



MALTA COMMUNICATIONS AUTHORITY

# **Number Portability Specification for Freephone Numbers**

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# 1 EXPLANATION OF THE CHANGES RELATIVE TO FIXED NUMBER PORTABILITY

Freephone services use numbers in the 800X XXXX range and may be provided by operators who are normally considered as fixed or mobile operators. The terms “fixed freephone number” or “mobile freephone number” do not apply to freephone services. A freephone number is just a freephone number. As per the Decision “A Framework for Freephone Numbers in the 800 Range” published by the MCA in August 2008 (as updated subsequently with minor additions/amendments), operators are required to establish interconnection within two (2) months from the receipt of a written request from other local fixed or mobile telephony operators, so that subscribers may access all newly allocated freephone numbers in the 800 range that are served on other networks<sup>1</sup>.

Portability of freephone numbers is treated independently of the way in which the freephone service is delivered to the called party who is the freephone content provider. Depending on the technology used and the commercial policy adopted by the freephone network provider, the freephone number may be either:

- used directly by the switching system of the terminating operator (freephone network provider); or
- translated by the freephone network provider into a fixed or mobile number for delivery, from now on called the ‘delivery number’, which could either be served on the network of the freephone network provider, or on a different network.

Freephone number portability does not include the porting of delivery numbers. These delivery numbers are not normally visible to callers and so there should be no problem in the recipient operator using a delivery number different from the one used by the donor operator. However, if the porting of the delivery numbers is requested by the respective subscriber, these delivery numbers are to be ported separately according to the Number Portability Specifications established for fixed numbers and for mobile numbers. In such a case, however, the process to port a delivery number will not be synchronised with the process to port the associated freephone number. A consequence of this approach is that the freephone content provider may need to separately terminate its accounts for lines with delivery numbers that are no longer needed.

A recipient operator will need to ensure that the necessary means are established and working for delivering calls, before it ports in a freephone number.

The same cutover arrangements are used as for fixed number portability with the deactivation on the donor operator network taking place during the night (00:00-06:00 hours).

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<sup>1</sup> Where an operator has established an on-net service to a non-ported freephone number in the 800 range before 1 September 2008, it may continue to limit access to on-net callers but only if specifically requested to do so by the freephone content provider.

## 2 SCOPE

The obligation to support number portability for freephone numbers is specified in the MCA Decision Notice *Number Portability in Malta* under Decision 3/2022. 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 freephone number portability ordering process that either:

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

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>2</sup>.

This document applies to all freephone numbers in the 800x range, and addresses all operators and service providers that serve such freephone numbers irrespective of the arrangements for the final delivery of the call, which may include the use of delivery numbers.

The operators that serve freephone numbers may be predominantly either fixed or mobile operators or specialist providers of freephone services. Freephone number portability applies even between operators whose other activities are not similar (e.g. one may be predominantly a provider of fixed services and the other of mobile services).

The original document had been written on the basis that the operator is both the service provider providing termination services to the freephone content provider and the operator of the underlying network. Section 19 of this document provides guidance on how to apply this Specification where these functions are fulfilled by distinct entities.

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<sup>2</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.

### 3 DEFINITIONS

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

**‘Delivery number’** means a fixed or mobile number used for the delivery of the call by the freephone network provider. The delivery number may be served by another operator.

**‘Donor Operator’** means the freephone network provider that provides service to a freephone content provider before porting and includes any agents or other persons however so described acting for this operator.

**‘Freephone content provider’** means any person that is party to a contract with the freephone network provider and is also the party identified by a freephone number to whom the calls are ultimately delivered. A freephone content provider pays the freephone network provider to receive calls made to freephone numbers. The calls may include normal conversational calls and calls to individual lines and call centres, and are not limited to calls to access stored content.

**‘Freephone network provider’** means the operator that terminates the call to the freephone number identifying the freephone content provider.

**‘Freephone number’** means a number in the 800X XXXX range.

**‘Recipient Operator’** means the freephone network provider that provides service to a freephone content provider 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 freephone content provider account.

**‘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 ‘freephone number’ is used to refer to the number to be ported, it shall be understood to also include a terminated freephone number in a porting request submitted by an applicant, i.e. a person, formerly a freephone content provider, without an active subscription.*

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

## 4 OVERVIEW

When requesting number portability, the freephone content provider would:

- open an account with the new (recipient) operator but using an existing freephone number that they are already using with the old (donor) operator;
- request the new operator to close its account with the old operator on its 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 freephone content provider's number are handled in such a way that the freephone content provider does not lose incoming call traffic.

