

*Extraordinary*



# Federal Republic of Nigeria Official Gazette

---

**No. 92**

**Lagos - 28th July, 2014**

**Vol. 101**

---

*Government Notice No. 237*

The following is published as supplement to this *Gazette* :

<i>S.I. No.</i>	<i>Short Title</i>	<i>Page</i>
28	Mobile Number Portability Regulations, 2014 .. .. .	B417-435

---

Printed and Published by The Federal Government Printer, Lagos, Nigeria  
FGP 117/92014/650

Annual Subscription from 1st January, 2014 is Local : ₦25,000.00 Overseas : ₦37,500.00 [Surface Mail]  
₦49,500.00 [Second Class Air Mail]. Present issue ₦1,500.00 per copy. Subscribers who wish to obtain *Gazette* after  
1st January should apply to the Federal Government Printer, Lagos for amended Subscriptions.

**B 416**

**NIGERIAN COMMUNICATIONS ACT, 2003**  
**MOBILE NUMBER PORTABILITY REGULATIONS, 2014**



ARRANGEMENT OF REGULATIONS

*Regulation :*

PART I—APPLICATION AND OBJECTIVES

1. Application.
2. Objectives.
3. Application of MNP Business Rules.

PART II—ADMINISTRATION OF THE NUMBER PORTABILITY CLEARINGHOUSE

4. Administration and use of the Number Portability Clearinghouse.
5. Number Portability Clearinghouse helpdesk.
6. Mobile Service Providers MNP helpdesk.
7. Privacy of Data.

PART III—RELATIONSHIP BETWEEN MOBILE SERVICE PROVIDERS  
AND NPC ADMINISTRATOR

8. Compliance with MNP Operator User Agreement and MNP Business Rules.
9. Routing of Traffic and Interconnectivity between Operators and NPC.
10. Rights and Obligations of Donor Operator.
11. Rights and Obligations of Recipient Operator.
12. Rights and Obligations of NPC Administrator.
13. Dispute Resolution.

PART IV—GENERAL PORTING GUIDELINES

14. MNP Subscriber Interface.
15. Porting Eligibility.
16. Porting Request Form.
17. Porting Approval Request Message.
18. MNP Procedure and Timescales.

PART V—TRANSACTION CHARGES AND REPORTING REQUIREMENT

19. Porting Transaction Fee.
20. Intervention and Review.

**PART VI—SANCTIONS AND PENALTIES**

21. Sanctions and Penalties.
22. Penalty against the NPC Administrator.
23. Penalties against the Mobile Service Providers.
24. Penalty for Unauthorised Porting.

**PART VII—MISCELLANEOUS**

25. Power to issue directions on Mobile Number Portability.
26. Interpretation.
27. Citation.

S. I. No. 28 of 2014

**NIGERIAN COMMUNICATIONS ACT  
(No. 19 of 2003)**

**MOBILE NUMBER PORTABILITY REGULATIONS, 2014**

[24th Day of July, 2014] Commence-  
ment.

**In exercise of the powers conferred on it by sections 70 and 128 of the Nigerian Communications Act, 2003 and of all other powers enabling it in that behalf, the Nigerian Communications Commission makes the following Regulations—**

PART I—APPLICATION AND OBJECTIVES

- 1.** These Regulations shall apply to— Application.
- (a) the administration and operation of Mobile Number Portability in Nigeria ;
- (b) the NPC Administrator ;
- (c) all licensed telecommunication service providers in Nigeria ;
- (d) other authorised parties ; and
- (e) Subscribers.
- 2.** The objectives of these Regulations are to— Objectives.
- (a) provide a regulatory framework for the operation of Mobile Number Portability in Nigeria ;
- (b) ensure an effective and efficient porting regime ;
- (c) foster and strengthen the relationships between Mobile Service Providers and other authorised parties and create a harmonious level playing field for all operators ;
- (d) safeguard Subscribers' rights and ensure Subscribers' satisfaction with the MNP process ; and
- (e) sustain quality service delivery by Mobile Service Providers and other authorised parties in order to ensure a seamless launch and continued improvement in the MNP process and the telecommunications sector in Nigeria.
- 3.** In the implementation of the MNP Service, the MNP Business Rules as may from time to time be amended, shall apply subject to the provisions of these Regulations. Application  
of MNP  
Business  
Rules.

