready' to raise the respective Instruction Request for the porting to proceed may span over a number of days, due to technical requirements related to the installation and activation of the new line. This may result in situations where the applicant's request was submitted within the transitory period (i.e. one (1) month after the termination of the contract (or other similar arrangement)) with the donor operator, however the porting process would in turn conclude after the end of this transitory period. In such cases, it is imperative that operators are able to 'single' out numbers in an ongoing porting process and introduce further delays, as necessary, to the submission of any related e164Terminated message.

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<sup>15</sup> The transitory period corresponds to a period of one (1) month from the date of termination of contract (or other similar arrangement), as further explained in the Decision Notice.

## **15 TRANSACTION STATUS**

Each operator shall cooperate with the other operators in sharing status information on porting transactions.

When an operator receives a GetTransactionStatus message, it shall respond with a GetTransactionStatus Response within sixty (60) seconds.

The format of the GetTransactionStatus message is given in the Webservice Specification.

## **16 LOGGING OF MESSAGES AND ACTIONS**

Each operator shall maintain an up-to-date log of the messages received and sent and make it available to other operators for reconciliation and, upon request, to the MCA for information purposes.

When an operator receives a GetTransactions message, it shall respond with a GetTransactions Response within sixty (60) seconds.

The format of the GetTransactions message is given in the Webservice Specification.

## **17 SYSTEM PERFORMANCE AND HANDLING OF MAJOR FAILURES**

All operators shall record the occurrence and duration of failures in the Webservice and the support systems used by the number portability process. These records shall be available on request to the MCA.

Where the automated porting system is either unavailable or not meeting the performance requirements to comply with the Number Portability Specifications for more than one (1) working day, as a result of system failures and/or extraordinary events<sup>16</sup>, then the operators shall use their best efforts to provide an alternative manual system so that number porting may be continued. Operators are to keep the MCA continuously informed of any identified issues in relation to the unavailability or non-performance of the automated porting system, and of the measures being adopted to address these issues.

In such circumstances, the MCA may also recommend the adoption of an interim measure such as the use of an alternative manual system.

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<sup>16</sup> Extraordinary events include all scenarios whereby the timely processing of requests via the Webservice is jeopardised to the extent that it may significantly delay and/or discourage porting of numbers to the detriment of subscribers' right to choose their provider. This includes periods of time when the donor operator (or respective agents working on its behalf) cannot reasonably be expected to adhere with the porting timeframes due to issues such as a significant backlog of unprocessed requests.

## 18 REPORTING OF STATISTICS

Operators are required to provide the MCA with up-to-date information on the performance of the number portability process upon request, in accordance with Decision 18/2022. The information requested may include, *inter alia*, the following:

- The number of requests received from subscribers/applicants for the porting of individual numbers, clearly distinguishing between requests for porting active numbers from terminated numbers, (separate figures for each donor operator);
- The number of Authorisation Requests that have been rejected by the donor operator, (separate figures for each donor operator);
- The number of Authorisation Request rejections for each of the two most common porting refusal reasons received from the donor operator, (separate figures for each donor operator);
- The number of Finalisation Requests rejections for each of the two most common porting refusal reasons received from the donor operator, (separate figures for each donor operator);
- The number of Instruction Requests rejections for each of the two most common porting refusal reasons received from the donor operator, (separate figures for each donor operator);
- The number of fully successful portings that were effected within the specified time limits, (separate figures for each donor operator);
- The number of successful portings that were not effected within the specified time limits, (separate figures for each donor operator);
- The total number of unsuccessful portings including requests rejected at the Finalisation Phase and Instruction Phase, (separate figures for each donor operator); and/or
- The total number of port-outs, (separate figures for each donor operator).

## 19 SEPARATION OF SERVICE PROVIDER AND NETWORK OPERATOR

The original document had been written on the basis that the operator is both service provider and network operator. This is no longer necessarily the case and the service provider and network operator may be distinct entities. This section explains how the Specifications should be used in these circumstances.

Since the porting process takes place at the service provider level, knowledge of the subscriber information should always be accessible and verifiable at this level, regardless of any commercial conditions established between the service provider and any associated undertaking, such as an underlying network operator. This is necessary as it is the recipient *service provider* that takes the order from the subscriber and it is only the donor *service provider* that is expected to respond to the request messages because the response requires knowledge of the subscriber account. Therefore, the terms recipient and donor *operators* in the Specifications should generally be taken to refer to the recipient and donor *service providers*.

