



Fixed and DDI Number Portability Ordering Process Specification

Updated XXXX 2022

| | |
|---------------------|-------------|
| Document No: | MCA/10/37/O |
| Date: | May 2006 |

Contents

| | | |
|-----------|------------------------------------------------------------------------------------|----|
| 1 | SCOPE | 3 |
| 2 | DEFINITIONS | 4 |
| 3 | ABBREVIATIONS | 4 |
| 4 | OVERVIEW..... | 5 |
| 5 | SUBSCRIBER HANDLING..... | 6 |
| 6 | CONDITIONS TO BE SATISFIED..... | 8 |
| 7 | RESPONSIBILITIES OF THE RECIPIENT OPERATOR UPON RECEIVING A PORTING REQUEST..... | 10 |
| 8 | RESPONSIBILITIES OF THE DONOR OPERATOR UPON RECEIVING A PORTING REQUEST..... | 13 |
| 9 | OTHER CONSIDERATIONS..... | 15 |
| 9.1 | Porting after contract termination | 15 |
| 9.2 | Early Termination..... | 15 |
| 9.3 | Detection of Erroneous Terminations | 16 |
| 10 | SUPPORT OF INTER-OPERATOR COMMUNICATIONS | 17 |
| 11 | PORTING PROCESS | 17 |
| 11.1 | Introduction | 17 |
| 11.2 | Preparation Phase | 19 |
| 11.3 | Authorisation Phase..... | 20 |
| 11.3.1 | Authorisation Request | 20 |
| 11.3.2 | Authorisation Response..... | 20 |
| 11.4 | Waiting Phase 1..... | 20 |
| 11.5 | Finalisation Phase..... | 21 |
| 11.5.1 | Finalisation Request | 21 |
| 11.5.2 | Finalisation Response | 21 |
| 11.6 | Waiting Phase 2..... | 22 |
| 11.7 | Instruction Phase | 23 |
| 11.7.1 | Instruction Request..... | 23 |
| 11.7.2 | Actions by the recipient operator | 24 |
| 11.7.3 | Actions by the donor operator | 24 |
| 11.7.4 | Instruction Response..... | 24 |
| 11.8 | Time limits..... | 25 |
| 11.9 | Resubmission of a request..... | 26 |
| 11.10 | Cancellation | 27 |
| 11.11 | Out of sequence messages or codes | 27 |
| 11.12 | Cancellation of a porting request by the subscriber..... | 27 |
| 12 | PORTING ANNOUNCEMENT AND DATA PUBLICATION | 28 |
| 13 | WINBACK | 29 |
| 14 | TERMINATION OF SERVICE ON PORTED IN NUMBERS | 30 |
| 14.1 | General Provisions..... | 30 |
| 14.2 | Submission timeframes for the e164Terminated message | 31 |
| 15 | TRANSACTION STATUS..... | 32 |
| 16 | LOGGING OF MESSAGES AND ACTIONS..... | 32 |
| 17 | SYSTEM PERFORMANCE AND HANDLING OF MAJOR FAILURES..... | 32 |
| 18 | REPORTING OF STATISTICS | 33 |
| 19 | SEPARATION OF SERVICE PROVIDER AND NETWORK OPERATOR | 34 |
| Annex 1 | Porting Form | 35 |
| Annex 2 | Codes associated with reasons for refusing or accepting requests for porting | 38 |
| Annex 2.1 | Codes that may be used in the Authorisation Response..... | 38 |
| Annex 2.2 | Codes that may be used in the Finalisation Response | 39 |
| Annex 2.3 | Codes that may be used in the Instruction Response..... | 39 |
| Annex 3 | FNP Contact Desk Details | 40 |

1 SCOPE

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

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

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

However, this document does not specify all the details of the internal procedures and processing that each operator must undertake to support the required functionality².

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

- a. Fixed Numbers; and
- b. Direct Dial-In (DDI) numbers.

~~This document applies only where the recipient operator supplies the exchange line to the subscriber that is to be used with the ported number. It does not apply where an exchange line is transferred under local loop unbundling and the subscriber is at the same time porting their number. This latter case requires some integration of the processes for local loop unbundling and those for portability and will be integrated in a subsequent update to this version of the specification which shall be addressing specifically local loop unbundling. In cases where the access connection to the subscriber is not provided by the recipient operator such as when the access connection is transferred under virtual unbundled local access (VULA) or local loop unbundling (LLU) and the subscriber is at the same time porting his/her number, some integration of the process adopted for VULA or LLU and the number portability process is required.~~

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

¹ Under consultation.

² Some parts of this specification are written at a functional level, for example the actions to be undertaken by one operator and trusted by the other operator, whilst others such as the exchange of messages are written at a detailed technical level to ensure compatibility between the operators.

2 DEFINITIONS

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

'Consumer' means any natural person who uses or requests a publicly available electronic communications service, for purposes which are outside his trade, business, craft or profession, as defined in Article 2 of CAP. 399.