PART II—ADMINISTRATION OF THE NUMBER PORTABILITY CLEARINGHOUSE

4.—(1) There is established, a Number Portability Clearinghouse to be administered by the NPC Administrator.

(2) The NPC Administrator shall—

(a) be licensed by the Commission to manage the MNP System in Nigeria ; and

(b) use the Number Portability Clearinghouse for the performance of the following functions—

(i) relaying of messages between the Donor and Recipient Operators and maintaining of status information for each individual and bulk porting transaction ;

(ii) management of the porting process to monitor the compliance with target porting timescales by the Mobile Service Providers ;

(iii) verification of the validity of porting transactions ;

(iv) interworking with the Subscriber Information Database to verify Subscriber registration status and mandatory data matches to validate Subscriber porting transactions ;

(v) reception and checking of SMS from Subscribers confirming the request to port ;

(vi) communicating with the Subscribers and advising them by SMS on the status of their porting requests ;

(vii) real-time broadcasting of information to all Mobile Service Operators of the identity of the Recipient Operator serving a number after porting for the purpose of updating routing arrangements ;

(viii) updating the Subscriber Information Database to reflect the migration of successfully ported numbers from Donor Operators to Recipient Operators ;

(ix) collection of logs on all port activities ;

(x) collection of statistics on porting ;

(xi) maintenance of the servicing operator status for every mobile number in Nigeria in real-time to reflect changes effected through the completion of porting transactions ;

(xii) storage of information of the history of each porting transaction excluding any personal Subscriber data, which should be deleted once a porting has been completed ;

(xiii) coordinating porting transactions between Mobile Service Providers and ensuring consistency in the porting performance and adherence to the porting timescales set from time to time in the Business Rules ;

(xiv) maintaining a Central Reference Database of all ported numbers and making provision for the download of such information by any Mobile Service Provider, especially new entrants ; and

(xv) management of ancillary porting functions as required, including return to Number Range Holder and emergency repatriation processes.

(3) The Number Portability Clearinghouse and the MNP System in Nigeria shall be administered in accordance with the MNP Licence granted to the NPC Administrator and the MNP Operator User Agreement.

(4) The NPC Administrator shall in every case, ensure the operation of a maintenance period, for any period of time specified in the Business Rules to ensure minimal disruption to the MNP Service and the administrative system.

**5.—**(1) The NPC Administrator shall set up and operate a Number Portability Clearinghouse helpdesk within Nigeria which shall be responsible for—

Number  
Portability  
Clearinghouse  
helpdesk.

(a) monitoring the continuity and quality of service of the Number Portability Clearinghouse ;

(b) identifying and resolving service impacting faults and issues ;

(c) receiving, reviewing and resolving queries and complaints from Mobile Service Providers and the Commission ; and

(d) such other things as the Commission may from time to time determine.

(2) The NPC Administrator shall—

(a) operate its MNP helpdesk during the Prescribed Porting Period ; and

(b) set up and operate monitoring and fault resolution of the Number Portability Clearinghouse within the hours prescribed in the Business Rules.

(3) The hours of monitoring and fault resolution referred to in sub regulation (2) (b) of this regulation may be performed within the NPC Administrator's Nigerian premises or from its remote external location.

(4) The NPC Administrator shall not be responsible for dealing directly with complaints from individual Subscribers.

**6.—**(1) Every Mobile Service Provider shall establish a customer complaint unit with the responsibility of receiving, reviewing and resolving the complaints made by Subscribers in respect of the MNP service rendered to them.

Mobile  
Service  
Providers  
MNP  
helpdesk.

(2) A Subscriber may lodge a complaint by placing a call to a designated helpdesk which is routed straight to the customer complaint unit of the Recipient Operator for due attention.

(3) The Recipient Operator's customer complaint unit shall notwithstanding the provisions of any other Regulations issued by the Commission, acknowledge the complaints of customers within two hours after a problem is reported.

(4) The Recipient Operator's customer complaint unit shall record all MNP related customer complaints and where the resolution of such complaints are within its operational control, shall take all necessary steps to ensure that the complaint or query is resolved within a maximum of forty-eight hours from the time of making the complaint.

