MALTA COMMUNICATIONS AUTHORITY

Mobile Number Portability Ordering Process Specification

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Contents

1   Scope

The obligation to support number portability for mobile numbers is specified in the MCA Decision Notice *Number Portability in Malta* under Decision 2/2022. 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 mobile number portability ordering process that either:
- Involve exchanges between the operators; or
- Involve actions by one operator that have to be trusted by another operator, for example the customer order validation process.

This document does not specify all the details of the internal procedures and processing that each operator must undertake to support the required functionality.

This document specifies the different stages of the process from the point when a subscriber requests a new account with number portability, to the point when the subscriber has an active account on the recipient operator's network, the account on the donor operator's network has been closed and all other operators have been informed of the number porting. The process also allows for a number to be ported to an account that is already active with a number allocated by the recipient operator.

This Specification applies to portings:
- from the block operator;
- back to the block operator; and
- between operators who are not the block operator.

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. Furthermore, the document is written on the basis that the operator is both service provider and network operator. Section 16 of this document provides guidance on how to apply this Specification where the service provider and network operator are distinct entities.

This document may not apply where court orders however so described are in effect with respect to specific numbers.

The implementation of number portability in the mobile network is specified in *Number Portability Specification for Network Functionality*.

2   Definitions

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

'CLI Check' means a check that the person applying for number porting is in possession of an active SIM that is associated with the number.

'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).

'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.

'ID-Bill Check' means a check by the recipient operator that the person applying for number porting has an identification document that matches the information on a bill or statement from the donor operator.

'Recipient Operator' means the operator that provides service to a subscriber number after porting and includes any 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 mobile.[1]

'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

ACQ	All Call Query
CLI	Calling Line Identification
CLIR	Calling Line Identification Restriction
DB	Database
ECN/S	Electronic Communications Networks and/or Services
HLR	Home Location Register
HSS	Home Subscriber Server
ID	Identification Document (which may be Maltese identity card or driving licence, or a passport for foreign nationals)
ISDN	Integrated Services Digital Network
MMS	Multimedia Messaging Service
MNP	Mobile Number Portability
MSISDN	Mobile Station ISDN number (mobile telephone number)
MVNE	Mobile Virtual Network Enabler
SIM	Subscriber Identity Module
SMS	Short Message Service
SRI-SM	Send Routing Information for Short Message

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[1] 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 operators to change their routing arrangements so that calls, messages and other signalling traffic will be routed to the new operator.

The solution should therefore ensure that incoming communications (e.g. calls, SMS, MMS) to the subscriber's number are terminated on his/her account on the recipient operator.

The design of this 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.

The process allows for a number to be ported to both a new account and to an account that is already active with a number allocated by the recipient operator. The latter case would apply where for example a subscriber wants to try out an operator's network before porting his/her main number to it.

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 mobile 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.

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 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 advise subscribers that when they port their number, any incoming messages that have not been retrieved or delivered are likely to be lost. Subscribers shall also be informed by the recipient operator that any details of the ported number which may be included in the directory maintained by the donor operator will be removed once the number is ported.

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 6.5.1 of this document.

Upon successful porting, in accordance with Decision 15/2022, the recipient operator is to inform subscribers through a durable medium[2] (e.g. email, SMS, 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 the 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[3], 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.

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[2] All references to the term 'durable medium' in this document are in accordance with the definition included in regulation 2 of SL 399.48.
[3] As stipulated in the National Numbering Conventions.

The subscriber's account with the recipient operator may be of a different type than 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.

Where a subscriber has multiple MSISDNs that are related to the same SIM, e.g. different numbers for telephony and fax and data, then the subscriber shall at least be able to port only the number used for telephony. The arrangements for porting other numbers shall be established on a case-by-case basis. It should be noted that different operators treat fax and data differently.

All auxiliary services, such as secondary SIMs, linked to the subscribers' SIM or MSISDN to be ported will be lost when the porting is effected. The recipient operator should advise such subscribers that if they wish to keep these auxiliary services in operation on the donor operator, they should have them converted into full services before requesting number portability. In order to ensure that subscribers are fully aware and in control of this situation, the recipient operator shall be held responsible to inform subscribers that any supplementary services or benefits would be lost.

Number portability applies only where the legal entity who requests number portability from the recipient operator is the same legal entity who holds the account with the donor operator. It is to be noted that, where a change of the legal entity is required, e.g. from a personal account to a corporate account, this change should be made with the recipient operator after the porting process has been completed.

The procedure is designed to be carried out as quickly as possible. It does not accommodate long delays in the middle of the process. Therefore, if a subscriber wishes to arrange for porting to take place at a specific date and time in the future, the recipient operator will need to postpone the start of the process until the time that corresponds to the process being completed at the time desired by the said subscriber.

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 form to be used by subscribers/applicants when requesting number portability. The porting 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   Validation process

6.1   Introduction

Validation is the process by which the recipient operator and the donor operator check that the subscriber is entitled to portability. The validation procedures differ for different types of account and circumstances. The process of validation may be combined with the process of subscriber checking (including any identity checks required by law and any credit checks) that an operator would carry out for all subscribers irrespective of whether they request number portability.

The number portability process is designed to cover porting both to a new account and to an existing account. For porting to a new account, the recipient operator will have to issue a SIM to the subscriber.

The processes of subscriber checking and SIM issue are outside the scope of this document.

6.2   Account classification

For the purpose of number portability, subscriber accounts are classified as follows:
- Pre-paid (both single-line and multi-line, registered and unregistered) account held by a natural person or an entity however so described other than a natural person;
- Post-paid (both single-line and multi-line) account held by a natural person; or
- Post-paid (both single-line and multi-line) account held by an entity however so described other than a natural person.

For the purpose of account classification and ensuing validation checks during the porting process, a hybrid account shall be considered as a post-paid account. This is without prejudice to the right of consumers subscribed to hybrid tariff plans to be refunded any unused monetary credit remaining with the donor operator upon request as per Decision 15/2022 and as also referred to in Section 5 of this document.

Accounts should also be marked as either being active or terminated, given that number portability requests may also be received from applicants by virtue of Decision 8/2022. This will be necessary to assist the donor operator when determining the applicant's eligibility to port the number.

6.3   Checks

The following sections specify the various checks.

There are four issues to be checked for subscribers:

a) That the number to be ported is associated with the account of the subscriber;
b) That the subscriber who claims to have a post-paid account does have a post-paid account and so the other checks relevant to post-paid will be applied;
c) That the person who is requesting portability is the subscriber or the legal representative of the subscriber; and
d) That the request and the appointment of the recipient operator as agent to close the account with the donor operator is made in a legally valid form.

In the case when the porting request is received from an applicant within one (1) month from termination of the contract or other similar arrangement which was in force with the donor operator, checks (a) to (c) above have to be verified with respect to the account holder at the time of termination. Where the applicant raising the porting request was on an unregistered, pre-paid subscription prior to termination, verifications must show that the applicant had registered his/her details prior to termination, in line with Decision 10/2022.

These issues are handled in a way that accommodates as many as possible of the different circumstances and takes account of the fact that some pre-paid subscribers are unregistered and are in effect anonymous to the network operators. In general, one needs to accommodate situations where the subscriber is present and ones where he/she is absent and has to arrange porting remotely.

The checks are made wherever possible using the identification document (ID) (e.g. Maltese identity card or driving licence), or the passport for foreign nationals. There are two forms of this check:

- A check made by the recipient operator of the name on the ID against that on a bill or statement for the number to be ported. This is called the "ID-Bill Check"; or
- A check made by the donor operator against its record of the ID number pertaining to the subscriber.

It should further be noted that:

(a) The procedure is designed to avoid having to send names and addresses of subscribers between recipient operator and donor operator as this can lead to disputes over spelling errors, etc.

(b) For porting of a number associated with a pre-paid account or, in some cases, with a personal, post-paid account, the Specification includes a CLI Check by the recipient operator that the subscriber is able to make a call from the number to be ported. In the case of unregistered pre-paid accounts this is the only check possible by the recipient operator.

(c) The recipient operator shall verify that the CLI presented on a call from the subscriber is the number to be ported. Understandably, where the subscriber has CLI Restriction (CLIR) applied to his/her account this service will have to be disabled for the CLI Check to be carried out. In many cases this should be possible by entering a service control code into the mobile. The person who made the CLI Check shall sign a record that the test has been carried out and passed. In the case of a number associated with a pre-paid account, a CLI Check is not possible if the subscriber has no remaining credit or the time window has expired. In such cases, the agent may opt to send an SMS to the number to be ported to verify connection.

(d) A further requirement on the recipient operator is to ask the subscriber to send a blank SMS to an on-net free text number 1811 at the donor operator before sending the Authorisation Request. The donor operator shall ensure that the SMS is terminated and may opt to check the CLIs of the SMSs received on this number against the number to be ported in the Authorisation Requests and refuse the Authorisation Request unless a match is found. The implementation of these checks would be optional for the donor operator. The effect of the check would be both to confirm possession of the number to be ported and eliminate the problem of data entry errors that can result in a third party's account being terminated without warning and can cause serious problems especially if the user is roaming abroad. Since it is optional for the donor operators to process the SMS check, the CLI Check referred to in (b) and (c) above shall be retained.

Following feedback received from industry in Q1 2023, as from 1 June 2023 the validity period of the SMS to 1811 is being extended from two (2) calendar days (as set when this requirement was introduced in July 2009) to seven (7) calendar days, mainly to reduce the potential cases of the subscriber requesting porting having to resubmit this SMS due to the expiration of this validity period. Nevertheless, this extension should not be construed as an endorsement for extending the duration of the Preparation Phase unnecessarily.

6.4 Procedures

The following shows how the checks identified above may be applied by the recipient operator and processed by the donor operator.

The procedures take account of the fact that the subscriber may not know whether he/she is registered or not with the donor operator, if he/she is a pre-paid subscriber, nor, if he/she is registered or is a post-paid subscriber, nor whether the donor operator has a record of his/her IDs and/or ID numbers. Thus the procedures are based on the recipient operator doing the maximum validation and information collection and the donor operator using whichever information is available and relevant.

The procedures also take account of the following:
- Subscribers should be able to present at least one ID (e.g. Maltese identity card or driving licence, or passport for foreign nationals).
- Validation based on an ID is the best validation. Operators should encourage subscribers to register their ID details as this is a form of protection and security for the subscriber. Consequently, porting should not proceed unless the ID of the subscriber/applicant matches that registered with the donor operator.
- Identity card and passport *numbers* may be verified against official and reliable personal identification methods, hence the importance that checks require some form of ID to be presented.
- In any case, storage and handling of subscribers' personal data should be in conformity with all applicable privacy and data protection norms.