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

'Donor operator' means the operator that provides service to a subscriber number before porting and includes any agents or other persons however so described acting for this operator.³

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

'Subscriber' means the legal holder of the active account who is not necessarily the user of the fixed or DDI service⁴.

'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 also be understood to also include the number in a porting request raised by an applicant, i.e. a person without an active subscription.

Note (2): Where the term 'person' is used, it applies for both natural and legal persons, unless otherwise specified.

3 ABBREVIATIONS

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

³ In case of a WLR subscriber requesting to port, the WLR operator is considered as the donor operator.

⁴ Where there is a difference between the subscriber and the user, the rights to number portability apply to the subscriber rather than the user.

Commented [MCA1]: Various changes and additions were included to better align the terms with the provisions of the new Regulations.

Commented [MCA2]: Various additions to the list of abbreviations, and a change in the definition of "ID" to reflect the inclusion of one other valid identification document.

4 OVERVIEW

When requesting number portability (NP), the subscriber would:

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

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

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

The design of the porting process is asynchronous and sequential; a sequence of actions are specified with each action starting only after completion of the previous action⁵.

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

Due to the different technical requirements applicable in the processes for the porting of DDI and individual numbers using ISDN PRA technology (or its SIP equivalent) and porting using LLU, they are being treated separately from those processes which are applicable to conventional individual numbers. To this effect those processes explicitly addressing ISDN PRA numbers (or its SIP equivalent) and porting using LLU, which represent the utmost minority of portings, are being denoted in this document in *italics* to facilitate comprehension.⁶

Commented [MCA3]: To further ensure technology neutrality of the Specifications.

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

⁵ Except when the donor operator informs the network access operator during the instruction phase in the case of a porting WLR subscriber.

⁶ For new access seekers intending to use VULA, the current flows established by the MCA for VULA NP would be communicated to such access seeker and discussed accordingly.

5 SUBSCRIBER HANDLING

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

Upon successful porting, in accordance with Decision 14/2022, the recipient operator is to inform subscribers through a durable medium⁷ (e.g. email, SMS on a mobile number associated with the subscriber, letter) of the right granted to eligible consumers to request the donor operator to issue a refund for any remaining monetary credit. Subscribers are to be directed to the donor operator for further details on credit refunds, however they should be informed that the request has to be submitted 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.

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.

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

A recipient operator may offer to:

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

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

When a number is ported onto an active account the number that is replaced shall be released and returned to the pool of numbers which, after an appropriate ~~sterilisation~~ quarantine⁸ period, may be re-used for other subscribers.

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

As designed, failure of the porting process should be a rare occurrence. However, in line with Decision 12/2022, it should be noted that whenever the donor operator is informed of a failure in the porting process which may result in some loss of service, the donor operator shall, with immediate effect, 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.

⁷ All references to the term 'durable medium' in this document are in accordance with the definition included in Regulation 2 of S.L. 399.48.

⁸ As stipulated in the National Numbering Conventions.

Commented [MCA4]: Various changes were introduced to this part of Chapter 5 to account for the implications of a number of new Decisions affecting subscriber handling.

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

6 CONDITIONS TO BE SATISFIED

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

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

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

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

Commented [MCA5]: Providers of fixed voice communications services are invited to comment on whether this condition still applies. If not, this text will be deleted.

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

A subscriber requesting the porting of numbers pertaining to the same multi-line account shall be able to submit solely one duly filled in and signed porting form for all numbers to be ported (subject that the signatory in question is authorised to request porting for all the numbers in question) rather than a signed porting form for each number. In such cases, the numbers pertaining to the same multi-line account and which are to be ported shall be listed in the porting form⁹.

⁹ The possibility for a subscriber to submit one porting form to request the porting of numbers pertaining to the same multi-line account has been introduced in June 2019.

7 RESPONSIBILITIES OF THE RECIPIENT OPERATOR UPON RECEIVING A PORTING REQUEST

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

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

Commented [MCA6]: Editorial change for better clarity.

Commented [MCA7]: Providers of fixed voice communications services are invited to comment on whether this condition still applies. If not, this text will be deleted.

Commented [MCA8]: This aspect is tackled under the next list item (h) dealing with treatment of bundles.