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

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.

Where the freephone network provider translates freephone numbers to fixed or mobile delivery numbers, the porting process does not affect the provision of service to the fixed or mobile number<sup>3</sup>. Thus the freephone content provider may need to arrange separately for:

- the start of any new fixed or mobile services needed before the porting; and/or
- the termination of any fixed or mobile services that are no longer needed after the porting.

Since the fixed and mobile delivery numbers are unlikely to be widely known, there may be little demand for them to be ported. They may, nevertheless, be ported separately from the porting of the freephone number.

Given the introduction of the right to request porting within one (1) month from contract termination (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 contract termination. 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 freephone numbers assigned to freephone content providers.

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<sup>3</sup> If the terminating operator's commercial policy allows the delivery number(s) to be served on a different network, the freephone content provider may also opt to retain its current delivery number(s) and not porting them.

## 5 FREEPHONE CONTENT PROVIDER HANDLING

The recipient operator shall provide a one-stop shop for freephone number portability, which enables freephone content providers to order their new account and to apply for number portability at the same time from the recipient operator. The procedure enables the freephone content provider to appoint the recipient operator as its mandatory (legally authorised agent) to close its account for the freephone number with the donor operator and to port the freephone number. The account for any associated fixed or mobile delivery number would have to be closed separately, if necessary.

The recipient operator must explain to the freephone content provider requesting porting that:

- (i) it should not attempt to terminate the contract for the freephone number with the donor operator because this will be done automatically for the freephone content provider upon successful porting;
- (ii) such automatic termination can have implications on any other services that are offered by the donor operator as part of the same contract as the freephone number to be ported. However, the recipient operator is not expected to inform the freephone content providers, on a case-by-case basis, of the nature and extent of such implications; whereas
- (iii) if calls were delivered to a fixed or mobile number, the freephone content provider will need to make separate arrangements after the porting has been completed if it wishes to terminate the service on that fixed or mobile number.

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

If a freephone content provider 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 freephone 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 for freephone number portings to be used by freephone content providers/applicants when requesting portability. The form includes explicit acceptance by the freephone content provider/applicant of the warnings and advice outlined above. Any storage and handling of freephone content providers' 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 freephone content provider applies for porting:

- a. The freephone content provider must not have any bills owing to the donor operator relating to the freephone number to be ported that are still unpaid after the due date printed on the bill or statement. This applies only in respect of charges relating to the freephone number. Charges relating to other numbers and services are excluded from this condition unless the charges related to other numbers and services are included on the same bill or statement and are not distinguishable.
- b. The person who signs the Porting Form requesting number portability for a specific freephone number is the freephone content provider, or its legally authorised representative, who holds the account for the same specific number in the donor operator's network.
- c. With the exception of freephone 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 a freephone number and not a batch of freephone numbers (i.e. Porting Form and supporting documents must be sent by the recipient operator to the donor operator on a per number basis).

A freephone content provider requesting the porting of freephone numbers pertaining to the same multi-line account shall be able to submit solely one duly filled in and signed porting form for all freephone 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 freephone number. In such cases, the freephone numbers pertaining to the same multi-line account and which are to be ported shall be listed in the porting form.



## 7 RECIPIENT OPERATOR RESPONSIBILITIES UPON RECEIVING A PORTING REQUEST

When the recipient operator receives a request for porting from the freephone content provider, 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 freephone 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 freephone content provider who holds the account associated with the freephone 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 freephone 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 name and address on the identification document<sup>4</sup> (ID) presented and the name and address on the Porting Form. (NB: This will either be the name and address of the freephone content provider or its legal / authorised representative.)
- c. Inform the freephone content provider that in case the tariff arrangements 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.
- d. Inform the freephone content provider that the donor operator will charge the aforesaid freephone content provider a penalty for early termination, if applicable, as detailed further in Section 9.2 of this document.
- e. Explain to the freephone content provider that it should not attempt to terminate the freephone number contract with the donor operator because this will be done automatically for the freephone content provider as part of the porting process, but that if calls were delivered to a fixed or mobile number the freephone content provider will need to make separate arrangements after the porting has been completed if it wishes to terminate the service on that fixed or mobile number.

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<sup>4</sup> An Identification Document (ID) may be a Maltese identity card or driving licence, or a passport for foreign nationals.