In general:
- Signatures do not have to be made in the presence of the recipient operator and signed forms may be sent via online means (e.g. email), post or fax.
- Copies of IDs and bills or statements may be sent via online means (e.g. email), post or fax to the recipient operator, inspection of the originals is not necessary.
- A signature may be given by an authorised representative under a power of attorney provided that the recipient operator checks the power of attorney and the identity of the person signing under the power of attorney through checking his/her ID.
- For foreigners, a passport shall be used if they do not have a Maltese ID.
- Where a subscriber loses a SIM or has it stolen, he/she must obtain a replacement SIM from the donor operator before he/she may port his/her number. For clarity, this requirement does not apply when applicants request porting of numbers after the termination of their contract (or other similar arrangement) with the last service provider.
- 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[4].
- In line with Decision 8/2022, requests may also be received to port numbers associated with a terminated account. In this respect, the recipient operator should ensure that the account status (i.e. active or terminated) is always clearly indicated in the *accountType* field of the Authorisation Request sent to the donor operator to ensure that the request is validated as necessary, and in line with the relevant procedures as further detailed in the next sub-sections.

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[4] 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.

- The indication on whether the account is active or terminated is to be sent to the donor operator at all times, that is, also during the period of the interim solution presented below, in Section 6.4.5. With a view to avoid temporary changes to the Webservice coding and logic in the interim, operators may adopt other temporary measures (that do not require such development in the Webservice) as necessary to process requests for porting terminated numbers, provided that it is ensured that a traceable record is kept to identify which Authorisation Requests relate to porting processes involving such terminated numbers. For instance, operators may keep a record of all such transactions by keeping a log of related *transactionID*s, or else the *extraInformation* field may be populated with descriptive text (e.g. "Terminated Status"). Once the final solution is in place, such temporary measures would no longer be required.
- Persons under 18 years of age may not order number portability, but their legal representative may order it on their behalf.

Donor operators shall not change the credit limit or the time allowed for paying bills for subscribers who request portability with the intention of enabling them to refuse the porting request for reasons related to credit or payment. Indeed, operators should note that, if there are claims of such practices the MCA will require extensive reporting in order to investigate the claims as an anti-competitive practice.

The recipient operator shall then ask which of the following describes the account in question, namely:
- Whether the number is associated with an **active** or a **terminated** subscription; and
- Whether the account is (or was) **pre-paid**; **personal post-paid**; or **non-personal post-paid** (i.e. held by an entity other than a natural person).

The recipient operator shall also ask if the account associated with the number to be ported is a single or multi-line account.

The treatment of post-paid accounts differs from pre-paid because:
- In most cases the subscriber will have a bill or statement that links his/her name to the number; and
- All post-paid accounts are registered with the donor operator, but for some accounts the donor operator may not know the identity card or passport number of the subscriber, even though the donor operator knows the subscriber's name and address.

The following procedures shall be applied depending on the subscriber's/applicant's answer.

6.4.1 Pre-Paid Active Accounts

The following procedure applies to both (active) personal pre-paid accounts and pre-paid accounts held by non-personal entities. Because the central principle is that if there is registration, then an ID number should be registered and there must be a match of ID numbers between those held by the donor operator and the subscriber, the same procedure applies to both personal and non-personal subscribers.

It is possible that there may be multiple legal representatives of the non-personal subscriber. This case is likely to be uncommon. If it occurs, then the person requesting porting should be advised that the subscriber should either:
- Have the application made by a person who is recognised by the donor operator as a legal representative; or
- Contact the donor operator and update the registration to include the ID number of a legal representative who can handle the application for porting. The donor operator can verify the identity of the legal representative against the Malta Business Registry (MBR) database or any other relevant authoritative source.

The subscriber or legal representative does not have to visit the premises of the recipient operator but may send the necessary documents via online means (e.g. email), post, fax or another person.

In some cases, there may be a registration but no record of the ID number and so an ID check by the donor operator against its record is not possible.

If the SIM (of an active subscription) is lost, damaged or stolen, then porting of its associated number is not possible until a replacement SIM has been obtained from the donor operator.

Actions by the recipient operator

The recipient operator shall ask the subscriber or his/her representative to show or send in a copy of the subscriber's ID. The recipient operator shall perform a CLI Check and ask the subscriber to send a blank SMS from the number to be ported to 1811.

The recipient operator shall not proceed with the porting if either:
- The CLI Check is not passed;
- A copy of the subscriber's ID is not obtained; or
- The subscriber does not send the SMS to 1811

The recipient operator shall obtain a signed porting form from the subscriber requesting the porting for the number and shall retain the form for audit purposes as per Section 6.4.6 below.

The recipient operator shall send the donor operator:
- The number to be ported;
- The subscriber's ID number;
- An indication that the account is pre-paid; and
- An indication that the account associated with the number to be ported is active; and
- Confirmation that the CLI Check was successful.

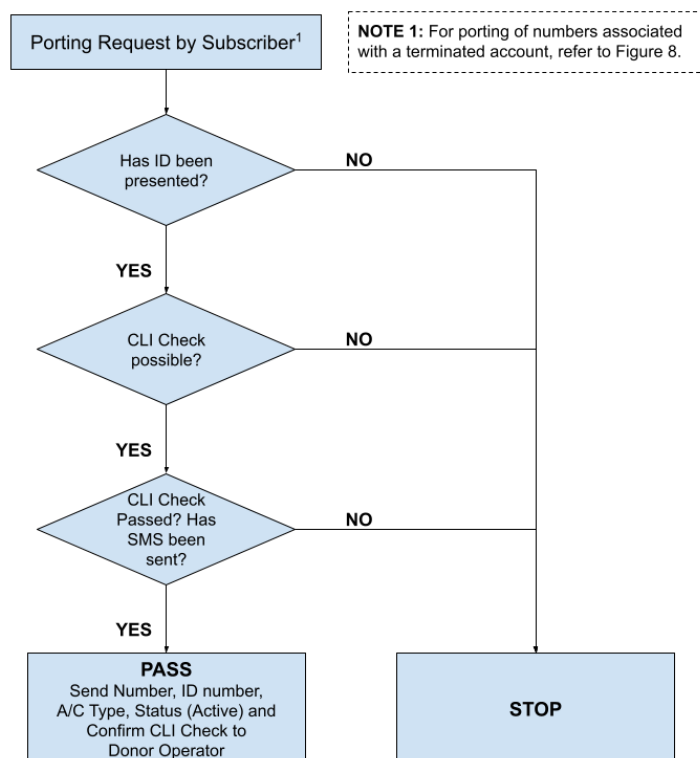Figure 1 shows the logic to be applied by the recipient operator.

Figure 1. Recipient Operator Logic for Active Pre-Paid Accounts

With a view to minimise administrative burdens, the recipient operator is only required to send the signed porting form to the donor operator if specifically requested by the donor operator, e.g. if a problem has arisen about the porting.

Actions by the donor operator

On receiving the Authorisation Request, the donor operator shall first check whether the account is active and available for porting, and if not shall reject the request (various Authorisation Response Codes possible at this point). Subsequently, the donor operator shall check the receipt of an ID number and a confirmation that the CLI Check has been passed, and if either has not been received the donor operator shall reject the request (Code=10). The donor operator shall then proceed to check whether the account is pre-paid, and if not shall reject the request (Code=09).

The donor operator shall then check its records for the number to be ported.
- If the account is registered and if the ID number sent matches its records, the validation shall be passed.
- If the account is registered and if the ID number sent does not match its records the validation shall be failed, even if the CLI Check has been passed (Code=13).
- If the account is registered but if the ID number sent cannot be matched because the donor operator does not know it, then, even if the CLI Check has been passed, the validation shall be failed (Code=15). In this case, the recipient operator should advise the subscriber to contact the donor operator to add his/her ID number to the registration information and then the Authorisation Request can be sent again.
- If the account is unregistered, if the recipient operator has confirmed that the CLI Check has been passed, then the validation shall be passed.

The donor operator shall ensure that SMSs received on 1811 are terminated correctly.

The donor operator may check that the number to be ported in the Authorisation Request matches the CLI of an SMS received by the number 1811. If the donor operator opts to implement this check, then it shall refuse the porting if a match is not achieved. The donor operator may discard unmatched SMSs after they have been stored for seven (7) calendar days. This is to allow for Authorisation Requests to be delayed or re-submitted if problems occur.

Where a pass has been achieved, the donor operator shall accept the request.

The logic to be applied by the donor operator is included in Figure 2 (next page).

The procedure specified above has been described for a single-line account but the procedure is also applicable to multi-line accounts. With multi-line accounts, the recipient operator shall send a separate Authorisation Request for each number for which porting is requested even when only one porting form has been received, and the availability of each number for porting shall be checked separately by the donor operator.
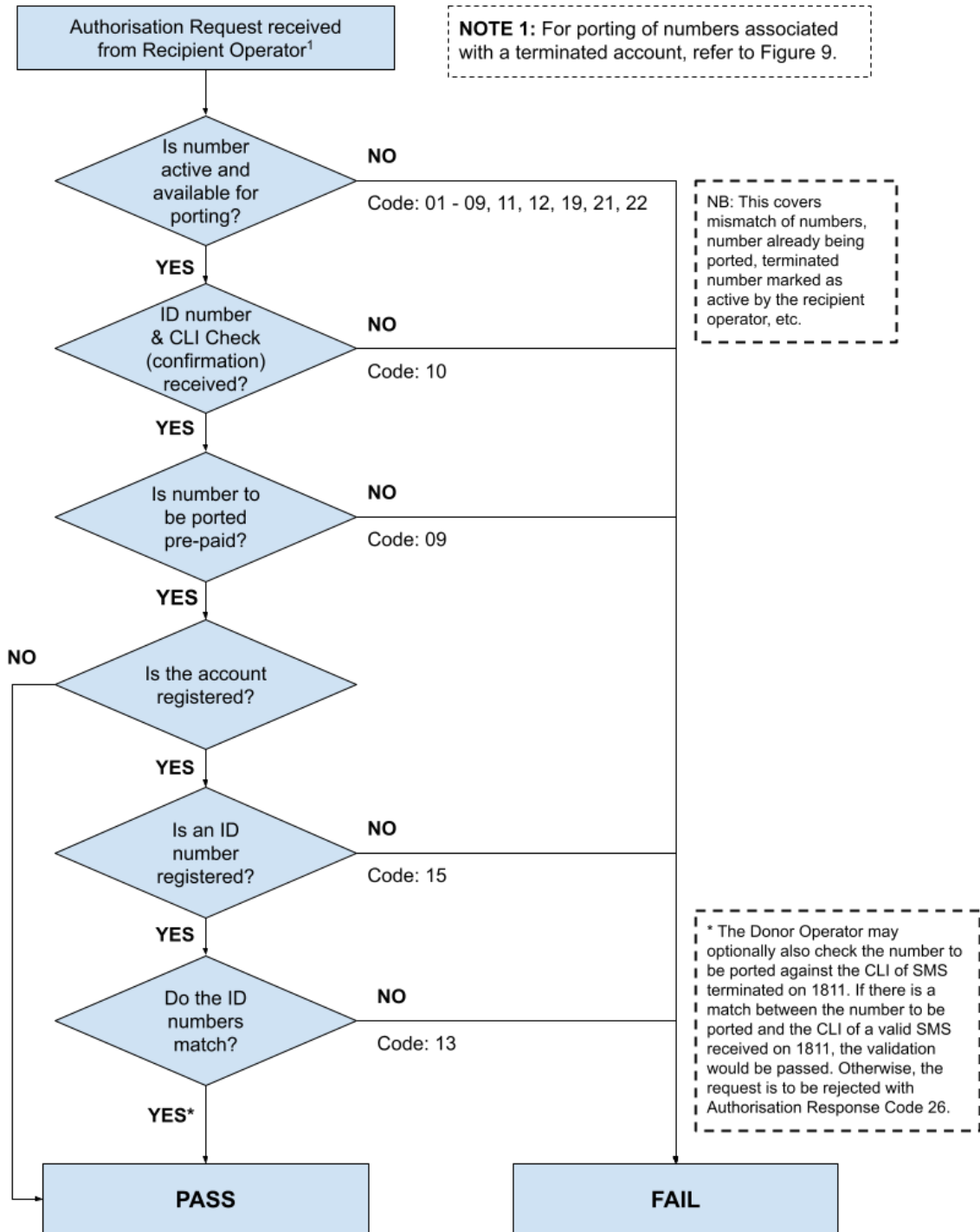
Figure 2. Donor Operator Logic for Pre-Paid Active Accounts

6.4.2 Personal Post-Paid Active Accounts

Account is to be taken of the following:

- The subscriber may not be able to produce a bill or statement (they may for example have been lost or cannot be found); and
- The address of the subscriber may have changed.