- e. Inform the subscriber that in case the retail tariffs of the donor and recipient operators are different, the charges applicable after porting may not become effective until one (1) working day after porting has been completed.
- f. Inform the subscriber that in case the account with the donor operator was of a pre-paid or hybrid nature (with the exception of consumer accounts¹⁰), then any unused credit will be lost. Moreover, in the case of a pre-paid account whose conditions of contract (or other similar arrangement) require a minimum spend within a specified period in lieu of paying periodic rental charges, then the donor operator may refuse porting until the minimum spend has been reached or the shortfall paid.
- g. Inform the subscriber that the donor operator will charge him/her a penalty for early termination, if applicable, as detailed further in Section 9.2 of this document.
- h. Explain to the subscriber that he/she should not attempt to terminate the contract or other similar arrangement with the donor operator because this will be done automatically for him/her as part of the porting process, and that such automatic termination can have implications on any other services, such as in a bundled offer, that the subscriber may have with the donor operator.
- i. Obtain from the subscriber the following documents:
- A correctly filled-in and signed Porting Form (template attached at Annex 1). The subscriber may send this Form to the recipient operator via online means (e.g. email), by post, fax or email or via another person, provided the Form is signed.
 - A photocopy of the ID of either the subscriber (in case of natural persons), or the person holding the power of attorney (in case of natural persons represented by an authorised representative), or of the legal representative of a company (in case of companies) or of the authorised official (in case of a corporate entity that is not a company).
 - A photocopy of the letter of authorisation given by the subscriber to an authorised representative giving him/her the power of attorney (in the case of an application signed by an authorised representative) or a photocopy of the evidence that the official signing the Porting Form is authorised to do so (in the case of a corporate entity that is not a company), if applicable. The original or authenticated copy of the letter of authorisation or the evidence of authorisation are also to be shown to the recipient operator.
- j. The recipient operator is required to provide the applying port-in subscriber with a copy of the signed porting form, either in a printed or electronic format.
- k. Following the completion of the above tasks, the recipient operator shall send an Authorisation Request message via the Webservice and a copy of the signed Porting Form and a copy of all the documents listed under paragraph 7i above to the donor operator by fax, email or other appropriate electronic method which is acceptable to both parties.

¹⁰ In the case of pre-paid or hybrid consumer accounts, the recipient operator is to inform the subscriber, upon successful porting, of his/her right to request a refund of any remaining monetary credit from the donor operator in accordance with Decision 14/2022.

- I. Retain a copy of the documents listed in paragraph 7i above, as well as emails and/or documents sent to the donor operator related to porting, for a period of twelve (12) months or, if there is a dispute, until such a dispute is finally concluded, whichever is the longer. Documents images may be stored electronically, in which case there is then no requirement to store paper copies.

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

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

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

8 RESPONSIBILITIES OF THE DONOR OPERATOR UPON RECEIVING A PORTING REQUEST

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

- a. Confirm that the person requesting porting is legally authorised to request porting of the number in question. This would require that:
 - in the case of an account held by a natural person, the person who signs the Porting Form for porting must be the same as the subscriber who holds the account associated with the number to be ported;
 - in the case of an account held by a natural person who has given the power of attorney to an authorised representative, then the Porting Form must be signed by the authorised representative. The latter must also [show the recipient operator the original or authenticated copy of the letter of authorisation and provide a copy of the letter of authorisation to the recipient operator](#);
 - in the case of an account held by a company, the person who signs the Porting Form must be the authorised legal representative, as published by the Malta Business Registry, of the company that the account associated with the number to be ported;
 - in the case of an account held by a corporate entity that is not a company (e.g. clubs), then the Porting Form must be signed by an official who has the authority to represent the corporate entity (e.g. President) and the official must also provide written proof that he or she is authorised to sign on behalf of the corporate entity.
- b. Confirm that there is a perfect match between the subscriber's ID number on the Porting Form and the ID number in the donor operator's records associated with the account. Moreover the donor operator shall confirm that there is a reasonable match between the subscriber's name and address on the subscriber's ID and the name and address in the donor operator's records. If both checks result in a positive match then the porting may proceed but if either one of the two checks result in a negative match, the porting is refused. If, on the other hand, the donor operator cannot perform the checks because the data pertaining to the subscriber's ID is not stored in the donor operator's records, then the donor operator will accept the request for porting provided that there is a reasonable match between the signature on the Porting Form (i.e. the porting request) and the signature on the original contract for the service between the subscriber and the donor operator.
- c. Confirm that the number to be ported does not have a Carelink service associated with it.
- d. Confirm that the subscriber does not have unpaid bills whose due date has been exceeded. In the case that the subscriber has unpaid bills that are overdue, the donor operator may refuse porting until overdue payments are effected.

Commented [MCA9]: Providers of fixed voice communications services are invited to comment on whether this condition still applies. If not, this text will be deleted.

- e. In the case of a pre-paid account, check whether the customer satisfies the conditions of contract (or other similar arrangement) if these require a minimum spend within a specified period in lieu of paying periodic rental charges. If this condition is not satisfied, the donor operator may refuse porting until the minimum spend has been reached or the shortfall paid.
- f. Confirm that the Porting Form is correctly filled. In particular, confirm that there is no serious mismatch between the signature on the copy of the ID sent and the signature on the Porting Form.
- g. Retain a copy of the emails and/or documents sent by the recipient operator related to porting, for a period of twelve (12) months or, if there is a dispute, until such a dispute is finally concluded, whichever is the longer. Documents images may be stored electronically, in which case there is then no requirement to store paper copies.