Notwithstanding, where there are steps in the porting process that relate to network functionality such as activating and deactivating numbers and applying onward routing, it is understood that these activities can only be undertaken by the *network operators*. Therefore, where the service provider and network operator are distinct undertakings, these activities should only be implemented under the direction of the relevant *service providers*, e.g. the recipient service provider should request activation by the recipient network operator.

The exact details of the arrangements between the service providers and network operators may vary but the overriding principle is that the parties should cooperate so that together they comply with these Specifications to ensure a timely fulfilment of porting requests. For example, in one case the service provider may handle all the process and the webservice under its own identity on the webservice, whilst in another case the supporting network operator may handle the webservice as an agent for the service provider under the service provider's identity on the webservice.

Regardless of the arrangement adopted, network operators whose access networks, facilities and/or technical solutions are used by the donor and/or recipient operator(s) involved in porting requests are responsible in ensuring that there is "no loss of service that would delay the porting process". With a view to clarify lines of responsibility, Decision 13/2022 establishes that it is the *service providers* involved in porting requests that are to assume *primary* responsibility for the porting process, including where there are dependencies on access networks, facilities and/or technical solutions provided by third parties.

Decision 13/2022 also stipulates that, where any underlying access networks, facilities and/or technical solutions are provided by undertakings authorised with the MCA as providers of electronic communications networks and/or services (ECN/S) in Malta (e.g. Access Provider under VULA), these are to conform with all applicable Number Portability Decisions and Specifications. Failure by such third parties to adhere with the Decision Notice *Number Portability in Malta* and Number Portability Specifications can also be regarded as a loss of service towards the service provider and/or end-user. Should issues arise between the service provider and an underlying operator and/or solution provider, the Authority is empowered by law to impose obligations related to number portability directly on any locally authorised undertaking involved, in the best interest of affected subscribers.

# Annex 1 Porting Form

This Annex contains the minimum contents of the porting form that is to be used by the recipient operator for both active and terminated numbers. Where multiple numbers are being raised for porting in a single form, it is advisable not to include a mix of active and terminated numbers in the same porting form.

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*Kindly complete all fields as appropriate; otherwise we shall be unable to process your request for number portability. We shall also be unable to process your request if you do not attach a copy of all the relevant documents indicated at the end of this form.*

## Details of applicant

(Note: Applicant must be either a subscriber with an existing fixed line service under an active contract (or other similar arrangement), or a subscriber that had a contract (or other similar arrangement) with a fixed line service provider not more than one (1) month from the date of this porting request.)

### To be completed by Individual Applicants

Name and surname \_\_\_\_\_

Installation Address \_\_\_\_\_

\_\_\_\_\_

I.D. card number / passport number and nationality \_\_\_\_\_

*(Indicate passport number only if not in possession of a Maltese Identity Card)*

### To be completed by Corporate Applicants

Name of company / other entity \_\_\_\_\_

Company / other entity registration number \_\_\_\_\_

Type of organisation (e.g. Registered company or Other) \_\_\_\_\_

### Information regarding the donor operator account

Name of donor operator \_\_\_\_\_  
(i.e. the applicant's current or last serving fixed line service provider)

Telephone number/s to be ported \_\_\_\_\_

Fixed line account number \_\_\_\_\_

Nature of fixed line account (indicate whether pre-paid or post-paid) \_\_\_\_\_

Are these active fixed number/s?                      Yes    [ ]                      No    [ ]

**Data Protection Clause:**

**Recipient Operator** processes data lawfully and in a proportionate, fair and justified manner without prejudice to the data subject's rights at law, including those to access, object, rectify and erase such personal data. For more information, the applicant is strongly urged to read **Recipient Operator's** Privacy Policy available at <Link to Privacy Policy on Recipient Operator's website> and which shall also be provided to the applicant in hard copy if so requested.

Please note that in compiling this form you must provide personal data that is correct and accurate in order to be matched with the data held by the donor operator for validation purposes.

**Applicant's Declaration**

I, the undersigned, wish to apply for number portability in the manner indicated in this request form.

I declare that I do not have a carrier pre-selection service associated with my line.

