

Pursuant to Article 9, paragraph 1, item (1), and in regard to Article 85, paragraph 2 of the Telecommunications Law (“*Official Gazette of the RoS*”, nos. 44/03, 36/06 and 50/09-CC), Numbering Plan of the Republic of Serbia for Telecommunications Networks (“*Official Gazette of RoS*”, nos. 57/08, 77/08, 105/08, 107/08, and 85/09), Strategy for the Development of Telecommunications in the Republic of Serbia from 2006 until 2010 (“*Official Gazette of RoS*”, nos. 99/06 and 4/09) and pursuant to item (11) of Article 18 of the Statute of the Republic Telecommunication Agency (“*Official Gazette of RoS*”, no. 78/05),

the Managing Board of the Republic Telecommunication Agency, in its session held on 25<sup>th</sup> December 2009, adopted the

## **RULES ON NUMBER PORTABILITY IN PUBLIC MOBILE TELECOMMUNICATIONS NETWORKS**

### **I GENERAL PROVISIONS**

#### **Article 1**

These Rules prescribe the terms and conditions which need to be fulfilled on behalf of subscribers (users), operators of the public mobile telecommunications networks (hereinafter: operators) and the Republic Telecommunication Agency (hereinafter: the Agency) in regard to national number portability service for public mobile telecommunications networks from the Numbering Plan of the Republic of Serbia for telecommunications networks (hereinafter: the Numbering Plan).

#### **Article 2**

Terms and abbreviations used in these Rules:

**number portability** in terms of these Rules means a service which, upon request, enables a subscriber to retain their assigned number from the Numbering Plan for the public mobile telecommunications services regardless of the switch from one service operator to another.

**number porting** in terms of these Rules means a group of technical and administrative procedures undertaken for the purpose of carrying out a service of number portability in accordance with the methods prescribed by these Rules.

**subscriber (user)** in terms of these Rules means a physical or legal entity that employs the services provided by a telecommunication system based on subscription contract or other specified arrangement and who is, for the performance of these services, assigned a number.

**receiving operator** means an operator whose network is hosting the ported number and whose services the subscriber (user) will be using after the number was ported.

**donor operator** means an operator whose number is subject to a service of number portability and whose services were employed by the subscriber (user) prior to number porting.

**number range holder** means an operator, holder of the number from the Numbering Plan allocated on the basis of primary number allocation.

**central database of ported numbers** (hereinafter: the central database) means a reference database which consists of data necessary for routing calls towards the ported number and which facilitates a timely update of the local database of ported numbers and keeps record of all ported numbers in the process of number portability.

**local database of ported numbers** (hereinafter: the local database) is hosted by the operator and represents the operative database, it includes data necessary to route calls towards ported numbers and is regularly updated using information available from the central database.

**routing number** means a pre-number for routing calls towards the ported numbers, it is located in the central database as well as in local databases.

**time frame** means a time interval from 02.00am to 06.00am on a working day, during which the ported number is switched off from the network of the donor operator and switched on in the network of the receiving operator.

**“All Call Query”** means a method in routing a call towards the ported number where the operator whose network is originating the call makes a query in its own operative database prior to establishing the connection. In case the called number is ported, the connection is established directly towards the network of the receiving operator by means of a pre-number for call routing.

**“Query on release”** means a method in routing a call towards the ported number where the number range holder, by means of a signal message, informs the operator originating a call that the number is ported. Upon receiving this message, the operator originating a call routes the call directly towards the network of the receiving operator by means of a pre-number for call routing obtained by query in its own local database.

**“Onward Routing”** means a method in routing a call towards the ported number where the operator originating the call routes the call towards the network of the number range

holder whereupon the number range holder, in case the number is ported, routes the call towards the network of the receiving operator.

### **Article 3**

Operators of the public mobile telecommunications network are obliged to enable the subscribers (users) switching from one service operator to another to retain their existing number, except in cases referred to in Article 9 of these Rules.