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

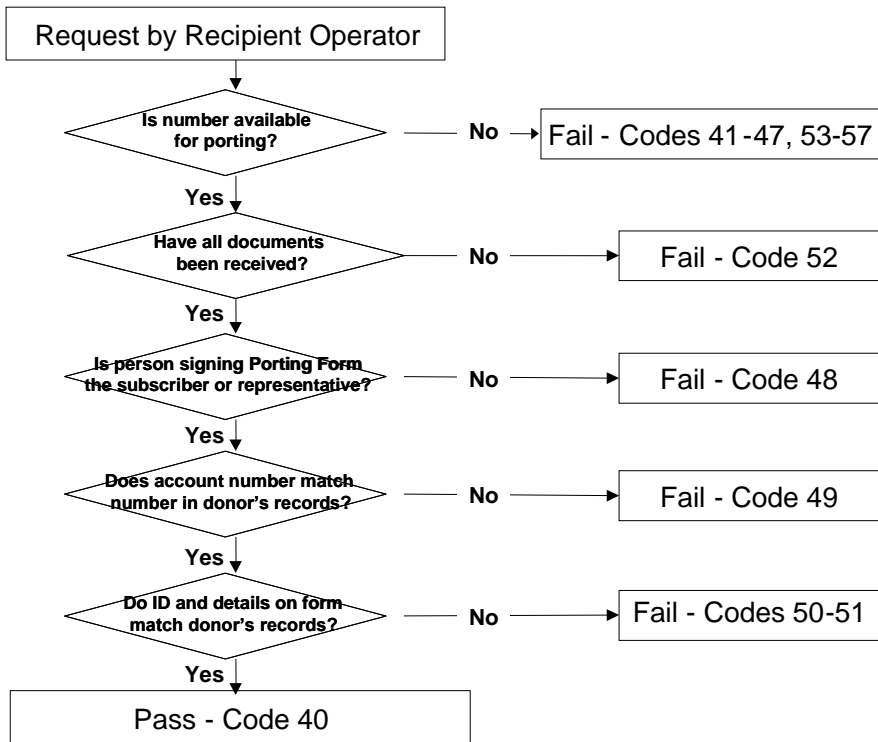


Figure 1: Donor Operator Logic

9 OTHER CONSIDERATIONS

9.1 Porting after contract termination

The right to request porting¹¹ after termination of a contract (or other similar arrangement) pursuant to Regulation 94(6) of S.L. 399.48 (as detailed in Decisions 8/2022 and 9/2022) brings with it unique challenges that need to be overcome to ensure that only porting requests that are authentic and eligible are fulfilled. This section provides an overview of the actions by the recipient operator and the last serving provider, who would act as the donor operator, that comprise the 'initial screening' of the porting request to determine authenticity and eligibility.

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

1. When an applicant wishes to port a terminated number, a porting form must be submitted to the recipient operator clearly identifying (a) the name of the last serving provider for the number to be ported, and (b) the type of account last held with the last serving provider. The last serving provider shall be considered to be the donor operator for the purposes of processing the porting request;
2. The recipient operator should raise an Authorisation Request with the details received from the applicant, and – as applicable – send copies of the porting form, applicant's ID and any documentation received to the donor operator;
3. Donor operator is to confirm the applicant's eligibility to request porting by:
 - a. Confirming that the details provided by the applicant match details held on record for the subscriber who last held an account assigned the number to be ported;
 - b. Confirming that the subscriber in question had not renounced the right to request porting upon termination of the contract (or other similar arrangement); and
 - c. Confirming that the number was terminated within one (1) month from the date of the request submission.

If the application is deemed to be eligible, then the applicant is to be treated as a subscriber, and all applicable conditions to proceed with the porting request must be adhered to in line with these Specifications.

9.2 Early Termination

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

¹¹ 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.

Commented [MCA10]: Various changes were introduced in this Chapter to ensure alignment with the provisions established in the new Regulation, particularly those dealing with the right to port after contract termination and subsequent subscriber handling.

For reading convenience, the text is not being presented with track changes.

Commented [MCA11]: New sub-section added to mirror the provisions related to early termination in the Mobile Number Portability Ordering Process Specification.

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

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

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

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

9.3 Detection of Erroneous Terminations

To facilitate early detection of erroneous terminations, the MCA recommends that the provider communicates with the subscriber to inform or confirm that the account is being terminated and advise him/her to contact the said provider's customer services as soon as possible if he/she disagrees. This applies regardless of whether the terminated number belongs to a block allocated to the provider in question or to another provider (i.e. ported in¹²). It could be best practice to inform the subscriber, at this point, that he/she has the right to request to port out or reactivate the same number for one (1) month from the termination date. Such communication should be sent through a durable medium such as email or SMS on a mobile number associated with the subscriber.

Commented [MCA12]: Text moved from "Termination of Service", with amendments to reflect new Regulations on porting after contract termination.

¹² The handling of terminated ported in numbers is addressed in further detail in Section 14 of this document.

10 SUPPORT OF INTER-OPERATOR COMMUNICATIONS

In general, the communications between the operators involved in the porting process shall be made by using the Webservice described in the Webservice Specification. The format of the messages referred to in this specification is defined in the Webservice Specification.

In addition to the operation of the Webservice, each operator shall provide a Number Portability Support 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.