(5) The Recipient Operator's customer complaint unit shall keep records of all complaints made to it in accordance with the current business practice of the operator and any issues arising from such complaints shall be identified and serve as points for the review of the existing Code of Practice of the operator registered with the Commission.

(6) The Recipient Operator and Donor Operator shall work positively and collaboratively to ensure that Customers porting complaints are investigated and resolved promptly and fairly.

(7) Where a Customer's complaint remains unresolved after forty-eight hours of lodgment due to the inability of the Recipient Operator or Donor Operator to resolve same, the Recipient Operator shall, not later than twenty-four hours thereafter, refer the dispute to the Commission for resolution.

Privacy of  
Data.

**7.—**(1) The NPC Administrator and Mobile Service Providers shall keep confidential and not disclose any data supplied by Subscribers in connection with the MNP Service or System.

(2) The NPC Administrator and Mobile Service Providers shall—

(a) using existing industry best practices, safeguard the data provided by porting Subscribers from unauthorised interception or unauthorised access ;

(b) ensure that such data is used solely for the purposes of porting of mobile numbers and not for any other purpose ;

(c) ensure that data collected and used to process porting requests shall be authenticated by the Subscriber Information Database ; and

(d) as may be required by the Commission, amend the design and operations of the porting process and systems to align with the requirements of any future changes to the Nigerian Subscriber information registration process and systems.



(3) The provisions of sub regulation (2) (c) and (d) of this regulation shall not prevent a Mobile Service Provider from providing data or access to data for monitoring purposes to the Commission and any Relevant Authority.

PART III—RELATIONSHIP BETWEEN MOBILE SERVICE PROVIDERS  
AND THE NPC ADMINISTRATOR

8. The NPC Administrator and all Licensed Operators shall offer MNP services in accordance with the MNP Operator User Agreement, MNP Business Rules, these Regulations and where necessary, the Operator’s Code of Practice registered with the Commission.

Compliance with MNP Operator User Agreement and MNP Business Rules.

9.—(1) All existing interconnect agreements or arrangements between operators shall be subject to the provisions of these Regulations as regards—

Routing of Traffic and Inter-connectivity between Operators and NPC.

(a) routing of traffic to and from ported and non-ported mobile numbers using the All Call Query approach mandated by the Commission ; and

(b) the corresponding routing prefixing allocated by the Commission.

(2) Where there is a conflict between the provisions of any interconnect agreement or arrangement and these Regulations, the provisions of these Regulations shall prevail.

(3) All Mobile Service Providers in Nigeria shall establish fail-proof connectivity from their respective Mobile Number Portability Gateways to the main and disaster recovery sites of the NPC Administrator at its own cost.

(4) A Licensed Operator having licences in more than one licensed service area may establish a common fail-proof connectivity to the main and disaster recovery sites of the NPC Administrator for all its licensed service areas.

(5) A Licensed Operator, who is also a fixed interconnect exchange service provider or international gateway operator providing carrier service to another Licensed Operator, may establish a common fail-proof connectivity to the main and disaster recovery sites of the NPC Administrator for all its licensed activities and share its Local Number Portability Database across its various licensed activities for the purpose of implementing Mobile Number Portability.

(6) No Licensed Operator shall share its Local Number Portability Database with another Licensed Operator.

(7) A Licensed Operator who is sharing its Local Number Portability Database across its licensed activities shall ensure that such sharing of

Local Number Portability Database enables it to directly route traffic to ported mobile numbers.

(8) Every Licensed Operator on whose network traffic originates shall be responsible for the correct routing of such traffic.

(9) A Licensed Operator shall not be permitted to charge Additional Conveyance Charges for direct routed traffic originated and terminated on its network.

(10) Calls originating from Licensed Operators with no access to the Central Reference Database shall be routed to the original block service provider or a licensed interconnect exchange service provider, and where the number has been ported, the call shall be routed to the current Mobile Service Provider on whose network the number called is active.

(11) An additional conveyance charge as determined by the Commission from time to time may be charged by the original block service provider or the interconnect exchange service provider for performing the All Call Query direct routing of the incoming traffic to a ported number.