I further understand and consent to the following:

1. **If my number(s) is/are successfully ported in the manner indicated in this request form, the existing contractual relationship (or other similar arrangement) that I have with my donor operator shall terminate forthwith.** This shall however not affect any accrued or outstanding rights and obligations arising under such contract (or other similar arrangement), which rights and obligations shall survive the porting so long as they are not inconsistent with it. I understand that in the event of such successful porting, this completed request form shall form an integral part of my contractual relationship (or other similar arrangement) with **Recipient Operator** together with any other application form and/or conditions of service that **Recipient Operator** may publish from time to time.
2. By completing this form I hereby authorise **Recipient Operator** to act as my mandatory vis-à-vis my donor operator and as such:
  - a. to request **Recipient Operator** to close my current fixed line account; and/or
  - b. to do everything necessary to process my request in this form.
3. As soon as my current fixed line account is closed, I may lose any voice messages that may be stored in my voicemail, and other supplementary services provided on the ported number(s).
4. **I am aware that, if the number(s) to be ported form(s) part of a contract (or other similar arrangement) comprising other services offered to me by the donor operator, the latter operator will automatically terminate such contract or other similar arrangement upon successful porting, and such automatic termination can have implications on any other services, such as in a bundled offer, that I may have with my current fixed line service provider. I also understand that the donor operator will charge me penalties for early termination, if applicable.**
5. As soon as my current fixed line account is closed, my current fixed line provider shall remove any entry/entries relating to my current fixed line account that I may have in any directory information service of such provider.
6. If my current fixed line account is a consumer pre-paid or hybrid account (i.e. non-business), I have the right, within two weeks following successful porting, to request a refund of the unused monetary credit from the donor operator, albeit a fee may apply if this is already provided for in the contract or other similar arrangement with the donor operator. I am aware that the credit to be refunded by the donor operator should match the monetary amount which would have been indicated to me had I performed a credit check immediately before the donor operator deactivated the ported number on its network, namely when usage in the donor operator's network has ceased. Where the credit check facility can provide me with information which distinguishes between topped up/purchased credit and any other bonus/promotional credit, the donor operator is only obliged to refund the topped up/purchased credit.
7. The donor operator shall be entitled, following the porting, to recover any equipment and/or wiring that I have been using in relation to my current fixed line account.
8. I understand that the donor operator is not allowed to initiate contact with me from when the aforesaid operator is aware of my signed application form and for a period of two (2) months after the porting has been successfully completed, and that I should report any violations of this requirement to **Recipient Operator**. Nevertheless, I may contact the donor operator if I wish to do so.
9. **I hereby declare that I am aware that after signing this application form, Recipient Operator shall not accept another application on my behalf to port back to the donor operator, or to any other service provider using Fixed Number Portability for a period of two (2) months after completion of the porting process.**

**Signature**

*If you are completing this form in your own name as applicant, please sign here:*

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Date

*If you are completing this form on behalf of the applicant, please sign here:*

\_\_\_\_\_  
Representative's name (in BLOCK letters)

\_\_\_\_\_  
Representative's signature

\_\_\_\_\_  
Representative capacity

\_\_\_\_\_  
ID number of representative



## **Documents to be attached**

### ***Individual applicants***

1. Copy of identification document(s) (e.g. identity card / driving licence / passport of applicant / applicant's authorised representative).
2. Any power of attorney granted by applicant to an authorised representative appearing on his/her behalf.
3. Copy of bill or statement issued within the last three (3) months prior to the date of submission of this request form.

### ***Corporate applicants***

1. Copy of identification documents (e.g. identity card of applicant's authorised representative).
2. Copy of bill or statement issued within the last three (3) months prior to the date of submission of this request form.
3. In the case of corporate customers which are not companies (e.g. clubs), then the copies of evidence that the applicant is an authorised representative shall also be sent.