The subscriber does not have to visit the premises of the recipient operator but may send the necessary documents via online means (e.g. email), post, fax or another person.

Actions by the recipient operator

The recipient operator shall ask the person requesting porting to show or send in a copy of the ID of the subscriber. If a valid ID is not available, then the recipient operator shall not proceed with the porting.

The recipient operator shall then ask the person requesting porting if the account is single-line or multi-line. Experience has shown that subscribers may not always give correct answers to this question and therefore it is recommended that operators should indicate the account classification (single-line vs multi-line, personal vs non-personal) on all invoices.

It should be noted that for the porting of a personal post-paid <u>single-line</u> account, the recipient operator may opt to implement either an ID-Bill Check or a CLI Check. On the other hand, if the account is multi-line, an ID-Bill Check is mandatory.

Where an ID-Bill Check is to be carried out, the subscriber is required to provide a bill or statement, for the number to be ported, issued within the three (3) months prior to the date of the porting request. The recipient operator shall then check the name on the ID against the name on the bill or statement.
- If the ID name matches the bill or statement, and the bill or statement shows the number to be ported, then the ID-Bill Check has been passed.
- If they do not match, the recipient operator shall not proceed with the porting except for the following cases:
    - Where, at the point of processing the porting request, the recipient operator is provided with verifiable information that the subscriber's name and/or surname has changed as a result of a legal change in status (e.g. marriage);
    - The subscriber's second names or initials are omitted, or there are reasonable mismatches in the subscriber's second names; or
    - There are minor evident spelling mistakes.

The recipient operator shall then ask the subscriber to send a blank SMS from the number to be ported to 1811.

The recipient operator shall obtain a porting form signed by the subscriber. In the case that porting is requested by the subscriber's representative, a letter from the subscriber authorising his/her representative to request porting for the number is also required.

The recipient operator shall send to the donor operator the following information, as applicable:
- The number to be ported;
- The ID number of the subscriber;
- An indication of the account type;
- The account number from the bill or statement if available but always required for multi-line;
- An indication that the account associated with the number to be ported is active;
- An indication whether the ID-Bill Check has been passed; and
- An indication whether a CLI Check has been passed.

Figure 3 shows the logic to be applied by the recipient operator (next page).
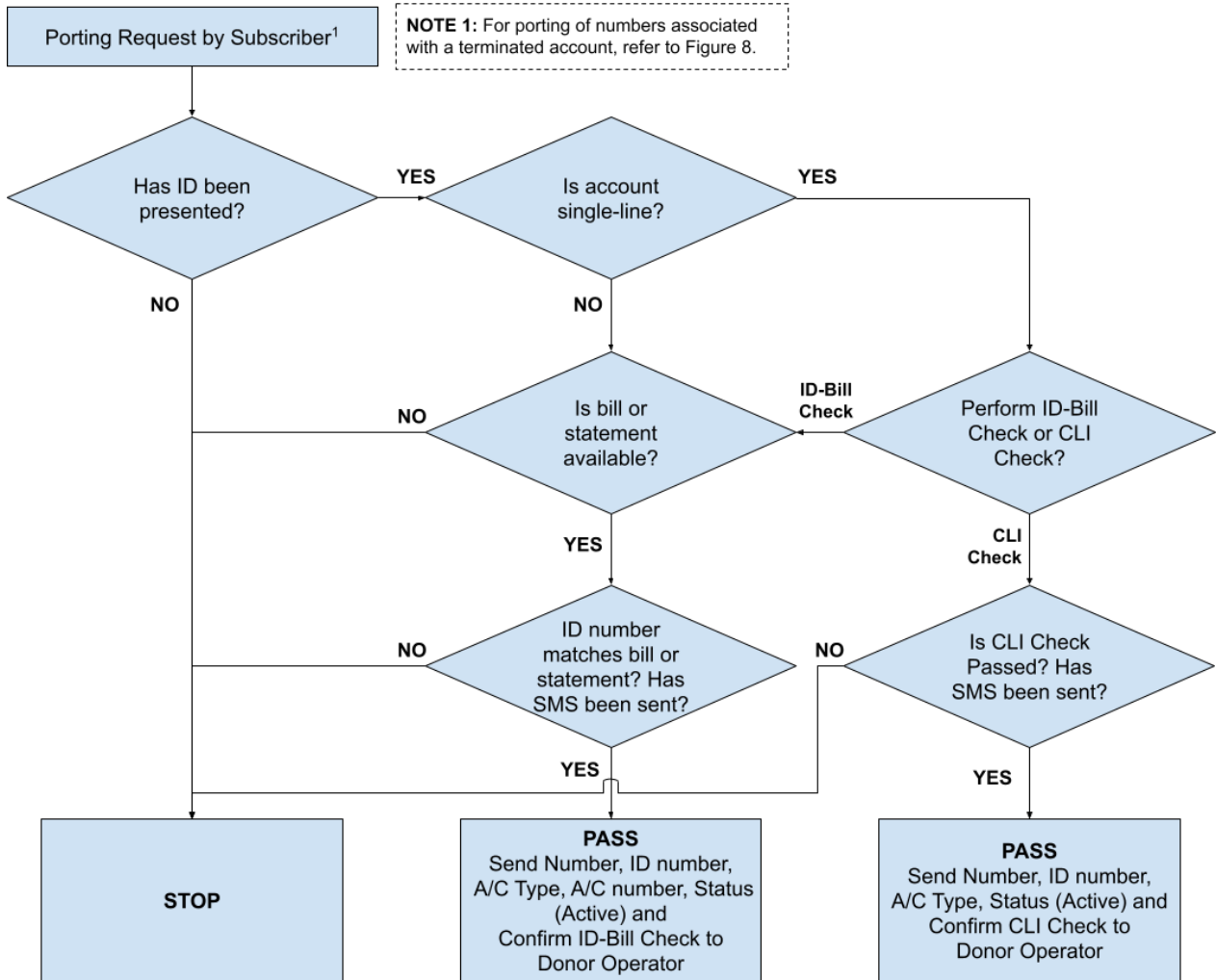
Figure 3. Recipient Operator Logic for Personal Post-Paid Active Accounts

In parallel the recipient operator shall fax or send by email or other agreed electronic method a scan of:

- The signed porting form, including the indication whether the CLI Check and/or ID-Bill Check have been passed, and an indication that the account associated with the number to be ported is active;
- The subscriber's ID; and
- Letter of authorisation and related IDs, if applicable.

Actions by the donor operator

On receiving this information, the donor operator shall check its records for the number to be ported. It should be noted that the operators know the ID number of the subscriber for the vast majority of personal post-paid accounts.

The donor operator shall check that an ID number has been sent with the Authorisation Request, that the phone number is available for porting and on a post-paid active account, and a complete and matching porting form, (including the letter of authorisation, if applicable), has been received. If all these checks pass, then:

- If the ID number sent and the account number match its records, and either the ID-Bill Check or the CLI Check has been passed, the validation shall be passed.
- If the ID number sent does not match its records, the validation shall be failed (Code=13).
- If the account number sent does not match its records, the validation shall be failed (Code=14).

- If the ID number matches the records but the account number is not sent (because the subscriber did not present a bill or statement), and if the CLI Check has been passed, the validation shall be passed.
- If the subscriber's ID number cannot be matched because the donor operator does not know it, then if the account numbers match, and the recipient operator has confirmed that either the ID-Bill Check or the CLI Check has been passed, the validation shall be passed.
- If the subscriber's ID number cannot be matched because the donor operator does not know it, and the account number is not sent (because the subscriber did not present a bill or statement), but the CLI Check has been passed, the validation shall be passed.

In the very small number of cases where the donor operator does not know the ID number of the subscriber, the signature shall be checked against the records and, if the signature matches, the validation shall be passed.

The donor operator shall ensure that SMSs received on 1811 are terminated correctly.

The donor operator may check that the number to be ported in the Authorisation Request matches the CLI of an SMS received by the number 1811. If the donor opts to implement this check, then it shall refuse the porting if a match is not achieved. The donor operator may discard unmatched SMSs after they have been stored for seven (7) calendar days. This is to allow for Authorisation Requests to be delayed or re-submitted if problems occur.

If the validation has been passed the donor operator shall check that there is no severe mismatch between the signatures on the porting form (and letter of authorisation, if applicable) and any signature held by the donor operator. If there are no severe mismatches the whole validation shall be passed.

The logic to be applied by the donor operator is shown in Figure 4 (next page).