- f. Obtain from the freephone content provider the following documents:
- A correctly filled-in and signed Porting Form (template attached at Annex 1). The freephone content provider 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 freephone content provider (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 freephone content provider 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.
- g. The recipient operator is required to provide the freephone content provider applying for port-in with a copy of the signed porting form, either in a printed or electronic format.
- h. 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 7f 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 freephone number to be ported is active or terminated.
- i. Retain a copy of the documents listed in paragraph 7f 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.

(Note: The process of freephone content provider 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 freephone 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 freephone content provider wishes the operator to resubmit the request, then the recipient operator is not required to ask the freephone content provider to sign a new porting request form or resubmit its 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 request for porting 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 freephone 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 freephone content provider who holds the account associated with the freephone 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 freephone 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 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 name and address on the 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 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 freephone content provider and the donor operator.
- c. Confirm that the freephone content provider does not have unpaid bills whose due date has been exceeded. In the case that the freephone content provider has unpaid bills that are overdue, the donor operator may refuse porting until overdue payments are effected. This applies only in respect of charges relating to the freephone number. Charges relating to other numbers and services are excluded from this condition unless the charges related to other numbers and services are included on the same bill or statement and are not distinguishable.
- d. 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.
- e. 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.

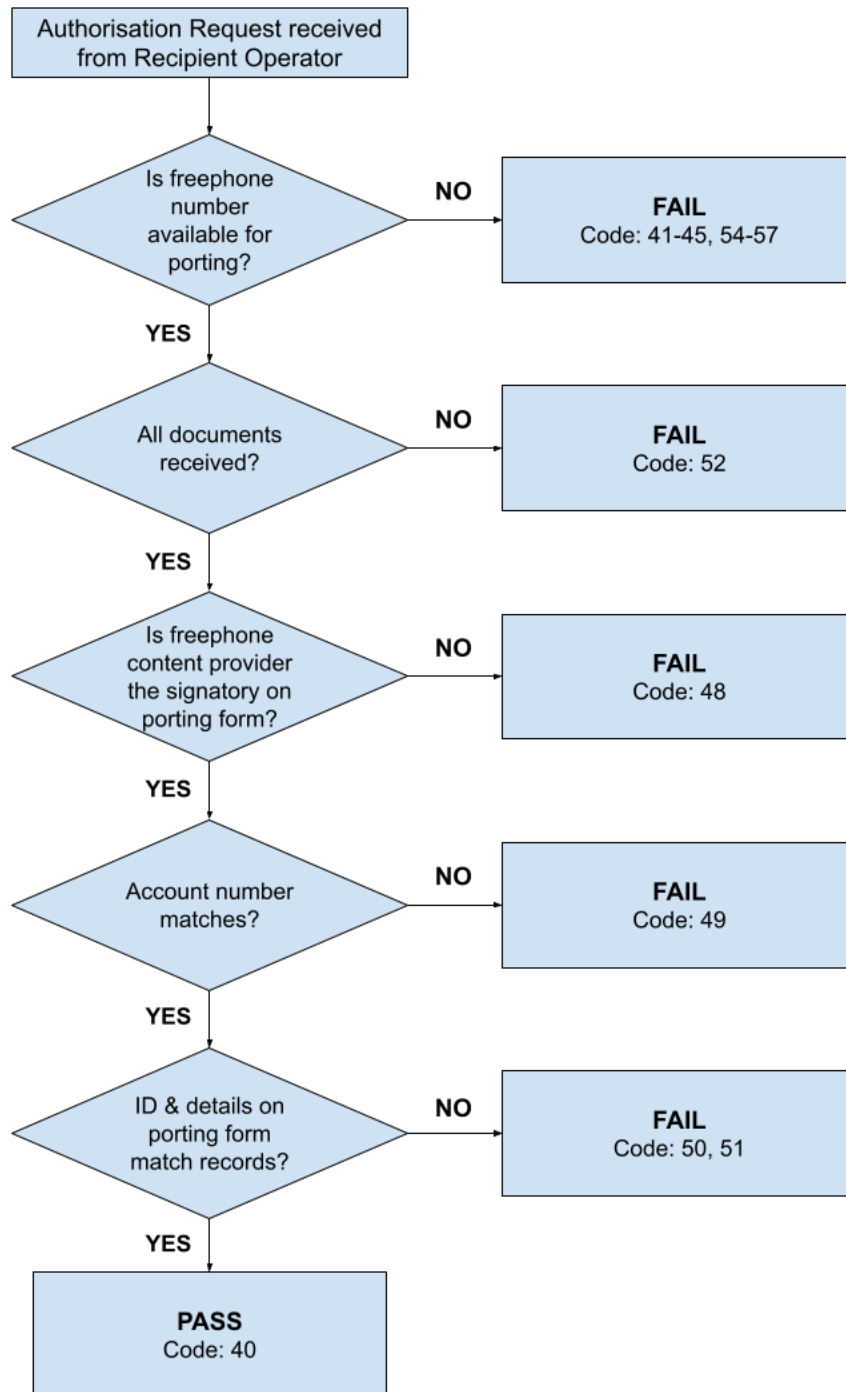


Figure 1. Donor Operator Logic

## 9 OTHER CONSIDERATIONS

### 9.1 *Porting after contract termination*

The right to request porting<sup>5</sup> after contract termination 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 contract termination 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 freephone number, a porting form must be submitted to the recipient operator clearly identifying the name of the last serving provider for the number to be ported. 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, and once these checks are carried out successfully, 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 freephone content provider who last held an account associated with the terminated freephone number to be ported, by performing steps (a) and (b) in Section 8 of this document;
  - b. Confirming that the freephone content provider in question had not renounced the right to request porting upon contract termination; and
  - c. Confirming that the freephone 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 freephone content provider, 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).

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.

