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2016

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#### GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

#### INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 965 26 AUGUST 2016



**Independent Communications Authority of South Africa** 

### NOTICE OF INTENTION TO CONDUCT AN INQUIRY INTO NUMBER PORTABILITY REGULATIONS

- 1.1. The Independent Communications Authority of South Africa ("the Authority/ ICASA") hereby gives notice, in terms of section 4B (2) of the Independent Communications Authority of South Africa Act, 2000 (ICASA Act), that it intends to conduct an inquiry into the number portability regulations.
- 1.2. The purpose of this enquiry is to determine the strength and weaknesses of the current number porting, and to determine if there are regulatory gaps arising from the market and legislative developments.
- 1.3. In 2006, the Number Portability Regulations ("the 2006 Regulations") together with Functional Specifications for Mobile Number Portability were developed pursuant to Ministerial Policy Directions to introduce number portability from April 2005. The policy was issued in terms of section 2 read with section 5(4) (a) of the Telecommunications Act, 1996 (now repealed).
- 1.4. At the time of the promulgation of the 2006 Regulations, there were only two fixed line operators and three mobile network operators.
- 1.5. Subsequent to the repeal of the Telecommunication Act in 2005, the Authority's mandate to regulate number portability is as prescribed

under section 68 of the Electronics Communications Act, 2005 (Act No.36 of 2005), as amended("ECA").

- 1.6. Pursuant to the judgement delivered by Acting Judge Davis in the High Court case filed by Altech¹, there were two (2) licensees eligible to apply for national geographic numbers and three (3) licensees eligible to apply for mobile. With the 2009 licensee conversation these numbers increased from five (5) to five hundred and two (502). These licensees are eligible to apply for all numbering as prescribed in the National Numbering Plan.
- 1.7. It is against this background that the Authority intends to conduct an enquiry into the number portability regulations.
- 1.8. The Authority hereby invites interested persons to:
  - 1.8.1 submit written representations on this inquiry by no later than 16h30 on 28 October 2016;
  - 1.8.2 The inquiry must be furnished in the format as set out in Annexure A; and
  - 1.8.3 indicate in their written representations whether they require an opportunity to make oral representations to the Authority.
- 1.9. Written representations made pursuant to this notice will be open for inspection by the public at the premises of the Authority, 164 Kathreine Street, Pinmill Farm, ICASA Library in Block D, (ICASA Head Office), during normal working hours.
- 1.10. In instances whereby there is a request for confidentiality in terms of section 4D of the ICASA Act, the person(s) making written

<sup>&</sup>lt;sup>1</sup> Altech Autopage Cellular (Pty) Ltd v Chairperson of the Council of the Independent Communications Authority of South Africa and Others (20002/08) [2008] ZAGPHC 268 (29 August 2008)

representations must clearly mark the appropriate sections as confidential and must furthermore provide a written explanation in terms of section 4D(1)(b) explaining why the information is confidential.

- 1.11. The Authority will respond within (14) days of receiving a request for confidentiality whether or not the request for confidentiality has been granted.
- 1.12. If the Authority determine that a request for confidentiality cannot be acceded to, the person (s), providing the information will be given an opportunity to withdraw such information.
- 1.13. All communication and clarifications in relating to the Inquiry must be directed to the Project Leader Mr Lordwill Zwane on the following addresses:

Mr Lordwill Zwane or Block A

Project Leader Pinmill FArm

ICASA 164 Katherine Street

Private Bag X10002 Sandton

Sandton

2146

Facsimile: 011 566 3664 or Telephone: 011 566 3664

Electronic mail: Lzwane@icasa.org.za

Numberportability@icasa.org.za

Ruben Mohlaloga

Acting Chairperson



QUESTIONNAIRE: INQUIRY INTO NUMBER PORTABILITY REGULATIONS

Annexure A

SECTION A - GENERAL	
Licensee Details	
Licensee Name	
Address	S. Control of the Con
Contact Person	
Designation	
Telephone	
Email	
Services Offered by Licensee (select all that are applicable):	
Retail	
Geographic	
Mobile	
Wholesale	
Other (Specify)	

Signature       Designation         Designation provided herein is true and correct.       in my capacity as
true and correct.
true and correct.
Span.