(12) In case of international incoming messages, the International Gateway Operator carrying such messages shall be responsible for correct routing of traffic to the terminating operator through All Call Query direct routing via its own Local Number Portability Database.

(13) The International Gateway Operator or Number Range Holder shall as may be directed by the Commission, levy an Additional Conveyance Charge for performing the All Call Query direct routing of incoming international traffic to ported numbers.

(14) The Additional Conveyance Charge shall be based on the commercial arrangements between the Mobile Service Provider and the International Carrier.

Rights and Obligations of Donor Operator.

**10.**—(1) The Donor Operator shall continue to provide all subscribed telecommunication services to a Subscriber who has sought the porting of his mobile number till completion of the porting process.

(2) The Donor Operator shall maintain records of all mobile numbers for which porting requests have been rejected by it for a minimum period of 6 months from the date of rejection of request.

Rights and Obligations of Recipient Operator.

**11.**—(1) The Recipient Operator shall pay the NPC Administrator, a porting transaction fee for every number successfully ported within thirty days of receipt of the bill from the NPC Administrator or within such other time limit as may be mutually agreed upon.

(2) The porting transaction fee referred to in sub regulation (1) of this regulation shall be at a rate the Commission may from time to time specify.

(3) The Recipient Operator shall maintain records in respect of all mobile numbers for which porting requests have been processed and granted for a minimum period of six months from the date of the successful porting of such mobile numbers.

**12.—**(1) The NPC Administrator shall make all efforts to facilitate expeditious porting of numbers through effective coordination with the Donor Operator and Recipient Operator.

Rights and  
Obligations  
of NPC  
Administrator.

(2) The NPC Administrator shall generate specific sets of statistics and reports including—

(a) the number of porting requests received ;

(b) the number of porting carried out successfully ;

(c) the number of failed porting requests with reasons for failures and the response times of Mobile Service Providers at each stage of the porting process ; and

(d) such other statistics and reports in accordance with the MNP Business Rules or as may be determined by the Commission.

(3) Where a Recipient Operator fails to pay the Porting Transaction Fee within the time limit specified in regulation 11(1) of these regulations, the NPC Administrator shall before taking any action—

(a) issue a notice to the Recipient Operator ; and

(b) request the Recipient Operator to pay the Porting Transaction Fee, within a period of fifteen days from the time limit specified in regulation 11 (1) of these Regulations.

(4) Notwithstanding the issuance of a notice to the Recipient Operator pursuant to sub regulation (3) (a) of this regulation, the NPC Administrator shall not discontinue the provision of MNP Service to a Recipient Operator where it defaults in the payment of the Porting Transaction Fees.

**13.—**(1) Any MNP dispute involving the Recipient Operator, the Donor Operator or the NPC Administrator and which does not directly impact on the Subscriber shall be resolved amicably between the concerned parties.

Dispute  
Resolution.

(2) Where a dispute is not resolved amicably between the parties within seven days of the existence of the dispute, the dispute shall be resolved in accordance with the dispute resolution mechanism prescribed under the MNP Business Rules.

(3) The porting obligations of the Mobile Service Provider shall subsist during the pendency of any dispute till a final determination is made in accordance with the MNP Business Rules or by the Commission.

PART IV—GENERAL PORTING GUIDELINES

MNP  
Subscriber  
Interface.

**14.**—(1) The provision of MNP Service to all Subscribers shall be the collective responsibility of all Mobile Service Providers and the NPC Administrator on a non-discriminatory basis, within the timescales set out in the MNP Business Rules.

(2) The Porting process is Recipient-led and shall be initiated by the Subscriber upon a visit to the Recipient Operator’s representative office, customer care shop or retail point of sale or other contact with the Recipient Operator as the Commission may from time to time approve.

(3) The Recipient Operator shall only process porting requests from eligible Subscribers.

(4) Every Mobile Service Provider shall ensure that its network enables a Subscriber to send the porting approval SMS at no charge and even where the subscriber has zero credit balance.

(5) A Donor Operator may not deliver the porting approval SMS if the Subscriber is already barred or suspended from making outbound calls or sending SMS.

Porting  
Eligibility.