11 PORTING PROCESS

11.1 Introduction

The porting process consists of six phases:

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

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

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

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

Figure 2 shows the phases and the main time constraints for the porting of individual numbers. [Figures 3 and 4 respectively show the phases and the main time constraints for the porting of individual and DDI numbers \(either on ISDN PRA or its SIP equivalent\).](#)

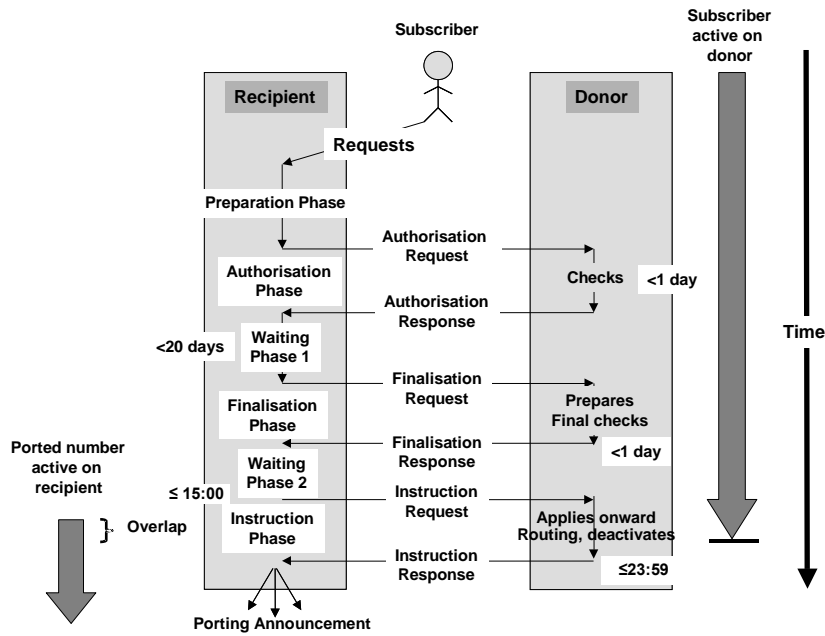


Figure 2: Overview of procedure for porting individual subscriber numbers

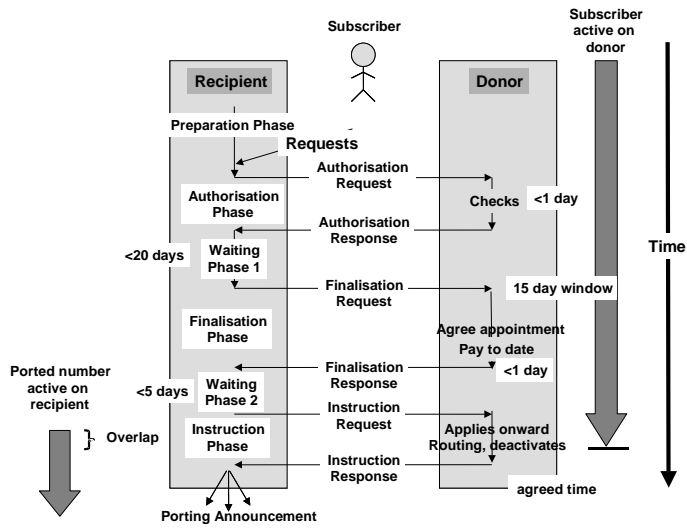


Figure 3: Overview of procedure for porting individual numbers on ISDN PRA or its SIP equivalent

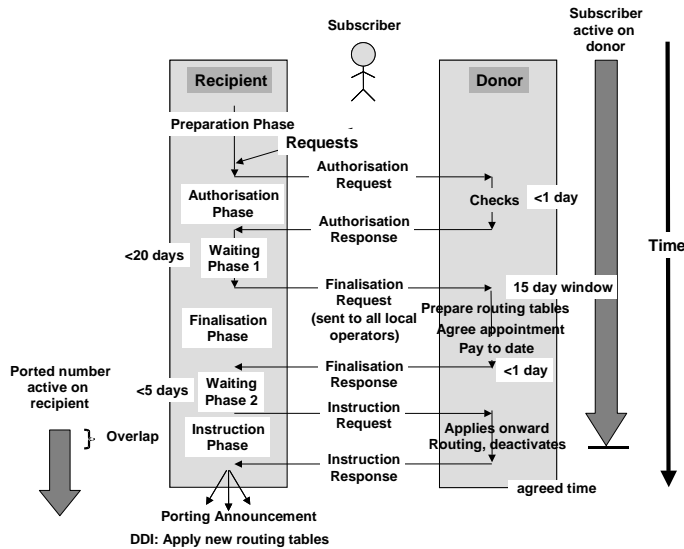


Figure 4: Overview of procedure for porting DDI numbers

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

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

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

11.2 Preparation Phase

The Preparation Phase includes:

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

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

11.3 Authorisation Phase

The purpose of this phase is to allow the recipient operator to request authorisation to port from the donor operator who carries out the validation checks and actions listed in [Sections 8 and 9 of this document \(as applicable\)](#). This enables the recipient operator to establish as early as possible whether the number may be ported or whether there are any problems that will cause the porting to be refused.