With the aim of realizing the service of number portability, operators of the public mobile telecommunications networks are obliged to bring their general conditions which regulate the provision of public telecommunications services into compliance with the provisions of these Rules.

In order to port their number, users who do not have a subscription contract (prepaid users) have to be registered. User registration implies the identification of users in accordance with the procedures of the public telecommunications operator. Registration of unregistered prepaid users shall be carried out within the services of the receiving operator by means of SIM card and PUK code submission as well as by providing the valid ID document (ID card or passport).

Subscriber (user) who has used the service of number porting shall not be entitled to port the same number again within less than three months from the day of the porting of that number between service operators.

Subscriber shall not be entitled to seek the transfer of value added public telecommunications services granted by the receiving operator.

Prepaid user shall not be entitled to seek any reimbursement from the donor operator for the remaining amount on his/her account and unused traffic.

Number range holder is entitled to change the prepaid numeration in accordance with the Numbering Plan and upon approval of the Agency.

## **II SUBMITTING THE REQUEST FOR NUMBER PORTING**

### **Article 4**

The procedure of number portability is initialized by submission of number porting request to a receiving operator. This request shall also be considered a request for the annulment of existing subscription contract between the subscriber (user) and the donor

operator. The contract is annulled at the moment of disconnection of the number from the network of the donor operator.

## **Article 5**

Request for number porting shall be submitted by a physical person (on behalf of minors, this request is submitted by a parent or a guardian), and for legal persons, this request is submitted in the form of a written authorization.

Form of request for number porting is the property of the receiving operator and it shall provide the following information:

- Information on subscriber (user):  
for physical persons: name, surname, ID card number and address,  
for legal persons: name of the company, seat of the company-location, registry code and tax identification number (TIN),
- number or group of numbers for which portability is requested,
- type of subscription contract in the donor operator network (prepaid, postpaid)
- name of the donor operator,
- name of the receiving operator,
- date and time of submission of request,
- date of requested portability within the prescribed time frame for the realization of a service,
- statement of a subscriber (user) stating that this request is also considered to be a request for the annulment of existing subscription contract with the donor operator, i.e. a request for the termination of service provision between the donor operator and subscribers (users) in compliance with the general provisions regulating their mutual relationship,
- statement of a subscriber (user) obliging them to acquit all debts to donor operator made until the moment of number porting, as well as all debts made during the process of number porting and all subsequent due debts,
- statement of a subscriber stating that unless all outstanding debts to donor operator, made until the moment of subscription contract annulment, are acquitted, the receiving operator shall suspend their calls in the next thirty (30) days and then, upon request of the donor operator, disconnect the number,

- agreement of the subscriber (user) to have his/her personal data gathered, processed and exchanged between operators and the central database with the purpose of realization of number porting.

Form of request for number porting shall be signed by a subscriber (user) and the person in charge of the number porting service of the receiving operator in not less than three copies. One copy shall be given to the subscriber (user), one to the donor operator and the third shall be archived by the receiving operator.

Persons submitting the request for number porting are obliged to identify themselves by providing the valid ID card or passport.

Person submitting the request for number porting who is bound by subscription contract is obliged to provide the receiving operator with the copy of the last receipt paid for in due time for the usage of the number for which porting is requested.

During the process of number porting, donor and receiving operators shall exchange information in electronic form.

Donor operator, upon establishing that the subscriber has outstanding debts, shall provide a subscriber with the request for payment within the deadline of not less than eight days and inform the receiving operator. In case the user does not acquit a debt within the deadline, i.e. in case the copy of the receipt is not submitted to the receiving operator as confirmation of acquitted debts, the number which is subject to the request for number porting shall be suspended from use for thirty days. In case the user acquits the debt within the suspension deadline, the number shall be activated. In case the user has not acquitted the debt within thirty days of the suspension deadline, the number shall be permanently switched off. Upon switching off the number in the network of the receiving operator, it shall be, without further delay, transferred back to the number range holder. The procedure of number transfer shall be performed via the central database.