**15.** A Subscriber shall be eligible to make a request for porting his mobile number where—

(a) in the case of a mobile number which has been ported earlier, the Port Restriction Time specified in the MNP Business Rules has expired from the date of activation of the mobile number after its last porting ;

(b) the mobile number has been registered on the Subscriber Information Database and the Subscriber’s identity details correspond with those held by the Donor Operator and the Subscriber Information Database, in accordance with the MNP process requirements as determined by the Commission in the Business Rules ;

(c) the mobile number is not blocked or subject to restricted service provisions by the current Mobile Service Provider at the time the porting request is submitted ;

(d) there is no pending request for change of ownership of the mobile number ; and

(e) porting of the relevant mobile number has not been prohibited by a Court of law.

**16.—(1)** The Porting Request Form shall incorporate—

(a) the porting eligibility criteria as specified in Regulation 15 of these Regulations ;

(b) an undertaking by the Subscriber that—

(i) he is eligible or authorised to request porting of the mobile number ;

(ii) the number has not been reported stolen or lost ; and

(iii) the number is not subject to fraudulent or inappropriate activity ;

(c) in the case of—

(i) a pre-paid Subscriber, an undertaking by the Subscriber to the effect that he understands and agrees that, upon porting of the mobile number, any credit on that account at the time of porting shall lapse ; and

(ii) a post-paid Subscriber, an undertaking by the Subscriber that he understands that porting will not extinguish the Subscriber's liability to pay the Donor Operator where there are outstanding payments due to the Donor Operator ;

(d) an undertaking by the Subscriber to the effect that he understands and agrees that, upon porting of the mobile number, ancillary services such as voicemail, SMS and Multimedia Messages saved by the Subscriber may be lost ;

(e) where a Subscriber ports away from an on-net package or group, an undertaking by the Subscriber that he understands and agrees that, upon porting of the mobile number, charges and bills may increase ;

(f) an undertaking by the Subscriber that he understands and takes direct responsibility for recovering any mobile banking account registered to the mobile number that is the subject of the porting request ; and

(g) such details of the Subscriber as may be prescribed by the Commission from time to time.

(2) Each porting request shall be accompanied by—

(a) a completed Porting Request Form ;

(b) the Subscriber's photo identification, driver's licence, national identity card or international passport ;

(c) a declaration that the mobile number to be ported is registered in the Subscriber Information Database ; and

(d) any other information which the Commission may from time to time approve.

**B 428**

Porting  
Approval  
Request  
Message.

**17.** The Recipient Operator shall—

- (a) confirm the eligibility of the Subscriber as specified in Regulation 15 of these Regulations and upon such confirmation send a Porting Approval Request Message to the Number Portability Clearinghouse ; and
- (b) at the successful initiation of the porting process, issue the Subscriber a new SIM.

MNP  
Procedure  
and  
Timescales.

**18.** The MNP procedure and timescales shall be as provided in the MNP Business Rules.

**PART V—TRANSACTION CHARGES AND REPORTING REQUIREMENT**

Porting  
Transaction  
Fee.

**19.—(1)** The Commission shall approve a Porting Transaction Fee which shall be levied on the Recipient Operator by the Number Portability Clearinghouse for each successful porting transaction completed.

(2) The Porting Transaction Fee shall be paid to the Number Portability Clearinghouse directly by the Recipient Operator and no payments shall be made for unsuccessful port transactions.

(3) All Mobile Service Providers and Interconnect Exchange Service Providers shall be provided with access to the Central Reference Database free of charge to enable proper transiting and routing of calls, provided that such Mobile Service Provider or Interconnect Exchange Service Provider has in place an All Call Query infrastructure to enable it interconnect with the Central Reference Database.

(4) The All Call Query response system of the MNP System shall be provided by the NPC to other network providers, Interconnect Exchange Service Providers and other authorised parties at a Dipping Charge to be approved by the Commission where such parties do not have their own All Call Query infrastructure.

(5) The Mobile Service Providers and Interconnect Exchange Service Providers shall provide other authorised parties with access to the information in the Central Reference Database at a charge to be approved by the Commission.

(6) Where an original block operator routes a national traffic for a number originally within its numbering plan to the Recipient Operator, it shall be entitled to levy a transit charge approved by the Commission on the originator of such call.

(7) The charge for the All Call Query response system shall be as the Commission may from time to time approve.

