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GENERAL NOTICE

NOTICE 960 OF 2006

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA NOTICE OF INTENTION TO MAKE REGULATIONS WITH REGARD TO THE FUNCTIONAL SPECIFICATION FOR GEOGRAPHIC NUMBER PORTABILITY

The Independent Communications Authority of South Africa ("the Authority") hereby gives the second notice that it intends to make regulations with regards to the functional specification for geographic number portability.

Interested persons are hereby invited to submit written comments or written representations with regard to the highlighted changes in brackets in the draft regulations only, to be received by no later than **16h00 on 03 August 2006** by post, hand delivery or facsimile transmission

For the attention:

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**PARIS MASHILE
CHAIRPERSON
ICASA**

Draft Functional Specification for Geographic Number Portability under the Number Portability Regulations

General

- 1 (1) Unlike the functional specification for mobile number portability, this functional specification does not make a distinction between network operators and service providers because there is no separate service provision for services that use geographic numbers. If network operators choose to use separate service providers then they shall ensure that they and their service providers together fulfil the requirements that apply to network operators.

Definitions

- 2 (1) ***(Meanings attached to definitions formulated and contained in Government Gazette No.28091 dated 30 September 2005 shall apply and shall have the same meaning in this regulation.)***
- (2) Subscriber shall have the same meaning as in the number portability regulations published in Government Gazette No. 28091 except that it shall include pre-pay customers.

Scope

- 3 (1) This functional specification applies to ***(both the network operator/ service provider and geographic portability)*** of geographic subscriber numbers and number blocks and includes, ***(but is)*** not limited to, ***(the following)*** geographic number ranges:

01, 02, 03, 04, 05

- (2) Numbers within the ranges referred to in sub-regulation (1) that are used for:
 - (a) on-net short codes,
 - (b) public pay-telephones,
 - (c) internal network management processes,
 - (d) voicemail message retrieval by the Subscriber to whom the message is sent,
 - (e) national emergency purposes ; or

- (f) that are not reachable from outside the network that serves the numbers are excluded from the scope of number portability.

For an exclusion of any other range that is not listed in sub- regulation (2)(a) prior approval has to be obtained in writing **(from)** the Authority.

- (3) Numbers used for information and other such services and short numbers are included if these numbers can be reached from outside the network.
- (4) This functional specification applies to:
 - (a) Operators who serve geographic numbers and are subject to number portability requirements, and
 - (b) Other network operators who route calls to portable geographic numbers in accordance with the number portability regulations

Requirements on the porting procedure

- 4 (1) The procedure for number portability shall provide for requests for number portability from the subscriber to be handled by the recipient operator.
- (2) Network operators who are subject to geographic number portability requirements shall agree on the times for supporting number portability procedures and shall at least be at the following hours 09H00-17H00 Monday to Friday and 09H00-13H00 on Saturdays, excluding public holidays.
- (3) In this regulation all references to "hours" refer to hours within the period agreed between the operators for supporting number portability in accordance with sub regulation (2).
- (4) When the recipient operator **(receives)** a request for number portability, it shall advise the subscriber to retrieve any messages or any other information stored by the donor operator that might be lost when the account is closed.
- (5) **(The r)**ecipient operator shall also advise subscribers that credit and unused usage allowances are not portable from one account to another and that third party services used by the subscriber that work only on the donor network will not work on the recipient network.
- (6) **(The r)**ecipient operator shall validate the porting request.
- (7) The recipient operator may apply any checks it wishes for the opening of the new account.

- (8) The donor operator shall not seek independent confirmation from the subscriber except in the case of:
- a) accounts with more than one number;
 - b) accounts held by legal entities other than natural persons; and
 - c) any other category agreed by the Authority in writing.
- (9) The donor operator may reject a request to port an individual number or a number block only on the following grounds:
- a) the number or number block is not a valid number or number block on the donor operator's network, or the number block is not used exclusively by the entity requesting the porting;
 - b) the number or number block is excluded from number portability under regulation 3;
 - c) the account number in the request is not the account number used by the donor operator for the number or numbers or number block for which porting is requested;
 - d) the subscriber is already subject to suspension of outgoing or incoming calls because of failure to pay a bill;
 - e) the number or number block is already subject to a porting process;
 - f) the number or number block has already been ported in the last two months.
 - g) any other reason agreed to by the Authority and notified to the operators in writing.
- (10) At the time when the donor operator rejects a request, it shall report the reason for rejection to the recipient operator.
- (11) The donor operator **(shall)** not reject a request to port a number or number block on the grounds that the subscriber still owes money, nor may they delay the porting until the debt is collected, unless the subscriber is already subject to suspension of outgoing or incoming calls because of failure to pay a bill.
- (12) The procedure for number portability shall result in the ported number being activated on the network of the recipient operator before the number is de-activated on the network of the donor operator.
- (13) The recipient operator may make temporary use of numbers for subscribers who are awaiting number portability.