Mobile and Geographic Numbering Indicators

From Inception to Date
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	Comments	
ER INDICATORS	From Inception to Date	
SECTION C: GEOGRAPHIC NUMBER INDICATORS	indicators	Total Geographic Numbers Allocated
SЕСТІО	et.	ngoað oi dmuM

Total Geographic Numbers' subscriptions	Prepaid	Post-paid	Geographic Numbers Ported In	Geographic Numbers Ported Out
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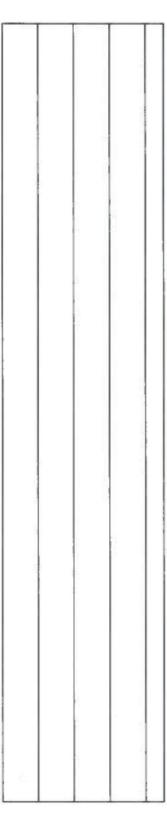
Numbering Portability Regulations Questionnaire

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Describe your company's positioning in the fixed line and/or mobile markets.

7



tability framework	as cost recovery,	
the advantages and/or disadvantages with the current number portability framework	Would you consider the fees structure associated with participating in Number Portability such as cost recovery, subscription to number portability administration and charging of ports to be effective?	
and/or disadvantages w	ed with participating i	
er to be the advantages a	Would you consider the fees structure associated with participating in Number Port subscription to number portability administration and charging of ports to be effective?	
What would you consider to be tand administration thereof?	Mould you consider the subscription to number p	
 	 4. > 8	

	What is the mean porting timeframe, in hours, have your subscribers experienced? Do you consider it to be reasonable? If not, please indicate what challenges have you experienced and what measures could be taken to reduce the porting timeframe.		
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	What other non-geographic numbers do you think should be subjected to number portability besides mobile numbers? Piease elaborate	
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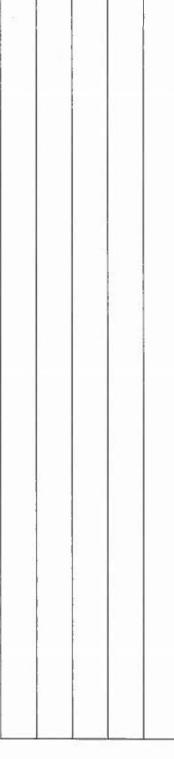
Do you think the port back waiting period of two (2) months in the current number portability regulations promotes effective number portability? If not, please elaborate and propose alternatives if any	Portability regulations including the functional specifications do you think should be	
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two (2) niborate an	Which provisions of the Number Portability regulations including reviewed to improve the efficiency and effectiveness of porting?	
period of	rtability re	
k waiting y? If not,	umber Po	
port bac	Which provisions of the Number reviewed to improve the efficienc	
think the	provision:	
Do you effective	Which p	

Do you think the number of days it takes to port should be increased or decreased? Please elaborate and provide Do you think the current recipient led porting process is effective? Please elaborate and provide alternatives if any alternatives if any # 12

Do you think there should be a standard/uniform call routing mechanism? Please elaborate 13.

Do you think the processes and procedures for resolving subscriber complaints and providing subscribers remedies are efficient? Please elaborate.

14.



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and provide alternatives.		mit any		
and provide alternatives.		Please submit any other information that you believe the Authority should consider.		
and		16. Ple		

## WARNING!!!

## To all suppliers and potential suppliers of goods to the Government Printing Works

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 (Renny.Chetty@gpw.gov.za),

Anna-Marie du Toit (012) 748-6292 (Anna-Marie.DuToit@gpw.gov.za) and

Siraj Rizvi (012) 748-6380 (Siraj.Rizvi@gpw.gov.za)

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