### **III PORTING PROCEDURE**

#### **Article 6**

Request for number porting submitted by 2.00 pm on a working day shall be considered a request valid for that day. In case the request is submitted later than 2.00 pm, it shall be considered valid for the following day. Receiving operator shall submit the request for number porting in electronic form, without further delay, to the central database along with the following data:

- information on subscriber (user) as referred to in Article 5, paragraph 2, item 1.;

- number or group of numbers for which portability is requested;
- type of subscription contract;
- name of the donor and the receiving operator.

Upon receipt of the abovementioned data, central database sends confirmation to the receiving operator, stating that the porting procedure is initialized.

Upon receipt of the confirmation on the initialized porting procedure, the receiving operator sends the subscriber's request for number porting to the donor operator.

### **Article 7**

Upon receipt of request, the donor operator makes a query whether all necessary conditions for number porting procedure are met and notifies the receiving operator and the central database.

The procedure of verifying the fulfillment of all necessary conditions and the formal notification referred to in the previous paragraph shall not exceed the set deadline of two working days starting from the day the donor operator received the request for number porting.

### **Article 8**

In case all necessary conditions for the number porting procedure are met, the donor operator shall notify the receiving operator as well as the central database and state acceptance of request for number porting on the day and within the set time frame stated in the request for number porting.

The execution of number porting procedure shall not be longer than two days starting from the moment the donor operator has accepted the request for number porting.

Donor operator, having previously switched off the number for which portability is requested from its network, notifies the central database which consequently notifies the receiving operator.

Upon switching on the number for which the portability was requested into its network, the receiving operator notifies the central database.

Upon receipt of confirmation on the activation of the number into the network of the receiving operator, the central database is automatically updated and data is available for all local databases.

## **Article 9**

Donor operator may refuse the request for number porting if:

- unauthorized person submitted the request for number porting;
- request for number porting is inaccurate or incomplete;
- prepaid subscriber (user) is not registered;
- it is confirmed that outstanding debts were not acquitted on behalf of the subscriber including all obligations towards the donor operator pertaining to untimely cancelation of contract stated in the subscription contract;
- number which is the subject of request for number porting is already in the process of being ported, or if the previous service of number porting was performed within less than three months;
- subscriber is hosted by network of the donor operator less than three months;
- number is stolen, non-existent, temporarily or permanently switched off from the donor operator network;
- requested number for porting is one of the numbers from a number block or part of the user number groups in the donor operator network.

In case the requested number cannot be ported, donor operator is obliged to inform the central database and, in written form, the receiving operator and the subscriber (user), on the reasons for declining the request within two working days from the day the request was received.

## **Article 10**

In case of unexpected delay in number porting procedure, operator held responsible for the delay is obliged to remove the cause of delay immediately and notify the other operator as well as the central database.

Each operator is obliged to respond immediately upon learning about any failures in the system of number portability, including failures in synchronization among databases, as well as to inform all operators and the central database and to engage in the removal of failures immediately.

## **IV DATABASES OF PORTED NUMBERS**

## **Article 11**

Database of ported numbers is the reference central database which falls within the responsibility of the Agency.

Installation, development, maintenance and financing of the central database fall within the responsibility of the Agency.

Agency shall determine the content and the form of data, as well as the procedure of storing and updating data in the central database.

Agency shall determine the method of data exchange (access, interfaces and protocols) between the central database and local databases, and operators are obliged to provide accurate and timely update of their local databases in line with the contents of the central database.

## **Article 12**

Central database shall provide information on all ported numbers. Pre-number for call routing shall be added to each ported number.

Pre-number for call routing shall be used for routing calls towards ported numbers. It shall have a hexadecimal value D, and it shall consist of a prefix signifying telecommunications network (NetID) and commutation (NodeID) hosting the ported number. Network identifier consists of two decimal digits and signifies the number assigned to operators by the Agency. Node identifier is a number which consists of two decimal digits is determined by operators, and it closely defines the location of ported number inside the network of the receiving operator.

