

## **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 Communications Authority<sup>1</sup> (CA) 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 CA may also issue directions to require a licensee to observe the Codes of Practices issued under section 32F(3)(b).

2. In relation to the implementation of Mobile Number Portability (MNP), the CA has issued Direction to individual operators (including fixed and mobile network operators, mobile virtual network operators and services-based operators providing Class 1 services) (hereinafter referred to as “Operators”), requiring them to facilitate MNP at their own expenses so that this Code of Practice related to the implementation of MNP as well as HKCA 2103 entitled “Requirements for Mobile Number Portability by Database Solution” and HKCA 2104 entitled “Functional Specification of Administration Database for Mobile Number Portability” can be fully complied with.

3. 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**

4. 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.

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<sup>1</sup> Pursuant to the Communications Authority Ordinance (Cap 616), with effect from 1 April 2012, all duties and powers of the Telecommunications Authority (TA) are conferred on the Communications Authority (CA), and all duties and powers of the Office of the Telecommunications Authority (OFTA) are conferred on the Office of the Communications Authority (OFCA), the executive arm of the CA.

5. 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 CA, 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**

6. In the implementation of the MNP, the CA 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) Operators may build their own MNP databases or enter into commercial agreement with relevant Operators for MNP database look-up service in routing calls to mobile operators.

- 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**

7. 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 HKCA 2103 and HKCA 2104 respectively and other documents as directed by the CA in relation to MNP. Operators are also required 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**

8. From time to time, the CA 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 CA under one of the following circumstances:

- to reflect a determination, consent or direction of the CA; or

- if the CA 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.

The Communications Authority  
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