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<sup>5</sup> The applicant can also request *reactivation* of the freephone 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 freephone network provider, provided that any such reactivations shall only be for the same person (natural or legal) that was the last freephone content provider associated with the freephone number to be reactivated.

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 freephone 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 freephone 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 contract termination, namely whether:

- the applicant is authenticated as being either the last subscriber associated with the terminated freephone 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 freephone 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 freephone 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 freephone 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 associated with this freephone 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 (h) of Section 7 of this document). Given the terminated nature of the freephone 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 freephone number.

Besides the above, additional measures may be taken in the interim by the recipient and donor operators to record the 'terminated status' of the freephone 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 freephone 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 freephone numbers, albeit some rejection scenarios would not be allowable given the terminated status of the freephone number.

Where there is a failure in the porting process of a terminated freephone 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 freephone number on its network to facilitate the handling of the porting request, it should in turn take all necessary measures to deactivate the freephone 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 freephone 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 freephone numbers.

### **9.2 Early Termination**

Freephone content providers may have complex contractual agreements with their freephone network provider involving benefits, a minimum period of contract and clauses related to early termination and any applicable termination penalties.

Donor operators are not allowed to refuse to port a freephone number until the freephone content provider has paid any applicable early termination penalty that may be owing to the donor operator, unless the freephone content provider has an outstanding bill relating to the freephone number that has not been paid within the normal period agreed to. However, operators may agree voluntarily between each other not to accept as a new freephone content provider 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 freephone network provider communicates with the freephone content provider to inform or confirm that the account is being terminated and advise the freephone content provider to contact the said freephone network provider's customer services as soon as possible if it 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>6</sup>). It could be best practice to inform the freephone content provider, at this point, that it has the right to request to port out or reactivate the same freephone number for one (1) month from the termination date. Such communication should be sent through a durable medium such as email or SMS on a mobile number associated with the freephone content provider. 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 the *Fixed and DDI Number Portability Ordering Process Specification* and *Mobile Number Portability Ordering Process Specification* may be kept up-to-date.

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<sup>6</sup> The handling of terminated ported in freephone 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. Figure 2 shows the phases and the main time constraints for the porting of freephone numbers. 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.

