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Code of Practice Related to the Implementation of Mobile Number Portability

Introduction

Pursuant to section (3)(b) of Section 32F of the Telecommunications Ordinance (Cap. 106), the Telecommunications Authority (TA) may issue Codes of Practice relating to the use of numbers and codes in the numbering plan and any Code so issued may include provisions relating to number portability. The TA may also issue directions to require a licensee to observe the Codes of Practices issued under section 32F(3)(b).

2. On 9 June 1998, the TA issued a Statement on "Number Portability for Public Mobile Services in Hong Kong" and set out his considered views and policy intention on the introduction of Mobile Number Portability (MNP) in Hong Kong and the implementation plan of MNP by a distributed database solution with Fixed Telecommunication Network Services (FTNS) operators providing the "look-up" services.
3. On 17 June 1998, an Implementation Task Force on MNP comprising representatives of all the fixed and mobile network operators has been established for tackling the technical and operational problems envisaged in implementing MNP by the target date. After consultation and discussion with the fixed and mobile network operators, the TA finally decided that 1 March 1999 should be the target implementation date for MNP. The TA issued Direction to individual operators of the Public Mobile Radiotelephone Services, Personal Communications Services and FTNS (the "Operators" on 28 August 1998 to ensure that they will fully comply with this Code of Practice related to the implementation of MNP and the "Requirements for Mobile Number Portability by Database Solution" and "Functional Specification of Administration Database for Mobile Number Portability" stipulated under the Hong Kong Telecommunications Authority (HKTA) specification 2103 and 2104 respectively (i.e. HKTA 2103 and HKTA 2104).
4. On 28 August 1998, the TA also issued a Statement on the "Cost

Recovery Framework of MNP" which set out the cost recovery principles, the elements of MNP costs, the responsibility of charges and the settlement of charges amongst fixed and mobile network operators. The objective of the cost recovery framework and principles is to facilitate the process of negotiations among operators.

5. The purpose of this Code of Practice is to provide the necessary guidance principles and set out the requirements and scope of implementation of MNP for all Operators to observe and follow.

Definition of MNP

6. MNP is defined as the ability for a customer to retain his/her assigned mobile telephone number(s) when changing the subscriptions from one mobile network operator to another mobile network operator.

7. Due to the different nature of mobile services provided by individual mobile network operators, it should be noted that MNP would only facilitate customers to port their assigned mobile telephone numbers allocated in the "The Numbering Plan for Telecommunications Services in Hong Kong" issued by the TA, but not their subscribed mobile services at the original mobile network operators. All mobile telephone numbers assigned to customers should be allowed for porting, no matter whether they are being used for basic mobile telephone service, mobile data/fax service, voice mail service, fax mail service, short messages services, pre-paid services, roaming services or any other mobile services. The way of deploying the ported mobile telephone number(s) to use the mobile services of the new mobile network operator will be subject to mutual agreement between the customer and the new mobile network operator concerned.

Guiding Principles

8. In the implementation of the MNP, the TA has adopted the following guiding principles:

- a) The introduction of MNP should promote fair competition and create net benefits to the community of Hong Kong;
- b) The technical implementation solution for MNP should be a viable, cost-effective, efficient and sustainable long term solution for implementation in Hong Kong;

- c) MNP should help to remove barriers for mobile customers to move to their preferred operators;
- d) The initial and future demand of mobile customers for MNP in Hong Kong should be well catered for by MNP systems of individual operators;
- e) MNP should be introduced in Hong Kong as early as possible such that the benefits of MNP could be passed to the community earlier;
- f) Based on the TA's cost-recovery framework, mobile and fixed network operators should enter into commercial agreement on the provision of MNP database look-up service by the fixed network operators in terminating calls to the mobile network operators. Mobile network operators should make arrangement, and if necessary enter into service agreement with other Operators, for the provision of MNP database look-up service in making calls to their own networks and other mobile networks. The TA's cost recovery principles should be duly respected in both the setting and settling of porting charges amongst fixed and mobile network operators. If there is any failure among operators to reach any agreement, they can seek the TA's determination according to the procedures laid down in section 36A of the Telecommunications Ordinance (Cap. 106);
- g) Any genuine requests from customers for porting their assigned mobile telephone numbers should be entertained and fairly treated by the Operators;
- h) Operators' request for porting should be handled by all Operators on a first-come-first-served principle;
- i) Operators should follow the Personal Data (Privacy) Ordinance (Cap. 486) in handling customers' personal data obtained from porting activities;
- j) Operators should take all necessary steps to safeguard the confidentiality of the third party data obtained from the

Administration Database Systems and Gateway Number Database Systems and shall not disclose such data, or use the data for any promotional activities; and

- k) Operators should not use the information obtained from porting activities to persuade a customer to cancel or to delay a porting application.

Requirements of MNP

9. All Operators need to fully comply with this Code of Practice and the "Requirements for Mobile Number Portability by Database Solution" and "Functional Specification of Administration Database for Mobile Number Portability" stipulated under HKTA 2103 and HKTA 2104 respectively and other documents as directed by the TA in relation to MNP. Operators are also requested to observe the Code of Practice Relating to the Use of Numbers and Codes in the Hong Kong Numbering Plan (Cap. 106) for principles and criteria on allocation and assignment of numbers to Operators and customers.

Amendment of the Code of Practice

10. From time to time, the TA may amend or update this Code of Practice in order to extend the scope of its application or to reflect changes in telecommunication policies. Amendments may be made by the TA under one of the following circumstances :

- to reflect a determination, consent or direction of the TA;
- if the TA considers that such amendments are necessary, having taken into account the views of the Operators to whom the Code of Practice will apply if amendments are made.

Office of the Telecommunications Authority
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