Intervention  
and Review.

**20.—(1)** The Commission may, by order or direction in writing, from time to time, intervene, for the purpose of protecting the interest of the

Subscribers or the Mobile Service Providers for monitoring and ensuring compliance with these Regulations so as to promote and ensure the continued growth of the telecommunications sector in Nigeria.

(2) The Commission may review and modify the Porting Transaction Fee and Dipping Charge at such intervals as the Commission may consider appropriate.

PART VI—SANCTIONS AND PENALTIES

**21.—**(1) The Commission may exercise its supervisory and disciplinary powers against the NPC Administrator, any Licensed Operator or Mobile Service Provider in Nigeria in the manner prescribed in these Regulations.

Sanctions and Penalties.

(2) In the enforcement of sanctions and penalties under these Regulations, the provisions of the Act and the Enforcement Regulations shall apply.

(3) The penalties for non compliance with the provisions of these Regulations shall be in addition or in the alternative to any other penalties that may be contained in the Act or the Enforcement Regulations.

**22.—**(1) Notwithstanding the terms and conditions contained in the MNP Licence, the Commission may revoke the MNP Licence where the NPC Administrator fails to—

Penalty against the NPC Administrator.

(a) implement the MNP System and procedures within the timescales set by the Commission for the implementation of MNP in Nigeria ; or

(b) to establish interconnecting or interworking agreements with Mobile Service Providers and other authorised parties or discriminates between operators in honoring such existing agreements.

(2) The penalty specified in sub regulation (1) (a) and (b) of this regulation shall not be imposed where the failure was not as a result of willful neglect of the NPC Administrator or the issue is resolved within ten days of occurrence.

(3) The failure of the NPC Administrator to facilitate the expeditious porting of numbers or perform its reporting obligations under these Regulations including reporting and repatriation of inactive ported numbers as required under the MNP Business Rules and in accordance with the porting timescales shall attract a penalty of five hundred thousand Naira for every default.

**23.—**(1) The Commission may, based on the set parameters of Mobile Number Portability or performance indicators provided in the MNP Business Rules or directives issued from time to time, impose a penalty on a Mobile Service Provider or other authorised parties where—

Penalties against the Mobile Service Provider.

(a) a Mobile Service Provider fails to submit a porting approval request on behalf of each qualified requesting Subscriber within the set timeframe ;

(b) a Mobile Service Provider fails to comply with the approved timescale for the completion of any porting activity including the delivery or communication of porting responses to the Number Portability Clearinghouse ;

(c) a Mobile Service Provider fails to directly route traffic using a local routing database infrastructure in accordance with the All Call Query Direct Routing approach mandated by the Commission ;

(d) a Mobile Service Provider fails to take appropriate steps to accord Subscribers the desired win-back protection provided under the MNP Business Rules ;

(e) The Donor Operator fails to permit a Subscriber to send the porting approval SMS free of charge to the Number Portability Clearinghouse at the assigned short code or to use such other means of communication with the Number Portability Clearinghouse as may be determined by the Commission unless the entire account of the subscriber is barred ;

(f) a Mobile Service Provider or other authorised party fails to synchronize or take downloads of data from the Central Reference Database to the local routing database upon receipt of port completion messages within the set time ;

(g) a Donor Operator rejects a porting approval request based on a reason not provided for by the MNP Business Rules ;

(h) a Donor Operator contacts a porting Subscriber prior to completion of the porting process ; and

(i) the Donor Operator uses the Emergency Repatriation process to circumvent the Porting Restriction Time.

(2) The penalty to be imposed under sub regulation (1) of this regulation shall be a fine of—

(a) two million Naira for each act or omission ; and

(b) two hundred thousand Naira for each day that the contravention continues to occur.