## **Annex 2 Codes associated with reasons for refusing or accepting requests for porting**

### ***Annex 2.1 Codes that may be used in the Authorisation Response***

- 40 - Request accepted.
- 41 - Request could not be processed, please resend tomorrow.
- 42 - Request rejected because number to be ported is not a valid number for subscriber in the donor operator's network.
- 43 - Request rejected because in the case of post-paid accounts, the subscriber has an outstanding bill that has not been paid within the normal period allowed.
- 44 - Request rejected because the subscriber is already subject to suspension of outgoing or incoming calls because of failure to pay a bill.
- 45 - Request rejected because the numbers are already subject to a porting process.
- 46 - Request rejected because the classification of the account does not match, e.g. the number is indicated in the request as being active, but is terminated, or *vice versa*.
- 47 - Request rejected because number to be ported associated with a Carelink service.
- 48 - Request rejected because the person signing the Porting Form is not the subscriber (or his/her authorised representative) who holds the account with the donor operator.
- 49 - Request rejected because the account number in the request is not the account number used by the donor operator for the number for which porting is requested.
- 50 - Request rejected because ID number in request does not match ID number held by donor operator (i.e. there is a real mismatch for the same form of identity, e.g. ID number does not match ID number or passport number does not match passport number).
- 51 - Request rejected because of other non-permitted mismatches between the ID details sent and the information held by the donor operator or the request form.
- 52 - Request rejected because the documents to be attached to the email corresponding to the porting request have not been received.
- 53 - Request rejected in the case where the number to be ported is associated with a service whose conditions of contract require a minimum spend within a specified period in lieu of paying periodic rental charges.
- 54 - Request rejected because the number has already been ported in the last two months.
- 55 - Request rejected because the porting form submitted is back dated by more than four weeks.
- 56 - Request rejected because more than one month has elapsed since the subscription associated with the number to be ported was terminated.
- 57 - Request rejected because the subscriber formerly assigned this number had renounced the right to request porting when terminating his/her subscription.
- 58-59 – Unused

## ***Annex 2.2 Codes that may be used in the Finalisation Response***

- 60 - Finalisation completed.
- 61 - Finalisation could not be processed, please resend tomorrow.
- 62 - Finalisation rejected because the Finalisation Request message is received too late.
- 63 - Finalisation rejected because the number has already been ported under the same acceptance (i.e. the instruction has been sent more than once in error).
- 64 - Finalisation rejected because service on the numbers to be ported has been suspended due to payment problems since the Authorisation Request was accepted.
- 65 - Finalisation rejected because a bill, which was not overdue when the Authorisation Response message was sent, has since become overdue.
- 66 - Finalisation rejected because the subscriber has not arranged an appointment or paid his/her bill within the 15 day period allowed.
- 67 - Finalisation rejected because of other reasons which apply that require discussion between the operators. (NB: This code is only to be used when there is no other specific code and should be used on very rare occasions).
- 68-69 - Unused

## ***Annex 2.3 Codes that may be used in the Instruction Response***

- 70 - Instruction accepted, account deactivated, onward routing applied (as applicable).
- 71 - Instruction could not be processed, please resend tomorrow.
- 72 - Instruction rejected because the Instruction Request is received too late.
- 73 - Instruction rejected because the number has already been ported under the same acceptance (i.e. the Instruction Request has been sent more than once in error).
- 74 - Instruction rejected because of other reasons which apply that require discussion between the operators. (NB: This code is only to be used when there is no other specific code and should be used on very rare occasions).
- 75 - WLR subscriber disconnected onward routing applied (used only between the WLR operator and its access network operator).
- 76-79 - Unused

## Annex 3 FNP Contact Desk Details

All operators should ensure that the Number Portability Contact Desk is staffed continuously by appropriately trained staff during the 'working day' hours, and that the MCA is informed immediately upon any changes to the contact desk details. This would ensure that the Authority would be in a position to inform all local voice communications service providers of the new contact details.

The objective of having such Number Portability Contact Desks is that an issue will either be resolved or a solution agreed within five (5) working days of the issue being first raised, otherwise the issue will be referred informally to the MCA to convene a meeting if necessary to seek a resolution by consensus.

Fixed Service Provider	Contact email	Contact telephone number
Epic	<a href="mailto:consumer.mnp@epic.com.mt">consumer.mnp@epic.com.mt</a>	9935 8170
GO	<a href="mailto:fnp@go.com.mt">fnp@go.com.mt</a>	2386 2673
Melita	<a href="mailto:portingmelita@melitaltd.com">portingmelita@melitaltd.com</a>	2727 3129
Vanilla Telecoms	<a href="mailto:porting@ms.vanilla.net.mt">porting@ms.vanilla.net.mt</a>	2033 2033