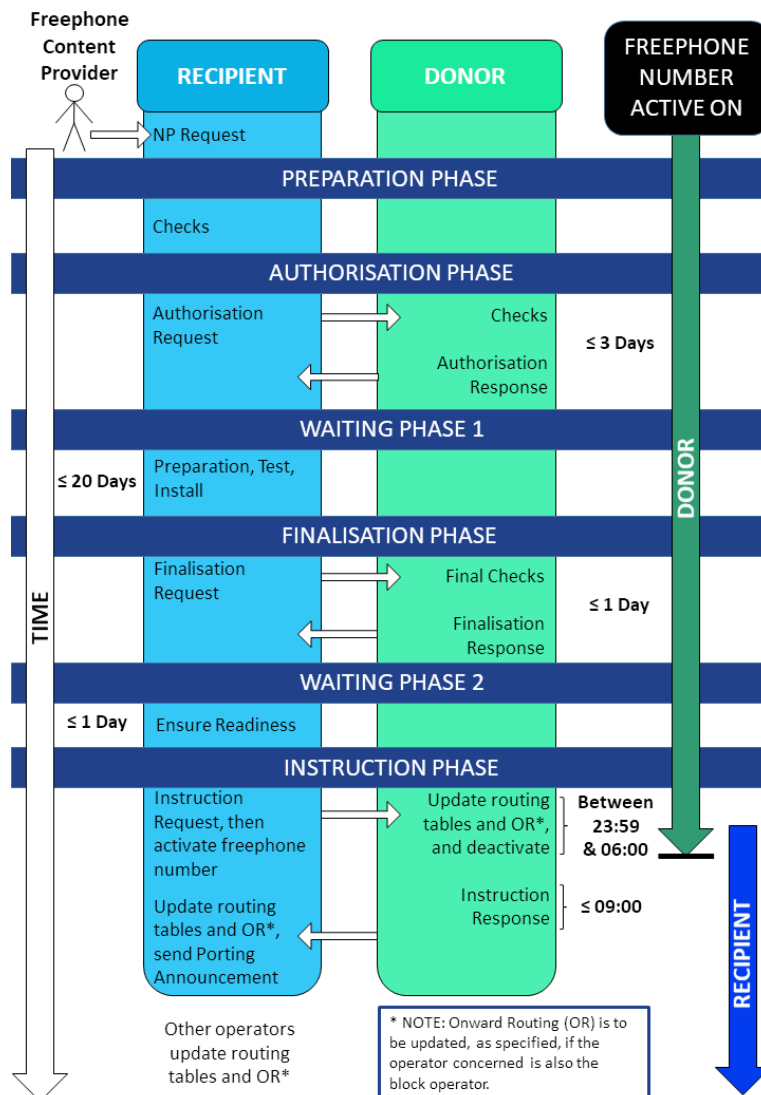


Figure 2. Overview of procedure for porting active freephone numbers

## **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 freephone content provider.

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 freephone 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 freephone number subject that the checks carried out by the recipient operator during the Preparation Phase have been completed satisfactorily. Where a freephone content provider has more than one freephone number for which porting is requested, the recipient operator shall send a separate Authorisation Request for each freephone number to be ported even when a single porting form has been received in the case of a multi-line account, and each freephone number shall be handled as a separate porting. Consequently, some freephone 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.

### **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 three (3) working days.

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 freephone content provider to resolve the problem and may submit a revised Authorisation Request. After two (2) refusals for the same freephone number the recipient operator shall not submit further Authorisation Requests until it or the freephone content provider 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 to handle the traffic to the freephone number and if necessary to install and test its lines or radio access to the freephone content provider.

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 freephone content provider. (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.)

### **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).

#### **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 freephone number for which porting has been accepted by the donor operator.

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

#### **11.5.2 Finalisation Response**

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 freephone 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 contract termination; and
- Send a Finalisation Response to the recipient operator within one (1) working day of receiving the Finalisation Request.

Once the Finalisation phase is completed the applicant's agreement with the recipient operator to port the freephone 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 freephone content provider and the recipient operator, as per regulation 94(8) of SL 399.48 and the European framework, shall commence.

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. (Note: The reason for the short duration of Waiting Phase 2 is that the donor operator is not allowed to refuse the request once it has issued the Finalisation Response. Therefore, because the circumstances may change, e.g. a bill becomes overdue, Waiting Phase 2 has to be kept short.)

## **11.7 Instruction Phase**

Following the receipt of the Finalisation Response, the recipient operator shall send the Instruction Request by the end of the working day following the receipt of the Finalisation Response. (Note: The MCA recommends that, unless there is a good reason to do otherwise, the recipient operator sends the Instruction Request earlier in the working day, e.g. at least before 15:00 hours.)

If the recipient operator has not sent the Instruction Request within this time limit, 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.

### **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 in respect of a freephone 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 freephone 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 freephone number to be ported on its network at any time between:

- The sending of the Instruction Request; and
- If the Instruction Request is sent before 15:00 hours on a working day, 23:59 hours on that day, else 23:59 hours on the following working day.