The procedure specified above has been described for a single-line account but the procedure is also applicable to multi-line accounts. With multi-line accounts, the recipient operator shall send a separate Authorisation Request, including the account number, for each number for which porting is requested even when only one porting form has been received, and the availability of each number for porting shall be checked separately by the donor operator.
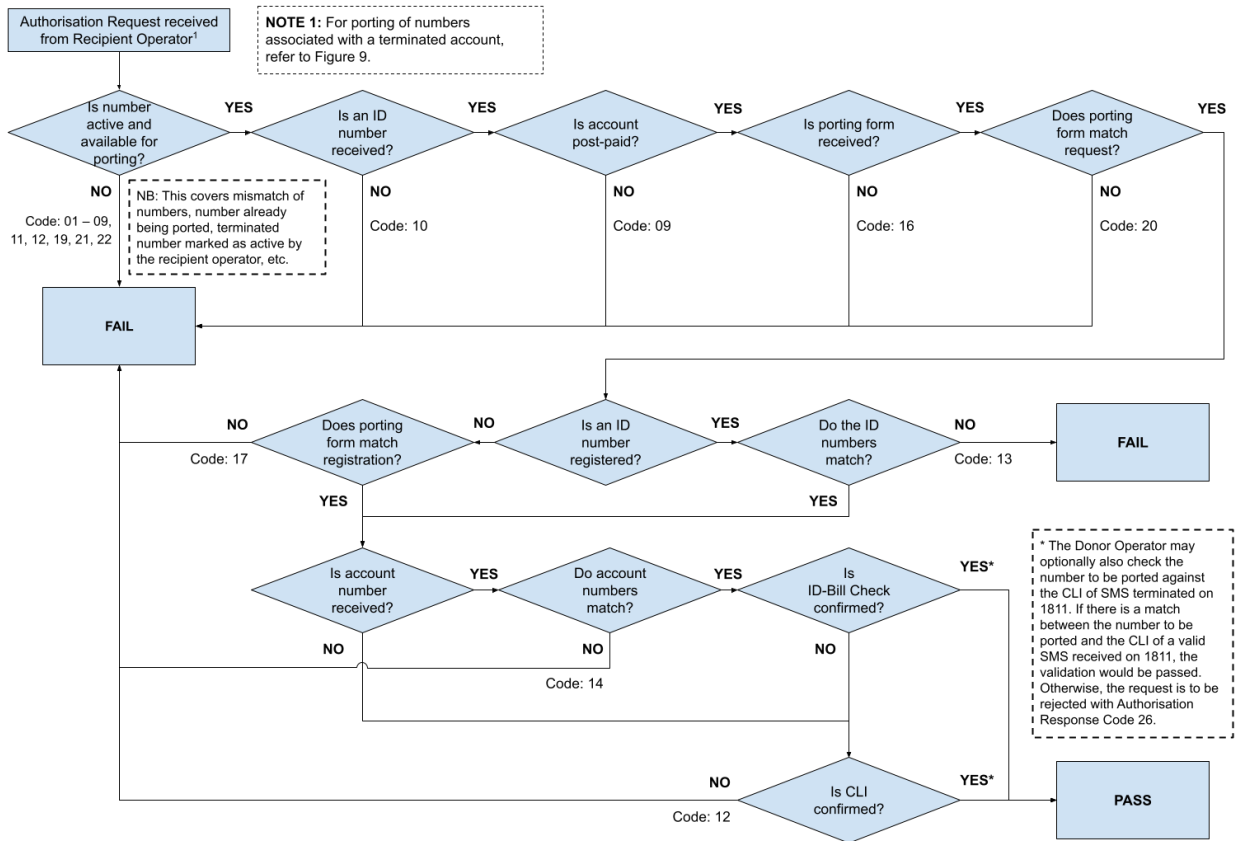
Figure 4. Donor Operator Logic for Personal Post-Paid Active Accounts

6.4.3 Non-Personal Post-Paid Active Accounts

Non-personal accounts differ from personal ones because the recipient operator has to deal with a legal representative of the non-personal entity that holds the subscription.

The legal representative does not have to visit the premises of the recipient operator but may send the necessary signed documents via online means (e.g. email), post, fax or another person.

Actions by the recipient operator

The recipient operator shall ask the person requesting porting to show or send in a copy of:
- The identity card of the legal representative of the non-personal entity;
- A bill or statement issued within the last three (3) months for the number to be ported; and
- A letter of authorisation in case of a representative.

It should be noted that, it is fair to assume that the legal representative of a non-personal entity will normally have an identity card because he/she is likely to be resident in Malta.

If either:
- an identity card; or
- a bill or statement

is not available then the recipient operator shall not proceed with the porting.

Where the entity is a company then the recipient operator shall check that the name and address on the identity card is that of a legal representative of the company requesting porting as published by the MBR. If it is not, then the recipient operator shall not proceed with the porting.

Where the entity is not a company then the recipient operator shall check that the name and address on the identity card belong to an individual that appears as a responsible person e.g. partner, trustee, councillor, on some formal documentation for the entity. If it does not, then the recipient operator shall not proceed with the porting.

The recipient operator shall check if the name of the non-personal entity shown on the bill or statement (if available) matches with reasonable accuracy with the name of the entity requesting porting for which the identity of the legal representative has been checked:
- If there is a match, the recipient operator shall confirm to the donor operator that the ID-Bill Check has been passed.
- If there is not a match for example because the name of the entity has changed or because the entity changed address, the validation may still continue but the recipient operator shall not confirm that the ID-Bill Check has been passed.

The recipient operator shall also ask the subscriber or legal representative to send a blank SMS from the number to be ported to 1811.

The recipient operator shall obtain a signed porting form. In case of a representative, a letter of authorisation from the legal representative requesting the porting for the number is also required.

The recipient operator shall send to the donor operator the following information:
- The number to be ported;
- The identity card number of the legal representative of the non-personal entity;
- An indication of the account type;
- The account number from the bill or statement;
- An indication that the account associated with the number to be ported is active;
- An indication whether the ID-Bill Check has been passed.

In parallel the recipient operator shall fax or send by email or other agreed electronic method a scan of:
- The signed porting form, including an indication whether the ID-Bill Check has been passed, and an indication that the account associated with the number to be ported is active;
- The identity card of the legal representative of the non-personal entity; and
- Letter of authorisation and related IDs, if applicable.

Figure 5 shows the logic to be applied by the recipient operator (next page).
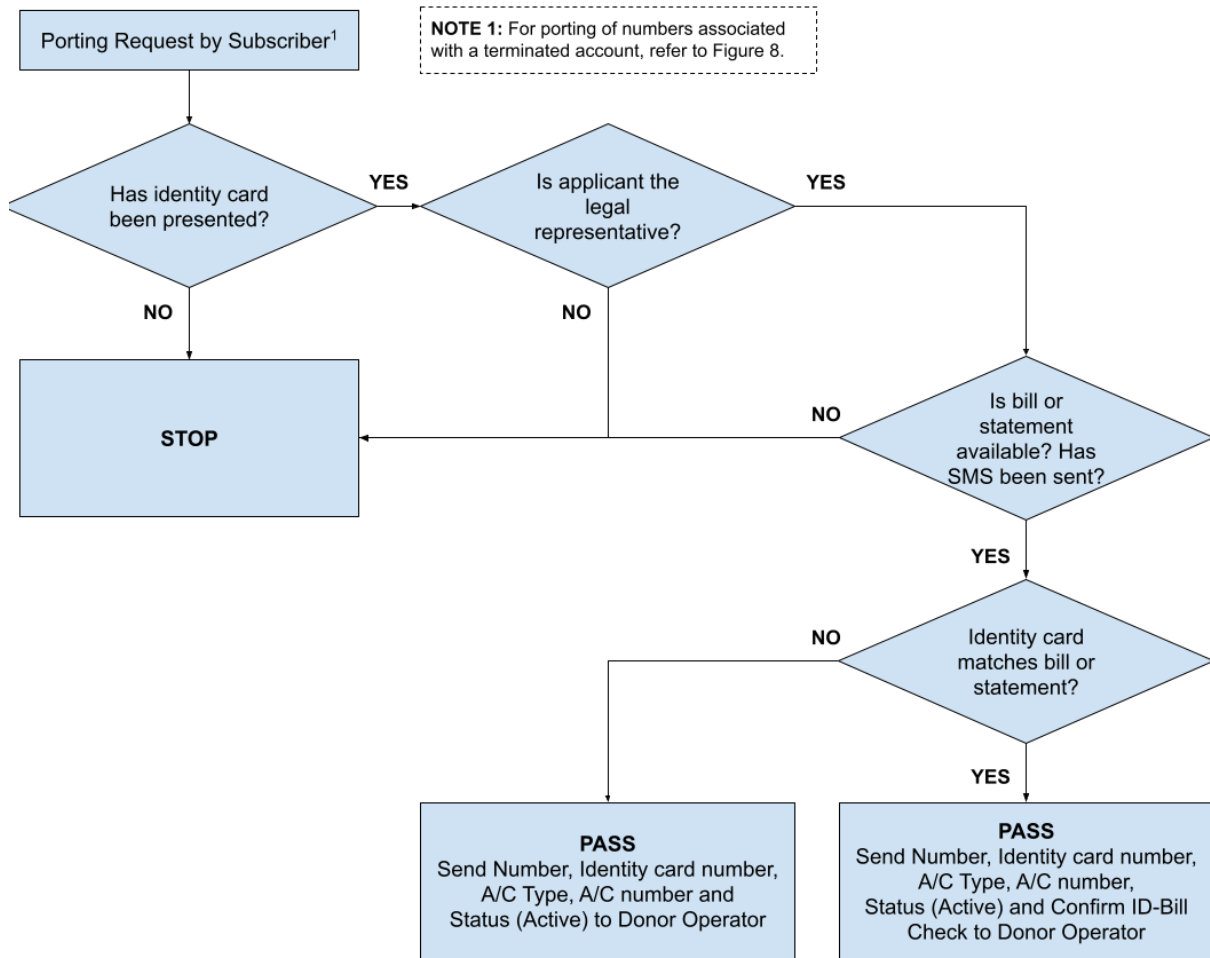
Figure 5. Recipient Operator Logic for Non-Personal Post-Paid Active Accounts

Actions by the donor operator

On receiving this information, the donor operator shall check its records for the number to be ported.

The donor operator shall check that an identity card number has been sent with the Authorisation Request, that the number is available for porting and on a post-paid active account, and a complete and matching porting form (including the letter of authorisation, if applicable), has been received. If these checks pass, then:

- If the identity card number sent matches its records and if the account number sent matches its records, validation shall be passed.

If the donor operator does not have the identity card number of the current legal representative, then in order to do the above check it shall endeavour to obtain the number:

- In the case of a company, from the database of the MBR; or
- In the case of another type of non-personal entity, from any relevant authoritative source.

If the identity card number cannot be obtained and matched, the donor operator shall refuse the porting and the recipient operator should advise the subscriber to update its registration so that a match can be achieved, and then apply again.

The donor operator shall ensure that SMSs received on 1811 are terminated correctly.

The donor operator may check that the number to be ported in the Authorisation Request matches the CLI of an SMS received by the number 1811. If the donor opts to implement this check, then it shall refuse the porting if a match is not achieved. The donor operator may discard unmatched SMSs after they have been stored for seven (7) calendar days. This is to allow for Authorisation Requests to be delayed or re-submitted if problems occur.

If the validation has been passed, the donor operator shall check that there is no severe mismatch between the signatures on the porting form (and letter of authorisation, if applicable) and any signature held by the donor operator. If there are no severe mismatches the whole validation shall be passed.

Though the procedure specified above has been described for a single-line account, the said procedure is also applicable to multi-line accounts. With multi-line accounts, the recipient operator shall send a separate Authorisation Request, including the account number, for each number for which porting is requested even when only one porting form has been received, and the availability of each number for porting shall be checked separately by the donor operator.