11.3.1 Authorisation Request

At any time the recipient operator may send an Authorisation Request message to the donor operator for the porting of a number. 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 message is given in the Webservice Specification.

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

11.3.2 Authorisation Response

[After completing the checks specified in Sections 8 and 9 of this document \(as applicable\)](#), ~~t~~The donor operator shall reply by sending an Authorisation Response. The time limit for the response shall be one (1) working day.

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

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

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

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

11.4 Waiting Phase 1

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

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

Commented [MCA13]: Moved here as this step is still part of the Authorisation Phase, not the Waiting Phase.

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

~~If the porting has been refused, the Recipient Operator may consult the Subscriber to resolve the problem and may submit a revised request. After two refusals for the same number the Recipient Operator shall not submit further requests until it or the Subscriber has resolved the problem with the donor operator.~~

Commented [MCA14]: Moved further up.

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

11.5 Finalisation Phase

The purpose of this phase is to allow:

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

11.5.1 Finalisation Request

As soon as the recipient operator is ready for implementation, the recipient operator may send a Finalisation Request message to the donor operator in respect of a number for which porting has been accepted by the donor operator.

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

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

11.5.2 Finalisation Response

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

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

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

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

- Repeat checks under Section 8 of this document for factors where the results were time-dependent (e.g. outstanding dues); and
- Send a Finalisation Response message to the recipient operator within one (1) working day of receiving the Finalisation Request.

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

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

Individual numbers on ISDN PRA (or its SIP equivalent)

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

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

The donor operator shall:

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

DDI numbers on ISDN PRA (or its SIP equivalent)

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

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

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

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

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

11.6 Waiting Phase 2

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

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

11.7 Instruction Phase

The recipient operator shall send the Instruction Request by:

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

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

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

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

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

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

11.7.1 Instruction Request

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

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

The Instruction Request triggers [the deactivation of the account by the donor operator, preceded by the implementation of onward routing when the donor operator is also the block operator and the deactivation of the account by the donor.](#)

11.7.2 Actions by the recipient operator

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

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

If for any reason the recipient operator does not activate the number within this period, it shall as soon as possible contact the donor operator by telephone to request the donor operator not to apply onward routing (if applicable) and/or deactivate the account corresponding to the number to be ported as yet; or if the donor operator's network has already applied onward routing and/or deactivated the account, these actions are to be reverted and the number to shall be reinstated on the donor operator's network.

11.7.3 Actions by the donor operator

After receiving the Instruction Request, the donor operator shall:

- If it is also the block operator, Apply onward routing for individual numbers *(or apply new routing tables in the case for DDI numbers)*, then subsequently
- Deactivate the subscriber's account

at any time between:

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

The donor operator at this point may terminate:

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

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

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

11.7.4 Instruction Response

After onward routing the calls (only when the donor operator is also the block operator) and deactivating the subscriber's account, the donor operator shall send an Instruction Response to the recipient operator by 09:00 hours on the next working day from receipt of the Instruction Request. The format of the Instruction Response is given in the Webservice Specification.

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

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

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

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

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

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

- The activation of the account on the recipient operator's network shall take place before the account is deactivated on the donor operator's network.
- Onward routing (when the donor operator is also the block operator) or new routing tables shall be brought into effect on the donor operator before the account is deactivated.
- After the donor operator deactivates the account, the recipient operator shall bring into effect its new routing tables. When the recipient operator is also the block operator, it shall also remove any onward routing applied to support previous portings.
- In the case that the subscriber has hard-wired connections to the PABX or similar customer premises equipment, the recipient operator shall provide a technician to attend the subscriber's premises at a mutually agreed time with a minimum notice of one (1) working day. In the case of fibre-based services where the donor operator may need to be present at the customer's site, the site visit shall be co-ordinated by the recipient operator at a date and time that is convenient to all parties.

11.8 Time limits

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

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

| Phase | Individual numbers on e.g. analogue, digital and ISDN BRA (or its SIP equivalent)* | Individual numbers on ISDN PRA (or its SIP equivalent) | DDI numbers on ISDN PRA (or its SIP equivalent) |
|-------------------|------------------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------------|
| Instruction Phase | Deadline of 15:00 hours for implementation during the night | <i>Time to be agreed</i> | <i>Time to be agreed</i> |

*The above timeframes are set accordingly in order to conform with Regulation 94(8) of S.L. 399.48 "Electronic Communications Networks and Services (General) Regulations".

11.9 Resubmission of a request

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

- Recipient Operator
- Donor Operator

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

Authorisation Phase

The recipient operator can resubmit an Authorisation Request when:

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

The donor operator can resubmit an Authorisation Response when:

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

Finalisation Phase

The recipient operator can resubmit a Finalisation Request when:

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

The donor operator can resubmit a Finalisation Response when:

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

Instruction Phase

The recipient operator can resubmit an Instruction Request when:

- The donor operator replied to an initial Instruction Request sent by the recipient operator with an Instruction Response Code 71 (if there are any technical reasons that would not allow the process to be continued on the day).