If for any reason the recipient operator does not activate the freephone number within this period and the porting request was for an active freephone 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 correspondent to the freephone 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 freephone 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 freephone number and for any reason the recipient operator does not activate the freephone 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 and, if the donor operator is also the block operator, apply onward routing, then subsequently
- Deactivate the freephone content provider's account (this action is not applicable when the porting request was for a terminated freephone number)

at any time between:

- If the Instruction Request is received<sup>7</sup> before 15:00 hours on a working day, 23:59 hours on that day, else 23:59 hours on the following working day, and
- 06:00 hours the following morning.

If for any reason the donor operator does not deactivate the freephone 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 freephone content provider.

(Note: Since the Instruction Request is sent before the new account is activated by the recipient operator there is a risk that if the timing is not followed carefully the donor operator could deactivate its account before the recipient operator has activated the new account. This risk is made greater because actions are limited to working days and some portings could be spread across a weekend. It is also desirable that the gap between activation and deactivation should not be too great. The MCA will consider simplifications to improve this situation if deemed necessary.)

### **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 freephone content provider's account (only for active numbers), the donor operator shall send an Instruction Response to the recipient operator by 09:00 hours on the same working day when it deactivated the freephone number. 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. 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.

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<sup>7</sup> This means that the message has a timestamp of earlier than 15:00 hours.

### 11.8 Time limits

The following table gives the maximum time limits for the different phases.

Phase	Maximum time limit
Preparation Phase	No limit
Authorisation Phase, time for donor operator to respond to message	Three (3) working days
Waiting Phase 1	Twenty (20) working days
Finalisation Phase, time for donor operator to respond to message	One (1) working day
Waiting Phase 2	End of working day after receipt of Finalisation Response
Instruction Phase	One (1) working day, [or two (2) working days if request received after 15:00 hours]

The following diagram illustrates the messages and time limits for the process.

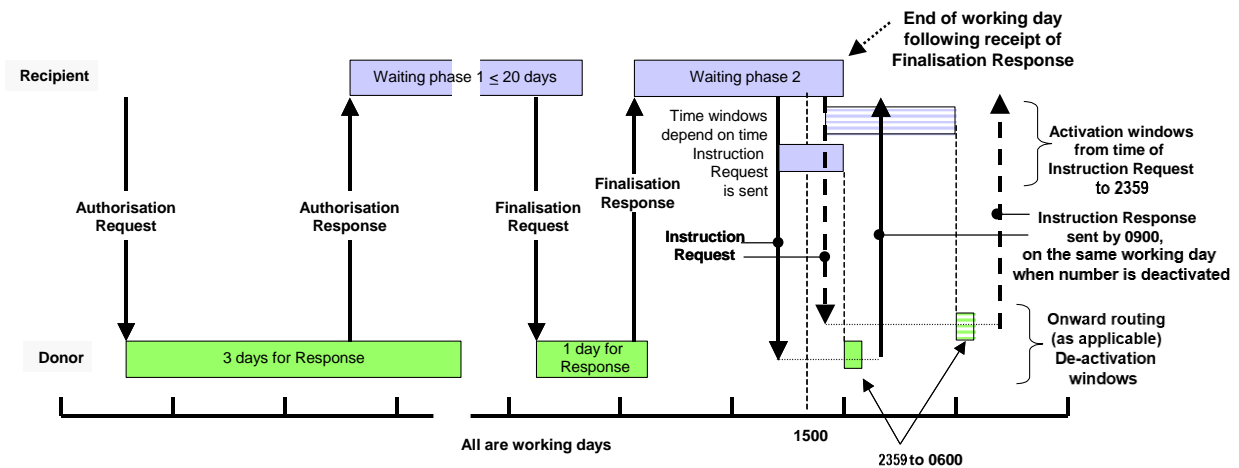


Figure 3. Porting process messages and time limits

### 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.

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 freephone content providers 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.

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

The freephone content provider/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 freephone content provider/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 freephone 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 freephone content provider/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 freephone content providers selected for such surveys on a random basis. Contacts to solve problems that affect the freephone content provider's service that have arisen during the porting process are allowed.

Furthermore, after successful porting, the donor operator is allowed to initiate contact with the freephone content providers/applicants if this is necessary to address issues related to the settlement of any outstanding unpaid bills which become overdue after the porting process or any other pending payments due to the donor operator, such as for early termination fees. In any case, donor operators must refrain from any winback attempts whilst in communication with the freephone content provider/applicant.