- (14) The donor operator shall respond to requests from the recipient operator for authorisation of a porting by the end of the next working day in the case of individual numbers or within 3 working days in the case of number blocks.
- (15) The donor operator and the recipient operator shall cooperate together to establish a process whereby if the subscriber request number porting as soon as possible the porting shall be effected (**within**) 10 working days for individual numbers and within 20 working days for number blocks, or within time limits notified by the Authority to the operators in writing with at least six months notice.
- (16) Where the recipient operator requests the donor operator to deactivate an individual number and apply rerouting at a specific time, the donor operator shall require no more than 48 hours notice and shall effect these actions as close as possible to the time requested and no earlier than the time requested and no later than one hour after the time requested.
- (17) Where network operators synchronise changes to their networks, the changes shall be made at a time of low network traffic to be agreed between the operators and specified in the ordering system specification and shall be completed within one hour.

Requirements on quality

- 5 (1) The arrangements for number portability shall not result in an increase in the call set up time for a call to a ported number of more than 2 seconds compared to the call set up time for a call to the same subscriber on the same network if they were using a non-ported number.
- (2) The arrangements for number portability shall not result in an increase in the one-way transmission time for a call to a ported number of more than 20 milliseconds compared to the one-way transmission time for a call to the same Subscriber on the same network if they were using a non-ported number.
- (3) Each network operator or their nominated agent shall report to the Authority at six month intervals for the first two years of operation and thereafter annually the following statistics:
 - a) The number of requests received as recipient for the porting of individual numbers, with the figures shown separately for individual numbers and number blocks (recipient operator reports)
 - b) The number of requests made by the recipient operator that have been rejected by the donor operator for the porting of

numbers, with the figures shown separately for individual numbers and number blocks (recipient operator reports, separate figures for each donor operator)

- c) **(Reasons)** for the donor operator to reject requests for portings (donor operator reports)
- d) The number of portings where responses were not received or actions were not effected within the time limits specified in this functional specification. (recipient operator reports separate figures for each donor operator)
- e) The number of ported numbers that have been returned to the block operator under sub-regulation 6 (10) (Recipient Operator reports separate figures for each Block Operator)

Other requirements

- 6 (1) Where a geographic number that is subject to Number Portability is used for more than one service, for example for both telephony and SMS, the subscriber may not take one service from one network operator and another service with the same number from another network operator.
- (2) For clarification, other facilities or services such as forms of broadband Internet access that share the same line and for which the use of the geographic number to be ported is not essential may be provided independently of the choice of operator who serves the geographic number subject to any relevant regulation or authorisation.
- (3) The donor operator is not required to disclose the subscriber's service profile to the recipient operator.
- (4) When an operator who is handling a call determines that the called number is ported and determines the identity of the operator currently serving that called ported number, the operator shall add a prefix to the called number that identifies the current recipient operator.
- (5) Where the retail or interconnection charges for calling a number change as a result of the number being ported, the operators affected are not required to apply the new charges until midnight at the end of the first whole working day after the recipient operator adds the number to the list of ported numbers that it serves and makes the updated list available to other operators: Provided that the Authority may vary this requirement as necessary and may introduce a requirement for all operators to synchronise changes to billing and charging if it considers this necessary.

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- (6) Every recipient operator shall provide test numbers that enable users who have ported their numbers-
- a) to check that their CLI is being sent correctly; and
 - b) to request an incoming test call to be made within the next five minutes and routed via the Telkom network to check that incoming calls are being routed correctly
- (7) These test services shall be available at no more than a cost based charge to the users who have ported their numbers and the operators concerned may levy interconnection charges on a cost basis for them. The provision of the test numbers shall be dimensioned to a 2% grade of service.
- (8) Where service is ceased on a ported number or number block without the number or number block being ported again, the operator who was serving that number shall inform other operators and remove that number from the list of ported numbers that it serves when it next updates that list. ***(Delete the following :The operator who was serving that number shall not re-use that number for another Subscriber. The number shall return to the Block Operator concerned to whom it was originally allocated and the Block Operator shall quarantine the number for at least three months).***
- (9) The operator who was serving the number shall not re-use that number for another subscriber.
- (10) The number contemplated in sub-regulation (8) shall return to the block operator concerned to whom it was originally allocated and the block operator shall quarantine the number for at least 3 months.
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