The logic to be applied by the donor operator for non-personal post-paid active accounts held by companies is shown in Figure 6.
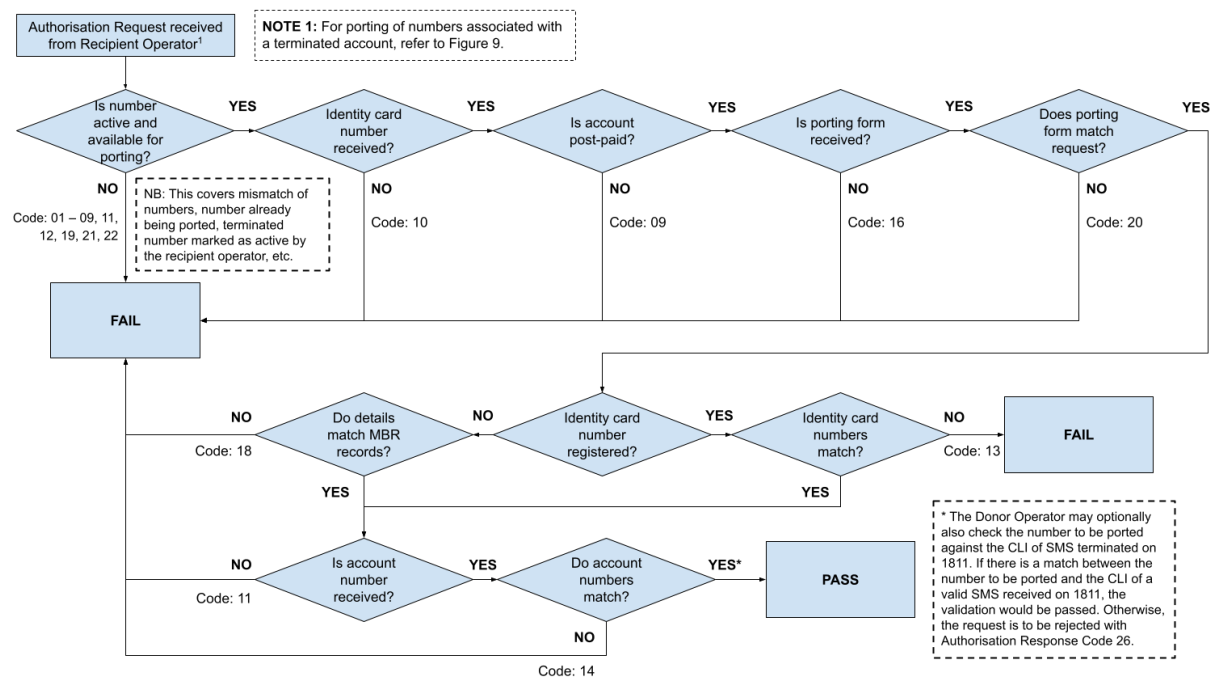

**Figure 6. Donor Operator Logic for Non-Personal Post-Paid Active Accounts
held by Companies**

The logic to be applied by the donor operator for non-personal post-paid accounts held by entities other than companies (e.g. churches, clubs, embassies, Government departments, and public entities) is shown in Figure 7 (next page).
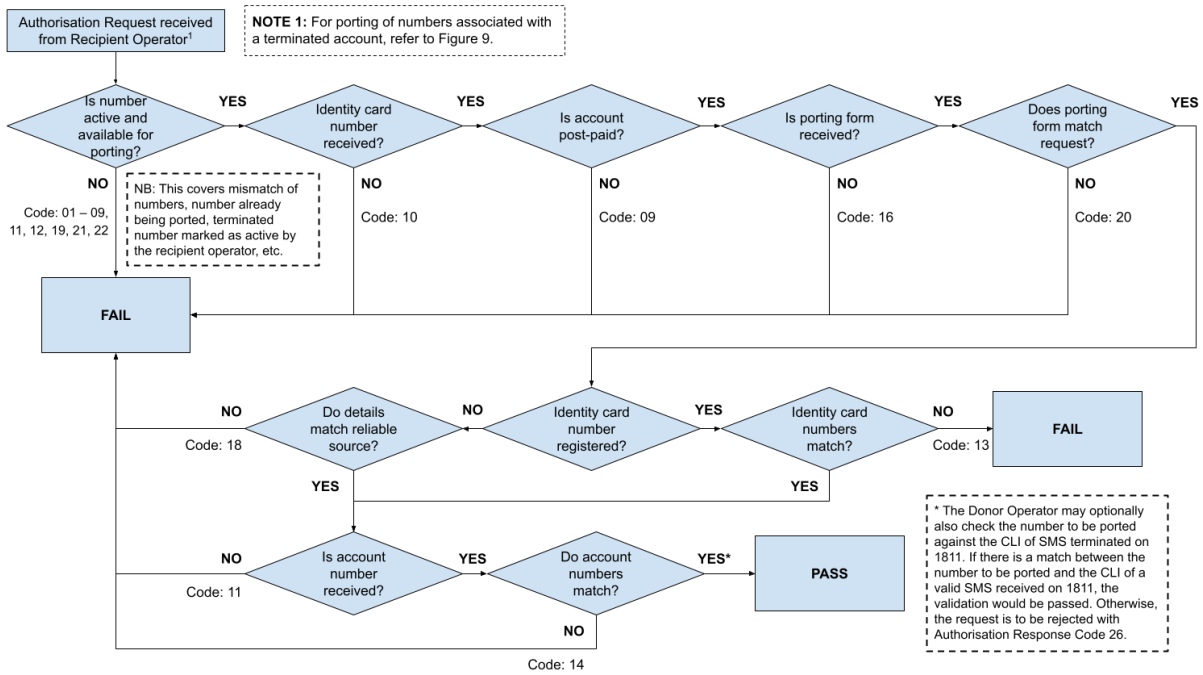
Figure 7. Donor Operator Logic for Non-Personal Post-Paid Active Accounts held by Entities (Other Than Companies)

Where the non-personal account is a multi-line account, the donor operator may contact the legal representative of the non-personal entity to seek confirmation that the request is properly authorised. The donor operator may refuse the request if it receives an indication in writing, fax, email, recorded conversation or other agreed electronic method that the request is not correctly authorised.

6.4.4 Summary of information sent by the recipient operator to the donor operator

The following table summarises the information to be sent by the recipient operator to the donor operator for the different cases involving active numbers.

Table 1. Information to be sent to the donor operator for porting active numbers			
Method	Pre-Paid	Personal Post-Paid	Non-Personal Post-Paid
Electronic messaging	- Number to be ported - Subscriber's ID number - An indication that the account is pre-paid - An indication that the account is active - An indication that a CLI Check has been passed	- Number to be ported - Subscriber's ID number - Indication of A/C type - A/C number from the bill or statement, if available, for single-line, and mandatory for multi-line - An indication that the account is active - An indication that ID-Bill Check has been passed, (if applicable) - An indication that a CLI Check has been passed, (if applicable)	- Number to be ported - Identity card number of legal representative - Indication of A/C type-A/C number from the bill or statement - An indication that the account is active - An indication that ID-Bill Check has been passed (if applicable)
Fax, email or other agreed electronic method	None. Except for cases where the subscriber is registered at the donor operator without an ID number, when the donor operator may request a copy of the porting form.	- Signed porting form - Copy of subscriber's ID - Letter of authorisation and related IDs, (if applicable)	- Signed porting form - Copy of identity card of legal representative - Letter of authorisation and related IDs, (if applicable)
Mail	The signed porting forms only if specifically requested by the donor operator.	None	None

6.4.5 Handling of applicants requesting porting of terminated numbers

The right to request porting[5] 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, 9/2022 and 10/2022) 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.

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[5] 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.

Actions by the recipient operator

- Besides the number to be ported, the recipient operator must also obtain the **applicant's identification details** and verify these details against a valid ID.
- The recipient operator should also make attempts at discerning the **type of account** (e.g. pre-paid, personal post-paid, single-line, multi-line, etc.) last held by the applicant with the donor operator.
- The recipient operator should then request the applicant to provide it with the same **documents, account and/or additional personal details** that would otherwise be required had this porting request been received from a subscriber of the same account type being claimed by the applicant, as listed in **Table 2** below.
- The details captured from the applicant should be reflected in the **Porting Form** to be submitted to the donor operator, including an indication that the account associated with the number to be ported is terminated.
- An Authorisation Request to port the number should be sent once all the above information is obtained from the applicant.

Table 2. Recipient Operator Checklist prior to submitting Authorisation Request		
Pre-Paid	Personal Post-Paid	Non-Personal Post-Paid
Applicant ID presented	Applicant ID presented	Identity card of legal representative presented
Signed Porting Form	Signed Porting Form	Signed Porting Form
Letter of authorisation and related IDs (if applicable)	Letter of authorisation and related IDs (if applicable)	Letter of authorisation and related IDs (if applicable)
	Copy of bill or statement (if made available)	Copy of bill or statement
	Confirm ID-Bill Check (if made available)	Confirm ID-Bill Check (if applicable)
	If a bill or statement is not presented, proceed only if the last account held by the applicant was a single line.	Same checks applied for active numbers.

It should further be noted that:

(a) By virtue of being terminated numbers, the recipient operator is not in a position to implement the CLI Check for an applicant's request. Thus, in the case of requests to port terminated numbers, all steps relative to the CLI Check are irrelevant to the verifications process and are therefore to be ignored.

(b) In the same vein as point (a) above, the recipient should not request the applicant requesting porting of a terminated number to send a blank SMS from the number to be ported to 1811. Thus, for porting of terminated numbers, the donor operator cannot opt to check the CLIs of the SMSs received on 1811 against the number to be ported in the Authorisation Requests.

(c) Where the applicant informs the recipient operator that the terminated number was last associated with a single-line personal post-paid account, the recipient operator can still submit the Authorisation Request in the absence of a bill or statement, given that the Donor Operator Logic includes a number of safeguards to confirm the applicant's eligibility to request number portability and to identify any incorrect claims made (e.g. number status is 'active', account is non-personal, and/or multi-line, incorrect ID number on record for the last account associated with the number, etc.).

(d) As in the case of active numbers, requests to port a terminated number associated with a non-personal post-paid account should not proceed where a bill or statement is not made available to the recipient operator. Applicants should therefore be directed to present a bill or statement issued within the last three (3) months in order for the recipient operator to proceed with the request to port the terminated number.

(e) Where applicable, document retention should be in line with the provisions of Section 6.4.6 of this Specification.