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

The donor operator can resubmit an Instruction Response when:

- The recipient operator specifies a Webservice return code other than 0, 1 or 2 for the previous Instruction Response sent by the donor operator.
- In the case of a WLR subscriber, the access network operator specifies a Webservice return code other than 0, 1 or 2 for the previous Instruction Response (Code 75) sent by the donor operator¹³.

For all phases, when the same request or response is resubmitted more than two 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 latter should advise the recipient operator on the expected downtime of the system and hence agree on [a suitable interval before](#) the next resubmission.

11.10 Cancellation

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

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

11.11 Out of sequence messages or codes

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

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

11.12 Cancellation of a porting request by the subscriber

The subscriber 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 may not cancel porting by contacting the recipient operator.

Commented [MCA15]: Section introduced to mirror the same principle as established in the Mobile Number Ordering Process Specification.

¹³ The donor operator sends the Instruction Response Code 75 to the access network operator only after it receives the successful Webservice return code from the recipient operator for the previous Instruction Response sent by the donor operator.

12 PORTING ANNOUNCEMENT AND DATA PUBLICATION

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

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

The recipient operator should deliver the Porting Announcement message 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 message is also given in the Webservice Specification.

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

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

12 SUBSEQUENT PORTINGS

12.1 Portings back to the block operator

~~Where the subscriber requests porting back to the block operator (i.e. where the recipient operator is the block operator), the porting procedure specified in sections 5 to 10 shall apply with the following exceptions:~~

- ~~• The donor operator shall not apply onward routing~~
- ~~• The donor operator shall remove the number from the list of ported numbers~~
- ~~• The donor operator shall not add the number to the list of ported numbers.~~
- ~~• The recipient operator shall remove any onward routing applied to support previous portings.~~

12.2 Portings where neither donor operator nor recipient operator is the block operator

~~Where the subscriber requests porting where neither donor operator nor recipient operator is the block operator, the porting procedure specified in sections 5 to 10 shall apply with the following exceptions:~~

- ~~• The donor operator shall not apply onward routing i.e. it shall not redirect a call and add or change a routing prefix, but may act as a transit operator for the routing of calls to the new recipient in which case it would not alter or add a routing prefix.~~

Commented [MCA16]: Addition to highlight the case where the block operator is neither the donor nor the recipient.

This should also make the text more fluent for the reader, than having such specific cases handled in a separate section as in the current version of the Specs (Chapter 12).

Commented [MCA17]: Addition to single out the exception necessary when the recipient operator is also the block operator. It might be more fluent for the reader to have this text here, than in a separate section as in the current version of the Specs (Chapter 12).

Commented [MCA18]: As indicated in previous comments, changes were introduced to the preceding Chapter to make the text more fluent for the reader. These changes made the 'old' Chapter 12 redundant altogether.

13 WINBACK

In accordance with Decision 15/2022, 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 the subscriber/applicant if this is necessary to address issues related to the processing of refunds to consumers on pre-paid or hybrid tariffs, and/or the settlement of any outstanding unpaid bills which become overdue after the porting process. 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 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 this requirement, the recipient operator shall either obtain the consent of the subscriber affected before making any complaint to the MCA about the donor operator, or otherwise adequately substantiate the complaint with tangible evidence.

Commented [MCA19]: Section introduced to implement winback-related provisions of Decision 15/2022 within the context of these Specs.

14 TERMINATION OF SERVICE ON PORTED IN NUMBERS

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

However, due account must be taken of the subscriber's right to request porting or number reactivation for a period of one (1) month from the date of termination, not only for cases where the terminated number is ported in, but also when it belongs to a block allocated to the last serving provider. To this end, fixed voice communications services providers¹⁴ 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
- Determine whether the subscriber wishes to renounce such right, in line with Decision 9/2022.

In order to safeguard this right, in the context of terminated numbers that were ported in, providers are to apply the submission timeframes for sending the e164Terminated message as specified in Section 14.2 of this document.

14.1 General Provisions

The last serving provider shall send an e164Terminated message to each of the other operators when it ceases to supply service on a ported in number and the number is not ported to another operator or reactivated.

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”.

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.

Commented [MCA20]: Various changes were introduced in this Chapter to ensure alignment with the provisions established in the new Regulation, particularly those dealing with the right to port after contract termination and subsequent subscriber handling.

For reading convenience, the text is not being presented with track changes.

¹⁴ All references to the term 'voice communications service' in this document are in accordance with the definition included in Article 2 of CAP. 399.

14.2 Submission timeframes for the e164Terminated message

With a view to facilitate the implementation of the right to request porting or reactivation of a number within one (1) month from termination of the contract (or other similar arrangement), the e164Terminated message shall be sent one (1) month from the date when the contract or other similar arrangement for service is terminated on the network of the last serving provider; except when the number has been ported to another operator or reactivated during the lapse of this one-month period.

However, in the case of subscribers who renounce this right, the last serving provider for the ported in number can send the e164Terminated message after the lapse of three (3) working days, and not later than one (1) month, from the date of termination. Notwithstanding the explicit renunciation by the subscriber, it is advisable to allow a three-day 'grace period' to allow time for resolving exceptional cases such as where subscriber numbers may have been erroneously terminated or marked as renounced.

