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### Better end-user rights on number portability in Malta

On the 1<sup>st</sup> of June 2023, telephony end-users in Malta will start benefitting from an enhanced framework of rights related to “number portability”, which is the process that enables end-users to retain the use of their phone number even when changing to an alternative provider.

The number portability framework has been in place locally since March 2005. End-users who wish to initiate the porting process only need to fill in a completed porting form with the desired provider along with any required supporting documentation. The porting framework is being enhanced with some new end-user rights and benefits, as further explained in this short article.

First, the new framework establishes that the provider who provided an end-user with service before porting (so-called 'donor operator') is required to automatically terminate the end-user's respective contract upon the successful conclusion of the porting process, regardless of whether the ported number is associated with a contract for a single service (e.g. mobile telephony) or for a multi-service bundle (e.g. fixed telephony, mobile telephony, internet, and TV transmission). In this regard, it is important to note that while your new provider (so-called 'recipient operator') is required to inform you that there may be implications on other services contracted with the donor operator upon porting, it is your responsibility to carry out checks with the donor operator before you start the porting process. The recipient operator is not required to inform you of the exact implications, any possible costs (such as early termination fees), or loss of other services (such as TV transmission and internet) upon porting out your number from the donor operator. Thus, end-users are urged to check with their donor operator of any such implications, and possible costs, prior to submitting a porting form.

Another novelty brought about by the new framework is the right to request the porting or reactivation of a recently terminated number, provided that this request is raised with the desired provider within

one month after the date of service termination. End-users should note that there are eligibility conditions which need to be satisfied in such requests, and the right to request porting or reactivation should not be understood as an unconditional obligation on providers to fulfil the request. Moreover, end-users should have registered their details with their former provider prior to service termination. Still, thanks to this new facility, end-users who wish to reverse a recent termination may now take timely steps to recover the use of their number, by reactivating services with their former provider or porting it out to another provider. To avail of this right, end-users should reach out to their desired provider and be guided accordingly.

Furthermore, under the new framework, if you are an end-user subscribed to hybrid or pre-paid tariff plans, you will have the right to request a refund of any unutilised monetary credit which had been paid to the donor operator during your time with them. This request should reach the donor operator within two weeks following the successful porting of your number. Guidance will be provided by the donor operator on the applicable process to apply and benefit from this refund. A maximum refund fee of €5.00 may be charged by the donor operator to process your request, if such a charge is provided for in your contract or applicable pre-paid terms and conditions.

Lastly, the MCA is aware that some end-users may find the number portability process difficult to fully understand, or they may come across difficulties during the process of changing providers. In this regard, the MCA always stresses the importance of being informed in advance of your rights and obligations. Always enquire about any detail you consider relevant with your desired provider before submitting a completed porting form. In the interest of safeguarding fair competition, once a porting form is submitted to a recipient operator, halting the process is not permissible, and you may only port out the number again to another provider after the lapse of two months. Should you be subscribed to a contract for a multi-service bundle, make sure that you make prior arrangements if you wish to continue using the other services (such as TV transmission and internet).

You may also reach out to the MCA with your queries on [customer care@mca.org.mt](mailto:customer care@mca.org.mt) or by calling us on 2133 6840.