Figure 8 shows the logic to be applied by the recipient operator to process requests to port terminated numbers.
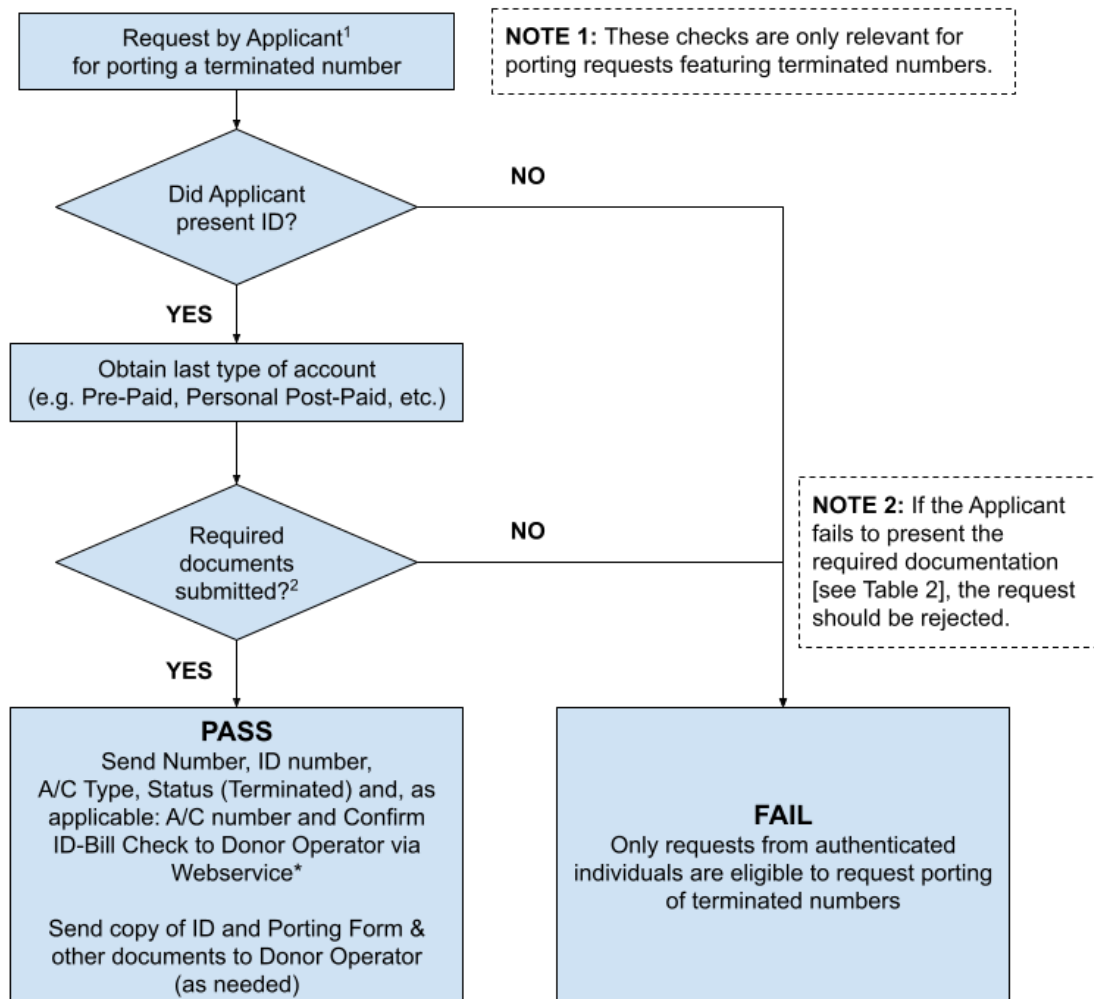

Figure 8. Recipient Operator Logic for Terminated Numbers

* It should be noted that, during the interim solution, some verifications may need to be made outside of the Webservice prior to raising the Authorisation Request. The recipient operator may therefore have to submit some documentation to the donor operator beforehand.

Actions by the donor operator

- Upon receiving an Authorisation Request to port a number belonging to a terminated account, the donor operator should carry out checks against documentation (if any) held for the terminated account against the details and/or documentation received from the recipient operator.

- As a first step, the initial screening checks should:
  - o **Authenticate the applicant** as the person who last held a subscription associated with the number to be ported or is authorised by such person (e.g. legal representative);
  - o Verify that the porting request date is **within one (1) month from the date of termination** of the contract or other similar arrangement;
  - o Verify that the right to request porting had **not been renounced** by the applicant.
- If the applicant's request passes the initial screening checks, the porting process should proceed in the same manner that would be applicable had this porting request been received from a subscriber of the same account type. Provided that the applicant's request also satisfies all other conditions associated with the Authorisation Phase, an Authorisation Response should then be sent to the recipient operator indicating that the porting process may proceed to the next steps accordingly.

Table 3 below summarises the initial screening checks and other eligibility verifications, per account type, to be carried out by the donor operator upon receipt of an Authorisation Request for the porting of a terminated number.

Table 3. Donor Operator Checklist for Initial Screening and Other Eligibility Verifications		
Pre-Paid	Personal Post-Paid	Non-Personal Post-Paid
Applicant ID details match registered details	Applicant ID details match registered details	Identity card details of legal representative match records or reliable source
Signed Porting Form received, details match	Signed Porting Form received, details match	Signed Porting Form received, details match
Initial screening checks: • Request within eligible period • Right not renounced • Other required documents submitted (e.g. letter of authorisation and related IDs)	Initial screening checks: • Request within eligible period • Right not renounced • Other required documents submitted (e.g. letter of authorisation and related IDs, copy of bill or statement, if made available)	Initial screening checks: • Request within eligible period • Right not renounced • Other required documents submitted (e.g. letter of authorisation and related IDs, copy of bill or statement)
Other eligibility verifications: Same checks for active numbers, except aspects related to CLI Check or SMS on 1811 (e.g. Missing consent for a person under the age of 18 years).	Other eligibility verifications: Same checks for active numbers, except aspects related to CLI Check or SMS on 1811 (e.g. Outstanding dues with donor operator).	Other eligibility verifications: Same checks for active numbers, except aspects related to SMS on 1811 (e.g. Credit limit exceeded).

It should be noted that, in view of Decision 10/2022 of the Decision Notice *Number Portability in Malta*, and the respective obligation on unregistered subscribers to register their details prior to termination, where the donor operator receives an Authorisation Request for a terminated number with no associated registration details on record, it is likely that the last subscriber would have failed to register his/her details on time, and the Authorisation Request should therefore be rejected (Code=29).

Notwithstanding, as noted in the abovementioned Decision Notice, 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.

Figure 9 shows the logic to be applied by the donor operator to process requests to port terminated numbers.
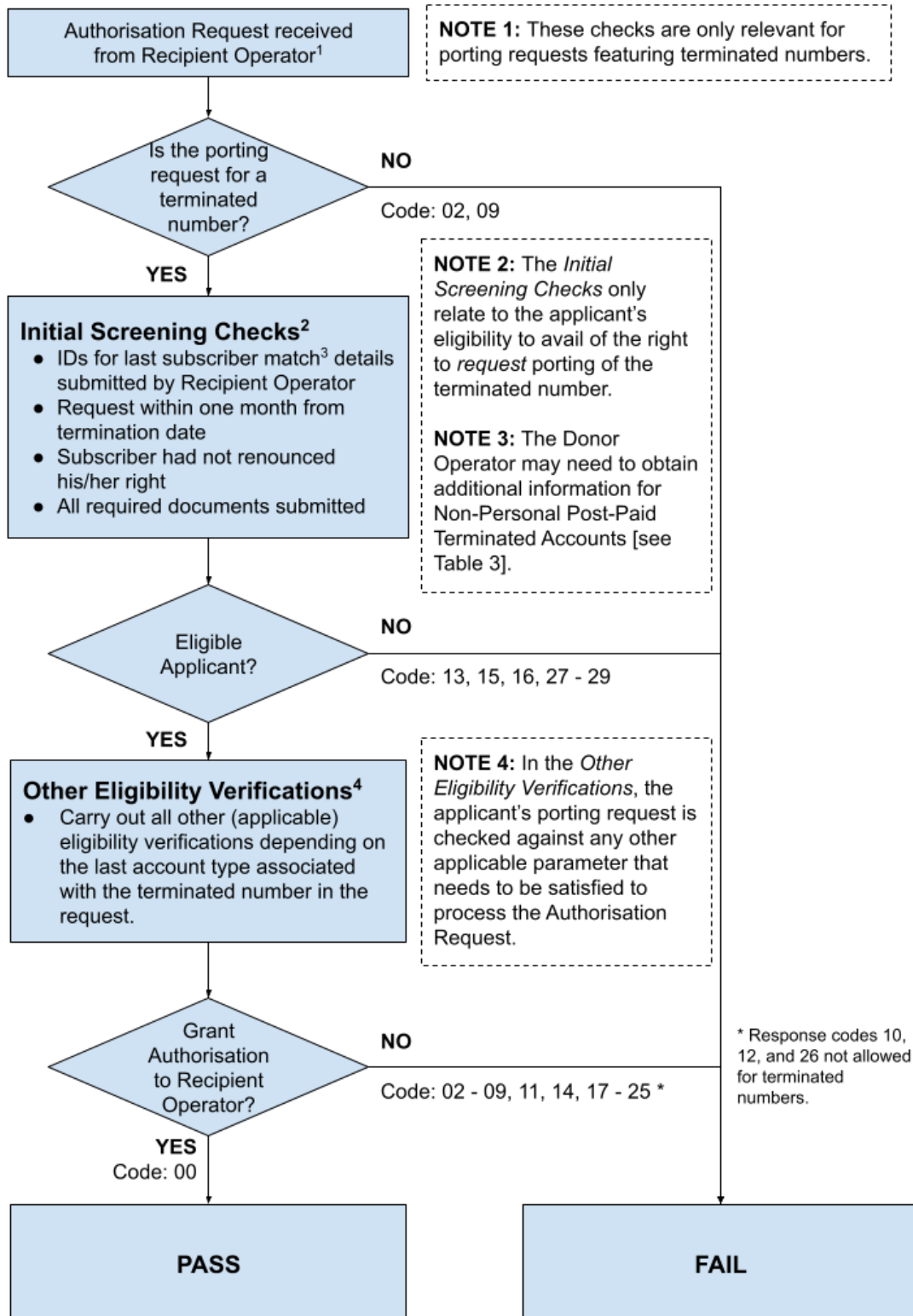

Figure 9. Donor Operator Logic for Terminated Numbers

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, and, if applicable, the letter of authorisation (together with related IDs) and/or the bill or statement 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. Moreover, it should also be noted that such reactivation would not imply that the applicant is provided with a new active SIM, or that the former donor SIM is re-provisioned with services.

Once informed that the donor operator is ready to process the request, the recipient operator is to raise an Authorisation Request via the Webservice. 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 *transactionID*s. 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 (e.g. donor operators may not refuse the request on the grounds that a CLI Check was not completed).

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'[6] 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.

6.4.6 Documents

The recipient operator is required to provide the applying port-in subscriber with a copy of the signed porting form, whether in a printed or electronic format. It shall also retain the following documents for a minimum of twelve (12) months or, if there is a dispute, until such dispute is finally concluded, whichever is the later, provided that the subscriber remains a subscriber of the recipient operator:

- A copy of any ID used;
- A copy of any bill or statement used during the porting procedure;
- The original of the signed porting form and the letter of authorisation, if applicable; and
- A record of the person who made a CLI Check and the time when it was made, if applicable.