15 TRANSACTION STATUS

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

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

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

16 LOGGING OF MESSAGES AND ACTIONS

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

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

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

17 SYSTEM PERFORMANCE AND HANDLING OF MAJOR FAILURES

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

Where the automated porting system is either unavailable or not meeting the performance requirements to comply with the number portability process specifications for more than one (1) day, as a result of system failures and/or extraordinary events¹⁵, 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.

Commented [MCA21]: Various changes/additions in this section to further clarify operator's responsibility to ensure availability of the Webservice and support systems for number portability.

¹⁵ Extraordinary events include all scenarios whereby the timely processing of requests via the Webservice is jeopardised to the extent that it may significantly delay and/or discourage porting of numbers to the detriment of subscribers' right to choose their provider. This includes periods of time when the donor operator (or respective agents working on its behalf) cannot reasonably be expected to adhere with the porting timeframes due to issues such as a significant backlog of unprocessed requests.

17 EVIDENCE OF COMPLIANCE

~~Number portability is a process between two operators and cannot be implemented by one operator in isolation.~~

~~In the absence of a second operator with whom to port numbers, an operator shall be deemed to comply with the MCA's number portability Decision if they have done the following:~~

- ~~• Appointed a contact person or office for handling number portings and notified the MCA of the contact details, names, telephone numbers and email addresses.~~
- ~~• Prepared a document specifying the internal procedures to be followed when a porting request is received in compliance with this specification and the Decision.~~

18 REPORTING OF STATISTICS

Operators are required to provide the MCA with up-to-date information on the performance of the number portability process upon request, in accordance with Decision 17/2022. The information requested may include, *inter alia*, the following:

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

Commented [MCA22]: Given market maturity, it is no longer be necessary to have these provisions in place.

In any case, if the market tends again towards such a position, similar provisions can be introduced in the future.

19 SEPARATION OF SERVICE PROVIDER AND NETWORK OPERATOR

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

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

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

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 and will have its own identity on the Webservice, in another case the supporting network operator may handle the Webservice as an agent for the service provider.

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 12/2022 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 12/2022 also stipulates that, where any underlying access networks, facilities and/or technical solutions are provided by undertakings authorised with the MCA as providers of electronic communications networks and/or services (ECN/S) in Malta (e.g. Access Provider under VULA), these are to conform with all applicable number portability Decisions and Specifications. Failure by such third parties to adhere with the 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.

Commented [MCA23]: Various changes and additions were introduced to align this section with the provisions of the new Regulations.

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.

Commented [MCA24]: Various changes were implemented in the sample Porting Form due to the implications of new or updated provisions, in particular the facility to request porting of a number after contract termination.

Fixed Number Portability Porting Form

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

Details of Applicant

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

To be completed by Individual Applicants

Name and surname _____

Installation address _____

I.D. card number / passport number and nationality _____
(Indicate passport number only if not in possession of a Maltese Identity Card)

To be completed by Corporate Applicants

Name of company / other entity _____

Company / other entity registration number _____

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

Information regarding the donor operator account

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

Telephone number/s to be ported _____

Fixed line account number _____

Nature of current fixed line account (indicate whether pre-paid or post-paid) _____

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

Data Protection Clause:

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

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

Applicant's Declaration

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

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

I further understand and consent to the following:

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

Signature

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

| | |
|-----------------------|------|
| Applicant's signature | Date |
|-----------------------|------|

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

| | |
|------------------------------------------|----------------------------|
| Representative's name (in BLOCK letters) | Representative's signature |
|------------------------------------------|----------------------------|

| | |
|-------------------------|-----------------------------|
| Representative capacity | ID number of representative |
|-------------------------|-----------------------------|

Documents to be attached

Individual applicants

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

Corporate applicants

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

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

Annex 2.1 Codes that may be used in the Authorisation Response

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

Commented [MCA25]: Providers of fixed voice communications services are invited to comment on whether this condition still applies. If not, Code 47 would be struck-through (like Code 46).

Commented [MCA26]: We understand that the intended meaning here was that the rejection would be due to other NON-permitted mismatches, as opposed to permitted mismatches.

Annex 2.2 Codes that may be used in the Finalisation Response

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

Commented [MCA27]: This is not relevant in finalisation phase. Providers of fixed voice communications services are invited to comment on what response code 63 is actually being used for.

Annex 2.3 Codes that may be used in the Instruction Response

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

Annex 3 FNP Contact Desk Details

All operators should ensure that the Number Portability Support Desk is staffed continuously by appropriately trained staff during the porting 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 telephony providers of the new contact details.

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

| Fixed Service Provider | Contact E-Mail | Contact telephone number |
|------------------------|--------------------------------------------------------------------------|--------------------------|
| epic | consumer.MNP@epic.com.mt | 99358170 |
| GO | FNP@go.com.mt | 23862673 |
| Melita | porting@melitaltd.com | 27273129 |
| Vanilla | porting@ms.vanilla.net.mt | 20332033 |