Central database keeps record of all activities performed in the procedure of number porting stipulated herein.

## **V ROUTING CALLS TOWARDS PORTED NUMBERS**

### **Article 13**

In establishing a call connection which is initialized by a subscriber of fixed telephone network towards the ported number of mobile telephony, fixed network shall route the call towards the number range holder using the method of 'Onward Routing' in accordance with the appropriate international recommendations. This method shall be in use until number portability for fixed telephony is established.



In establishing a call connection initialized by a subscriber of mobile telephony towards the ported number of mobile telephony, 'All Call Query' routing method shall be used in accordance with the specifications of ETSI Recommendation 123 066 (3GPP TS. 23.066).

In diverting international incoming calls towards the ported number, 'Query On Release' routing method shall be used in accordance with international recommendations, or 'All Call Query' method in line with the specifications of ETSI Recommendation 123 066 (3GPP TS 23.066).

#### **Article 14**

Operator that originates a call, i.e. operator which accepted the national or international incoming call towards the ported number, is responsible for accurate routing of that call directly towards the operator hosting the ported number in accordance with routing methods referred to in Article 13 of these Rules.

Operators are obliged to route calls towards ported numbers in the same manner as calls towards non-ported numbers of the receiving operator.

Call routing methods referred to in paragraph 1 and 2 of this Article shall apply to request for sending text (SMS) and multimedia (MMS) messages.

Agency shall not be held responsible for incorrectly routed calls towards ported numbers.

## **VI FEES FOR PORTED NUMBERS AND RIGHTS OF OPERATORS**

#### **Article 15**

Subscriber (user) is obliged to pay the fee in the amount of 200.00 dinars to receiving operator for the service of number portability. Donor operator cannot request reimbursement of fees for the service of number portability from subscribers.

Upon carrying out the service of number portability, receiving operator is obliged to pay a fee in the amount of 1,000 dinars to the donor operator.

#### **Article 16**

Operators shall not charge calls towards ported numbers more than calls towards non-ported numbers which are used for the provision of same telecommunications services in the same telecommunications network.

Under Interconnection Agreement, operators shall not set higher prices for calls towards ported numbers as opposed to calls towards non-ported numbers which are used for the provision of same telecommunications services.

In routing the call initialized by a subscriber of fixed network towards the ported number hosted by the mobile network, the number range holder shall not request the operators to reimburse the cost of such service.

### **Article 17**

Number range holder is in charge of the assigned number even if that number is ported to the receiving operator, and is obliged to pay the amount of fee set forth by the general by-law of the Agency.

For every ported number in its network, receiving operator is obliged to pay the annual fee, set forth by the general by-law of the Agency, to the number range holder in proportion to the number of days during the year when this ported number is in use in the telecommunications network of the receiving operator.

In case of suspension in the use of ported number, receiving operator is obliged to notify the central database and the number range holder within seven days of the date the ported number was deactivated.

## **VII SUBSCRIBER NOTIFICATION**

### **Article 18**

Operators are obliged to make publicly available the addresses and working hours of their subscriber centers (subsidiaries) responsible for receipt of number portability requests.

Upon request of subscribers, operators are obliged to make information on ported numbers and call costs towards those numbers publicly available by means of Internet web sites and call centers as well as by means of other types of public informing.

Operators are obliged to provide automatic voice message or SMS message with the following content: 'Number was ported towards operator X'. This message shall not be liable to cost calculation.

## **VII TRANSITORY AND FINAL PROVISIONS**

### **Article 19**

Operators are obliged to provide conditions for provision of number portability service in public mobile telecommunications networks prior to the day these Rules come into effect.

### **Article 20**

These Rules shall enter into force on the eighth day after the day they are published in the "Official Gazette of the Republic of Serbia", and shall be applied starting from 1 January, 2011.

**Ref. no: 1-01-110-16/09**

**Belgrade, 25 December, 2009.**

**Chairman of the Managing Board**

*prof. dr Jovan Radunovic*