The donor operator shall retain any porting forms that it receives for at least two (2) months but shall not retain them for more than three (3) months.

Document images may be stored electronically, in which case there is then no requirement to store paper copies.

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[6] 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.

6.5   Other considerations

6.5.1 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 or dues on a mobile telephone set that have not been paid within the normal period agreed to. To be in a position to port, such a subscriber may settle any reasonable termination charge applicable to the mobile telephone set in question. 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.

6.5.2 Detection of Erroneous Terminations

To facilitate early detection of erroneous terminations, and regardless of whether the number being terminated is served by the block operator or by another operator (i.e. ported in[7]), the MCA recommends that the operator sends an SMS to the number being terminated with the following message:

> "Your account for <this number> is being terminated. If you disagree, please call customer services as soon as possible. If your personal details are registered and up-to-date, you may request to reactivate or port this number for one (1) month from the termination date."

Sufficient time to ensure the delivery of this SMS should be allowed prior to the deactivation of the account. Alternatively, the operator may opt to send this message through other durable media such as an email. In any case, operators are to ensure conformity with the parameters established in Decisions 8/2022 and 10/2022.

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[7] The handling of terminated ported in numbers is addressed in further detail in Section 10 of this document.

7 Porting process

The porting process consists of four phases:
- Preparation Phase;
- Authorisation Phase;
- Activation Phase; 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 number portability databases where applicable (see Section 8 of this document).

The validation activities by the recipient operator take place during the Preparation Phase.

The validation process is spread across both the Preparation Phase and the Authorisation Phase.
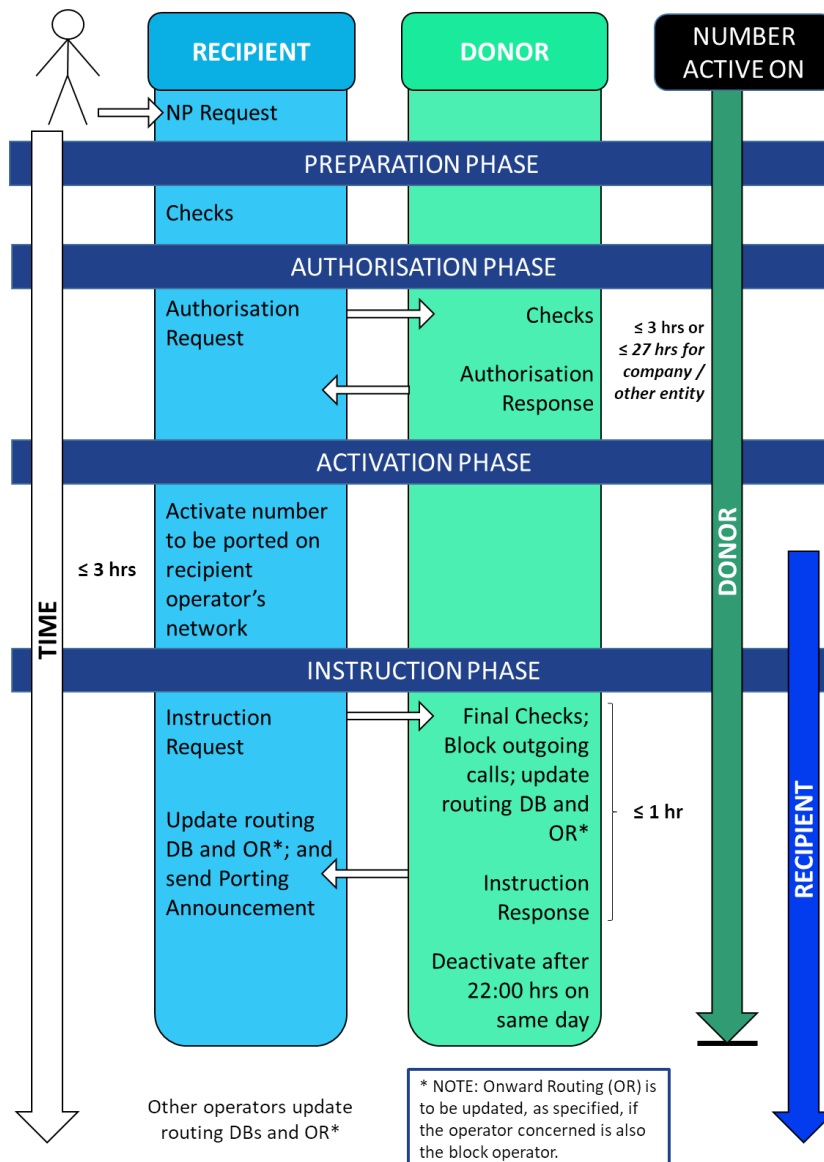
Figure 10 shows the phases.

Figure 10. Overview of process for porting active mobile numbers

In the following sections all references to time refer to working days, i.e. time within the hours
- 09:00-18:00 hours on weekdays
- 09:00-13:00 hours on Saturdays

excluding Sundays and public holidays.

7.1   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.

7.2   Preparation Phase

The Preparation Phase includes:
- a)   the validation work to be carried out by the recipient operator (see Section 6 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.

7.3   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 as detailed in Section 6 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.

7.3.1 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.

The porting process is organised on a per-number basis and not as a batch process, including for numbers pertaining to the same multi-line account. In this respect, 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.

7.3.2 Authorisation Response

The donor operator shall reply within three (3) hours by sending an Authorisation Response. Where the subscriber is:
- a company with a multi-line account; or
- a non-personal legal entity other than a company with a single or multi-line account

the period for the donor operator to send an Authorisation Response shall be extended by one (1) working day.

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

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 latter should explain the reason to the recipient operator. The recipient operator may wait to receive a late Authorisation Response from the donor operator or may terminate the process and start it again later if necessary. The failure to respond in time should be logged for statistical purposes, in line with Section 14 of this document.

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 has elapsed since the previous form was signed. A new transaction identifier should be used for the resubmission.

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

During the Authorisation 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 MSISDN was sent in the Authorisation Request.

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

7.3.3 Quota

Donor operators are encouraged to handle all the Authorisation Requests they receive however they are permitted to refrain from processing these requests for valid technical limitations subject to the following conditions:

1. In the period up to 12:00 hours each working day the donor operator shall process Authorisation Requests on a first come first served basis until the number of Authorisation Requests processed from any individual operator reaches the *Individual Recipient Operator Authorisation Request Limit (see definition below)*;

2. Once the *Individual Recipient Operator Authorisation Request Limit* is reached, the donor operator is not required to process further Authorisation Requests from the recipient operator concerned until 12:00 hours but instead shall store the remaining Authorisation Requests from this recipient operator for after 12:00 hours while continuing to process requests from other recipient operators;

3. After 12:00 hours, the donor operator shall process the remaining Authorisation Requests together with the Authorisation Requests received after 12:00 hours in the order in which they were received until a total of 240 Authorisation Requests has been processed during that working day;

4. After 240 Authorisation Requests have been processed, the donor operator that opted to utilise this quota shall treat any subsequent Authorisation Requests as if they were received the following working day and treat them as new Authorisation Requests as part of the *Individual Recipient Operator Authorisation Request Limit* of the following day. Such requests should be treated with an Authorisation Response with Code 24 indicating to the recipient operator that they are being processed the following day.

Definition of *'Individual Recipient Operator Authorisation Request Limit'*: 240 (two hundred and forty) divided by the total number of operators that may request a porting from the donor operator.

On Saturdays:
- the time of 12:00 hours shall be replaced by 11:00 hours;
- the *Individual Recipient Operator Authorisation Request Limit* shall be halved; and
- the limit of 240 shall be replaced by 120.

The MCA will analyse statistics pertaining to Authorisation Response Code 24 from time to time and when it deems necessary.

The quota applies only to Authorisation Requests and not to Instruction Requests.

7.4 Activation Phase

The following applies separately for each number for which porting is requested.

Where numbers pertaining to a multi-line account are being ported, it applies separately to each number for which porting is requested even when a single porting form has been received. Consequently, some numbers pertaining to the same multi-line account may continue with the porting but others may not if they have been refused.

If the Authorisation Phase has been completed successfully (i.e. Authorisation Response with Code 00), the recipient operator shall activate the number to be ported on its network, and no routing changes are applied at this stage, and then proceed to the Instruction Phase.

If the recipient operator does not proceed to the Instruction Phase within three (3) hours of receiving a successful Authorisation Response, then the recipient operator shall not continue to the Instruction Phase but may restart the porting process if appropriate.

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 refusals for the same number the recipient operator shall not submit further requests until it has resolved the problem with the donor operator.

At this stage, while originating calls can be made from the number to be ported using the recipient operator's SIM, the subscriber still has full service on the donor operator's end.

During the Activation 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 MSISDN was sent in the Authorisation Request.

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

7.5   Instruction Phase

7.5.1 Instruction Request

The recipient operator shall send an Instruction Request to the donor operator.

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

Instruction Requests shall only be sent for numbers for which the porting has been accepted within the last three (3) hours, and for numbers that have been activated on the recipient operator.

7.5.2 Instruction Response

The following applies separately for each number for which porting is instructed.   Where numbers pertaining to a multi-line account are being ported, it applies separately to each number for which porting is requested even when a single porting form has been received. 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 donor operator shall send the Instruction Response within one (1) hour of receiving the Instruction Request. The format of the Instruction Response is given in the Webservice Specification.

Unless the Instruction Request is to be rejected because of any of the rejection reasons listed in Annex 2.2, the donor operator shall perform the following actions as one atomic transaction:
- deny subscriber from performing Location Update from the number being ported. This action is not to be implemented when porting terminated numbers, as such numbers would have already been deactivated on the donor's network;
- update its routing database and, when the donor operator is the block operator, also apply onward routing. This means that calls and messages originating from subscribers on the donor's network and from subscribers of other operators using the donor operator for indirect routing are routed to the recipient operator; and
- send an Instruction Response with Code 30.

On receiving a successful Instruction Response, the recipient operator shall update its routing database. This will ensure that calls and messages originating from the recipient'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.

Where the donor operator has sent a positive Instruction Response, and the ported-out number was associated with an active account, the donor operator shall after 22:00 hours on the same day:

- deactivate the number on its network; and
- close any mailboxes, with the loss of any messages stored in them, and any other services attached to the ported number.

Note: The reason why the deactivation of the number on the donor operator's network is delayed by several hours after the time when the Instruction Response is sent is to allow time for those other networks to update their routing databases. This is necessary because a potential problem arises where the donor operator receives an incoming call or SRI-SM with a prefix already added. This case will arise where either:
- *The originating operator uses All Call Query (ACQ); or*
- *The donor operator is not the block operator and the call or signalling has been onward routed.*

If a prefix is present on the incoming call or signalling and if the number is not active on the donor operator's HLR/HSS that is identified by the prefix, the communications will fail and be treated as if the subscriber is unknown. This may deter a caller from making subsequent attempts to communicate and will result in lost messages. (As a security measure against endless loops that could arise from inaccurate routing data, operators are not allowed to programme their systems to replace or update prefixes.)