(3) A Mobile Service Provider shall pay to the Commission the sum of two million Naira for each act of contravention and two hundred thousand Naira for each day that the contravention continues to occur for an act falling under any of the following—



- (a) submission of a porting approval request without the Subscriber’s consent on an approved and completed Porting Request Form ;
- (b) any contract or communication by the Donor Operator to a subscriber at the commencement of a port transaction calculated at or likely to dissuade the Subscriber from completing the port transaction ;
- (c) provision of false, inaccurate, or misleading information related to the porting process through any medium of communication ;
- (d) provision of false information in any report to the Commission ;
- (e) failure of the Recipient Operator to obtain Subscriber’s consent to porting on a completed Porting Request Form before submitting a porting approval request on the Subscriber’s behalf ;
- (f) provision of false or misleading information by a Mobile Service Provider regarding network attributes and Subscriber proposition to a potential Subscriber with the intent of enticing the Subscriber to assent or dissent to porting ; and
- (g) failure to provide the Commission or Relevant Authority access to employees and agents in the course of an investigation.

**24.** Any person who carries out or attempts an unauthorised porting of a number commits an offence and is liable on conviction to a fine of two hundred thousand Naira or imprisonment for a term not exceeding one year or both.

Penalty for unauthorised Porting.

PART VII—MISCELLANEOUS

**25.** The Commission may issue additional rules, directions or guidelines on any aspect of these Regulations, which shall be of general application or specific to a Mobile Service Provider or Other Authorised Party.

Power to issue directions on Mobile Number Portability.

**26.** In these regulations—

Interpretation.

“*Act*” means the Nigerian Communications Act, 2003 and any succeeding legislation thereto ;

“*Additional Conveyance Charge*” means the additional incremental cost incurred to the number block holder due to the additional switching required along with the transmission capacity and other related systems for the synchronisation with the Central Reference Database ;

“*All Call Query (ACQ) Direct Routing*” means the process of routing traffic (calls and SMS etc) directly to ported and non-porting Subscribers on the Recipient network. All Call Query routing involves the operator on whose network the traffic is originated performing a check against

the Operator's own Local Number Portability Database for all traffic originated on the Operator's network. The check returns a Location Routing Number which enables the Operator to route the traffic directly to the Subscriber on the network their number currently resides on ;

*"Central Reference Database"* means the database maintained by the MNP Service Provider in electronic form, holding the details of all ported numbers, along with complete history of all transactions relating to the porting of such numbers ;

*"Commission"* means the Nigerian Communications Commission established under the Act ;

*"Dipping Charge"* means the Commission's approved fee charged by the NPC Administrator on service providers for the use of the Central Reference Database ;

*"Donor Operator"* means the operator from which the number is being ported ;

*"Emergency Repatriation"* occurs where the Recipient Operator arranges a second porting in the reverse direction after an initial porting has been completed. Emergency Repatriation is granted where it is proved that porting was not authorised by the Subscriber or is deemed to be fraudulent or inappropriate ;

*"Enforcement Regulations"* means the Nigerian Communications (Enforcement Processes, etc.) Regulations 2005, as may be amended from time to time ;

*"Interconnect Exchange Service Provider"* means any operator licensed by the Commission to install, maintain and operate interconnection and transmission facilities for the conveyance and exchange of voice and data traffic amongst telecommunications network service operators within the borders of Nigeria ;

*"International Gateway Operator"* means a licensee of the Commission licensed to operate a switching system that routes international traffic between international networks and the domestic network, and includes International Data Access Operators ;

*"Licensed Operator"* means other licensed telecommunication service providers other than the Mobile Service Providers ;

*"Local Number Portability Database"* means the database of all ported mobile numbers maintained by a Mobile, Fixed, Clearinghouse and International Gateway Operator, maintained by each Operator and updated in real-time by the NPC as porting transactions are completed ;

*"Location Routing Number"* means the code assigned to every Operator by the Commission for the purpose of implementing All Call Query Direct Routing of traffic to support the operation of Mobile Number Portability ;

“*Mobile Number Portability*” or “*MNP*” means the facility that enables subscribers to move their mobile subscriptions from the donor network to the recipient network whilst retaining their mobile numbers ;

“*MNP Business Rules*” means the rules and port order processes as may be amended from time to time, which are issued by the Commission to manage the processes of porting mobile number (MSISDN) between the NPC and mobile service providers ;

“*Mobile Service Provider*” means any person granted a licence by the Commission to provide mobile telecommunications service in Nigeria ;

“*MNP Operator User Agreement*” means the Agreement between Mobile Service Provider and the NPC Administrator ;

“*MNP System*” means all the necessary equipment/sub-systems of the NPC engineered to provide Services in accordance with operational/technical and quality requirements and other terms and conditions of the MNP Licence ;