Commencing as from the receipt of the signed porting form, recipient operators shall not accept requests from other operators or the freephone content provider/applicant to cancel the porting request, or port the respective freephone 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 freephone content provider/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 freephone 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 freephone 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 freephone content provider'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 freephone number is ported in, but also when it belongs to a block allocated to the last serving provider. To this end, voice communications services providers<sup>8</sup> are required to:

- Inform the freephone content provider of its right to request porting or reactivation for a period up to one (1) month from contract termination, in line with Decision 8/2022; and
- Be able to receive, acknowledge and record in their systems any requests from freephone content providers to renounce such right<sup>9</sup>, in line with Decision 9/2022.

In order to safeguard this right, in the context of a terminated freephone 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 freephone number and this number is not ported to another operator or reactivated during the period of one (1) month from the date of contract termination.

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. In the case of ported in numbers, this requirement shall apply to the block operator after the freephone 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 freephone content provider regardless of the elapsed time.

<sup>8</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>9</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.

## **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 freephone number within one (1) month from contract termination, the e164Terminated message shall be sent after the lapse of five (5) days from the end of the one (1) month transitory period<sup>10</sup>, in accordance with the principle established in the Decision Notice; except when the freephone 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 freephone number would have already been returned to the block operator.

When an applicant requests the porting of a terminated freephone 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 preparation involved to handle the traffic to the freephone number and, if necessary, 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 contract termination) 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 freephone 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>10</sup> The transitory period corresponds to a period of one (1) month from the date of contract termination, 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>11</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>11</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 freephone numbers to the detriment of freephone content providers' right to choose their freephone network 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 as recipient operator for the porting of individual freephone numbers, clearly distinguishing between requests for porting active freephone numbers from terminated freephone numbers, (separate figures for each donor operator);
- The number of Authorisation Requests for the porting of freephone numbers made by the recipient operator 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 reasons for the donor operator to reject requests for the porting of freephone numbers, (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 to reject requests for the porting of freephone numbers, (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 to reject requests for the porting of freephone numbers, (separate figures for each donor operator); and/or
- The number of freephone number portings where faults occurred or where responses were not received or actions were not effected within the time limits specified in this document, (separate figures for each donor operator).

## **19 SEPARATION OF TERMINATION SERVICE PROVIDER AND NETWORK OPERATOR**

The original document had been written on the basis that the freephone network provider is both the service provider providing termination services to the freephone content provider, as well as operator of the underlying network. However, this is no longer necessarily the case, and the freephone network provider may be distinct from the underlying network operator.

In this regard, it should be noted that the same principles and obligations outlined in Section 19 of the *Fixed and DDI Number Portability Ordering Process Specification* and Section 15 of the *Mobile Number Portability Ordering Process Specification* shall also apply to the case of porting freephone numbers, as applicable.

## Annex 1: Porting Form for Freephone Numbers

This Annex contains the minimum contents of the porting form that is to be used by the recipient operator for both active and terminated freephone numbers. Where multiple freephone 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.

-----  
*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 freephone content provider with an existing freephone network provider under an active contract, or a freephone content provider that had a contract with a freephone network provider not more than one (1) month from the date of this porting request.)

#### **To be completed by Individual Applicants**

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

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 freephone network provider)

Freephone number/s to be ported

Account number for freephone number/s \_\_\_\_\_

Are these active freephone 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 freephone number portability in the manner indicated in this request form.

I further understand and consent to the following:

1. **If my number is successfully ported in the manner indicated in this request form, the existing contractual relationship 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, 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 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 freephone account; and/or
  - b. to do everything necessary to process my request in this form.
3. **I am aware that, if the freephone number(s) to be ported form(s) part of a contract comprising other services offered to me by the donor operator, the latter operator will automatically terminate such contract upon successful porting. I also understand that the donor operator will charge me penalties for early termination, if applicable.**
4. As soon as my current freephone account is closed, my donor operator shall remove any entry/entries relating to this freephone number that I may have in any directory information service of such provider.
5. 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.
6. **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 freephone network provider using Freephone 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 freephone content provider in the donor operator's network.
- 43 - Request rejected because the freephone content provider has an outstanding bill that has not been paid within the normal period allowed.
- 44 - Request rejected because the freephone content provider 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 - Unused for freephone.
- 48 - Request rejected because the person signing the Porting Form is not the freephone content provider (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 the 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 - Unused for freephone.
- 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 freephone content provider 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 - Unused for freephone.
- 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 message 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 - Unused for freephone.
- 76-79 - Unused