By keeping the number active, these communications will be treated as if the subscriber is unavailable (callers are given a message and SMSs are repeated). This handling of the incoming communications is much more appropriate. In this respect, the donor operator is required to keep the number active on its network at least until 22:00 hours on the same day when it sends the successful Instruction Response to provide all other operators with sufficient time to update their routing information prior to number deactivation by the donor operator.

7.6   Handling of errors and other issues

During the porting process, operators may encounter unforeseen errors or other issues that might necessitate a response via the Webservice, as appropriate in the circumstances being faced. Two such situations include the need to resubmit a particular request (Section 7.6.1 of this document) and handling out of sequence messages or codes (Section 7.6.2 of this document).

7.6.1 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 recipient operator sends an initial Authorisation Request to the donor operator, and the latter replies with an Authorisation Response with Code 01, 15 or 16.

The donor operator can resubmit an Authorisation Response when:
- The donor operator originally replies to the recipient operator with an Authorisation Response, and the latter specifies a Webservice return code other than 0, 1 or 2.

If the resubmission is made more than two (2) working days after the original submission, then the recipient operator should ask the subscriber to send another blank on-net SMS to 1811 once again.

Instruction Phase
The recipient operator can resubmit an Instruction Request when:
- The recipient operator initially sends an Instruction Request to the donor operator, and the latter replies with an Instruction Response with Code 31.
- The recipient operator initially sends an Instruction Request to the donor operator, and the latter specifies a Webservice return code other than 0, 1 or 2.

The donor operator can resubmit an Instruction Response when:
- The donor operator originally replies to the recipient operator with an Instruction Response, and the latter specifies a Webservice return code other than 0, 1 or 2.

For both 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.

7.6.2 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. an Authorisation Response with Code 34), 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 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 Instruction Phase to refuse such a porting application and shall continue with the porting process.

7.7 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 Activation 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 MSISDN was sent in the Authorisation Request.

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

8   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 mobile 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 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 database such that calls/messages 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 nor the donor operator, the block operator shall also take care to update any onward routing applied to support previous portings such that calls/messages 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.

9   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 unutilised 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.

10 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 10.1 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, mobile voice communications services providers[8] 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[9], 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 10.2 of this document.

10.1 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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[8] All references to the term 'voice communications service' in this document are in accordance with the definition included in article 2 of CAP. 399.
[9] 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.

10.2 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, in accordance with the principle established in the Decision Notice; except when the number has been ported to another operator or reactivated during 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.

11   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.

12   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 informational 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.

13   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[10], 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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[10] Extraordinary events include all scenarios whereby the timely processing of requests as per quota 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 quota due to a significant backlog of unprocessed requests.

14 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, with the figures shown separately for account type (e.g. pre-paid, post-paid) and status (active or 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 Instruction 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 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 Instruction Phase, (separate figures for each donor operator); and/or

- The total number of port-outs (separate figures for each donor operator).

15   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. Mobile Virtual Network Enabler (MVNE), Access Provider), 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.

| Operator Logo | **Mobile Number Portability Application Form** |

CORPORATE

Name _____ **Company/Entity Reg. No.** _____

- -

INDIVIDUAL/CORPORATE REPRESENTATIVE

Name & Surname _____ **Identification Doc. No.** _____

Address _____

_____

Contact No. _____ **Fax** _____

Request - Date ___ / ___/20___   **Time** ___ : ___

- -

Donor Operator _____ **Donor Account No.** _____
(Current/Last Serving Service Provider) *(if applicable)*

Account Type   Single-Line ☐   Multi-Line ☐   Pre-paid ☐   Post-paid ☐

Account Status   Active ☐   Terminated ☐

PORTING NUMBER _____

PORTING NUMBERS _____
In case of Multi-Line Account

_____

	Yes	No	N/A
ID Check	☐	☐	☐
CLI Check	☐	☐	☐
Sent SMS to 1811	☐	☐	☐
ID-Bill Check	☐	☐	☐

The Malta Communications Authority wishes to advise the applicant that the Donor Operator is not allowed to initiate contact with him/her from when he/she signs this application form, including a period of two months commencing from when the porting has been successfully completed, or one week in cases where the porting request has been declined. The applicant should report any non-conformity with this requirement to *<Recipient Operator Name>*. Applicants may nevertheless contact the Donor Operator if they wish to do so, for instance to submit a request for a credit refund.

Terms & Conditions:
1. Applicant is the rightful owner of the mobile number(s) stated above.
2. In the case of consumers with pre-paid or hybrid connections, the applicant should note that, upon request following successful porting, any unused monetary credit with the Donor Operator may be refunded by the latter, albeit a fee may apply if this is already provided for in the contract or other similar arrangement between the applicant and the Donor Operator. Such requests must be made to the Donor Operator within two weeks of a successful porting. Applicants should also note that the credit to be refunded by the Donor Operator should match the monetary amount which would have been indicated to the consumer should he/she have 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 the consumer 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.
3. Any messages on the Voice Mailbox of the Donor Operator will be lost.
4. Any undelivered SMS and MMS on the mobile number(s) stated above may be lost after the porting process is complete.
5. In the case of post-paid connections, the balance due to the Donor Operator is duly paid.
6. The Donor Operator shall remove any entry/entries relating to the applicant's mobile number(s) which may be included in any directory information service of such provider upon the successful completion of the porting process.
7. The applicant is aware that the Donor Operator will automatically terminate his/her contract or other similar arrangement upon successful porting. In case the number(s) to be ported form(s) part of a contract or other similar arrangement comprising other services offered to the applicant by the Donor Operator, the applicant is aware that such automatic termination can have implications on any other services, such as in a bundled offer, that the applicant may have with the Donor Operator. Penalties for early termination of the said contract may apply.

Data Protection Clause:
<Recipient Operator Name> 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 Name>*'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 the applicant 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.

Declaration
I hereby declare that I authorise *<Recipient Operator Name>* to act as my/our Porting Agent for the mobile number(s) listed on this document and am duly authorised to consent *<Recipient Operator Name>* to act as my porting agent. I also declare that I am the legal owner / signatory / duly authorised for the mobile number(s) stated above and that all the information above stated is correct. I also understand that all actions linked to the porting process are subject to the Terms and Conditions stated on this document.

I also hereby declare that I have been asked by *<Recipient Operator Name>* whether I have any supplementary services linked to my telephone number(s), and if so, the aforesaid operator informed me which of these services would be lost once the porting process is complete.

I also hereby declare that I am aware that after signing this application form, *<Recipient Operator Name>* shall not accept another application on my behalf to port back to the Donor Operator, or to another service provider, using the same facility for a period of two months after completion of the porting process.

Applicant Signature _____   **Date** ___ / ___/20___

For Internal Purposes Only
I hereby declare that I have carried out all the necessary checks related to the mobile number porting process in order to verify that the mobile number(s) stated above can be ported.

Processed by _____   **Signature** _____

v.202305

Annex 2 Response Codes

Annex 2.1 Codes for use in the Authorisation Response

00 - Request accepted.

01 - The system is currently unavailable. Please try again later.

02 - Request rejected because number to be ported is not a valid number for a subscriber on the donor operator's network.

03 - Request rejected because phone is blocked as it was stolen or lost.

04 - Request rejected because the subscriber has an outstanding bill or dues on a telephone set that has not been paid within the normal period allowed.

05 - Request rejected because the subscriber is already subject to suspension of outgoing or incoming calls because of failure to pay a bill.

06 - Request rejected because the number is already subject to a porting process.

07 - Request rejected because the number has already been ported in the last two months.

08 - Request rejected because there are identified auxiliary services still active on the number.

09 - Request rejected because the classification of the account does not match, e.g. a request is made under the pre-paid procedure for a post-paid account; the number is indicated in the request as being active, but is terminated, or vice versa.

10 - Request rejected because for pre-paid the recipient operator did not send both the ID number and confirmation that CLI Check has been passed, or for post-paid the recipient operator did not send the ID number and ID-Bill Check, (as applicable).

11 - Request rejected because an account number was not sent.

12 - Request rejected because CLI Check not passed.

13 - Request rejected because the ID/Passport Number does not match the number held by the donor operator.

14 - Request rejected because account number match fails.

15 - Request rejected because donor operator does not have and cannot obtain ID/Passport Number to match to ID/Passport Number sent.

16 - Request rejected because the necessary documents (authorisation letter, porting form, copy of ID) have not been received.

17 - Request rejected because the porting form has been received and is not signed or there is a severe mismatch with the donor operator's records.

18 - Request rejected because the signature / ID is not of the legal representative according to the Malta Business Registry (MBR).

19 - Request rejected as it is a special case requiring discussion. (NB: This code is only to be used when there is no other specific code and should be used on very rare occasions).

20 - Request rejected because electronic details and porting form do not match.

21 - Request rejected because credit limit for post-paid subscriber has been exceeded.

22 - Duplicate transaction identifier (i.e. request has already been sent).

23 - Request rejected because the account is the pre-paid account of a person under 18 years old and consent of the parent or guardian is required and has not been given.

24 - Request to be processed during the next working day since MNP Quota has been reached.

25 - Request rejected because the porting form submitted is back dated by more than four weeks.

26 - Request rejected because the donor operator has not been able to match the number to be ported in the Authorisation Request with the CLI of an SMS received on 1811.

27 - Request rejected because more than one month has elapsed since the subscription associated with the number to be ported was terminated.

28 - Request rejected because the subscriber formerly assigned this number had renounced the right to request porting when terminating his/her subscription.

29 - Request rejected because the number in the Authorisation Request is a terminated number with no associated registration details on record.

Annex 2.2 Codes for use in Instruction Response

30 - Instruction completed.

31 - The system is currently unavailable. Please try again later.

32 - Instruction rejected because number to be ported is not the subject of an Authorisation Request made and accepted in the Authorisation Phase. (NB: This includes the number not being a valid number).

33 - 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).

34 - Instruction rejected because service has been suspended due to debt problems since the Authorisation Request was accepted.

35 - Instruction rejected because the SIM associated with the number to be ported has been stolen/lost since the Authorisation Request was accepted.

36 - Instruction rejected because the Instruction Request was received by the recipient operator more than 3 hours from when the Authorisation Response was sent.

37 - Instruction rejected for other reasons that require discussion between the operators.

38 - Instruction rejected because recipient operator is not the same as in the Authorisation Response.

39 - Instruction rejected because donor operator is not the same as in the Authorisation Response.

40 - Duplicate transaction identifier (i.e. Instruction Request has already been sent).

Annex 3 MNP 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.

Mobile service provider	Contact email	Contact telephone number
Epic	consumer.mnp@epic.com.mt	9935 8170
GO	mnp.billing@go.com.mt	2386 2673
Melita	portingmelita@melitaltd.com	2727 3129