“*New Entrant*” means a Mobile Service Provider determined by the Commission after the launch of MNP to be eligible to connect to the Central Reference Database ;

“*NPC Administrator*” means the Number Portability Clearinghouse Administrator licensed by the NCC to establish the NPC implement and manage the MNP System in Nigeria ;

“*Number*” means a string or a combination of letters, digits or symbols that defines the network termination point and routes all calls to the respective point that includes the information which may refer to the Subscriber, application, operator, telecommunication network or telecommunications service where relevant ;

“*Number Portability*” means a facility that enables the Subscriber in the public telephone network to change its operator, geographical position or service type without changing Subscriber number ;

“*Number Portability Clearinghouse or NPC*” means the centralized clearinghouse established to carry out MNP Administrative Services in Nigeria ;

“*Number Portability Gateway*” means the network device designed to interface between the Mobile Service Operator and the NPC in order to coordinate and automate the MNP process ;

“*Number Range Holder*” means the original operator to which the number that is subject to porting, is or was originally allocated by the Commission ;

“*Porting*” means the act of initiating a request to the Number Portability Clearinghouse and Donor Operator for approval to transfer a number from its network to the Recipient Service Provider, the

subsequent receipt of answers from the Number Portability Clearinghouse and donor network, the provisioning of a number on the recipient network, the deactivation of a number from the donor network, and the act of informing all operators that a number has been successfully transferred and is now active on the recipient network ;

“*Porting Transaction Fee*” means the charge payable by the Recipient Mobile Service Provider to the NPC Administrator for successfully processing the porting request in respect of a mobile number through to completion ;

“*Porting Period*” means the period between when a porting process is initiated to the time it ends ;

“*Porting Restriction Time*” means the time specified in the Business Rules when a ported number must remain with the Recipient Operator before another porting can take place ;

“*Prescribed Porting Period*” means the period between the hours of 00:00 hours to 24:00 hours every day of the week, from Monday to Sunday, including Nigerian public holidays but excluding approved operational maintenance periods ;

“*Real-Time*” means automatic, without human intervention and with negligible latency ;

“*Recipient Operator*” means the operator to which the number is being ported ;

“*Recipient-Led*” means the process whereby the customer initiates the porting process by an approach to the recipient operator. The recipient operator will then, on behalf of the customer, manage all interactions necessary for the successful transfer of the number from the customer’s existing service provider (the Donor Operator) to the Recipient Operator ;

“*Relevant Authority*” means Nigerian Police, National Intelligence Agency, State Security Services, Economic and Financial Crimes Commission, National Drug Law Enforcement Agency and any organization or agency as the Commission may from time to time specify and publish ;

“*Routing*” means the accurate, consistent and timely operational delivery of Subscriber traffic from an originating Operator to a terminating Operator, using the approach mandated by the Commission, for both ported and non-ported numbers ;

“*SIM*” means Subscriber Identity Module, a small electronic card inserted into cell phones, and includes a Removable User Identity Module (R-UIM) smart card, a CDMA Subscriber Identity Module (CSIM) smart card, a Universal Subscriber Identity Module (USIM) smart card or any other mobile phone subscription medium marketed from time to

time by licensees, which provides a unique identity to a phone such as the Subscriber's number and operator network ;

“SMS” means Short Message Service ;

“Subscriber” means a real or legal person having acquired mobile telecommunications service from the Mobile Service Providers ;

“Subscriber Information Database” means the central database of information maintained and operated on behalf of the Commission, containing a record of (at least) all Nigeria's registered numbers and the details of the corresponding Subscribers, maintained for security and operational purposes ; and

“Successful Porting” means the completion of the porting transaction with the movement of the Subscriber to the desired Mobile Operator.

**27.** These Regulations may be cited as the Mobile Number Portability Regulations, 2014. Citation.

MADE at Abuja this 24th day of July, 2014.

DR. EUGENE JUWAH  
*Executive Vice-Chairman*  
*Nigerian Communications Commission*

EXPLANATORY NOTE

*(This note does not form part of the above Regulations  
but is intended to explain its purport)*

These Regulations provide a regulatory framework for the operation of Mobile Number Portability in Nigeria.