



**NIGERIAN COMMUNICATIONS ACT 2003**

**MOBILE NUMBER PORTABILITY**

**REGULATIONS, 2013**

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**NIGERIAN COMMUNICATIONS ACT**  
**(No. 19 of 2003)**  
**MOBILE NUMBER PORTABILITY REGULATIONS, 2013**

**Commencement:** [[Insert Date] ] Commencement

In exercise of the powers conferred 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 hereby makes the following Regulations:

**PART I**

**Scope and Objectives**

1. These Regulations are made to provide a regulatory framework for the operation of Mobile Number Portability in Nigeria. Scope of Regulations
  
2. These Regulations shall guide the administration of the Mobile Number Portability system throughout Nigeria and shall apply to the NPC Administrator, all licensed telecommunication service providers in Nigeria, other Authorized Parties and by extension to the Subscribers of the various Mobile Service Providers. Application
  
3. The objectives of these Regulations are: Objectives of Regulations
  - a) To ensure an effective and efficient porting regime.
  - b) To foster and strengthen the relationships between Mobile Service Providers and other Authorized Parties and to create a harmonious level playing field for all operators.
  - c) To safeguard Subscribers' rights and ensure Subscribers' satisfaction with the MNP process.

- d) To sustain quality service delivery by Mobile Service Providers and Other Authorized Parties in order to ensure a seamless launch and continued improvement in the MNP process and by extension, the telecommunications sector in Nigeria, pursuant to Part 1 of Chapter VI of the Act and all matters related thereto.
- e) Where necessary, stipulate penalties for non-compliance with the provisions of these Regulations in addition or in the alternative to any other penalties that may be contained in the Act or the Enforcement Regulations.

## **PART II**

### **Business Rules**

- 4. The MNP Business Rules as may be amended from time to time is hereby incorporated by reference into these Regulations and shall always operate in strict conformity with these Regulations. Incorporation of MNP Business Rules
- 5. Notwithstanding the provisions of Regulation 4, these Regulations shall in all cases supersede the provisions of the MNP Business Rules whenever there is a conflict in the application of their respective provisions in the implementation of the MNP service Conflict of Regulation and Business Rules

### **PART III**

#### **Administration of the Number Portability Clearinghouse**

6. (1) There shall be a Number Portability Clearinghouse set up to be administered by the NPC Administrator. The NPC Administrator shall use the Number Portability Clearinghouse for the performance of the following functions:
- Administration and use of the Number Portability Clearinghouse
- a) relaying of messages between the Donor and Recipient Operators and maintaining of status information for each individual and bulk porting transaction;
  - b) management of the porting process to monitor the compliance with target porting timelines by the Mobile Service Providers;
  - c) Verification of the validity of porting transactions;
  - d) Interworking with the Subscriber Information Database to verify Subscriber Registration status and mandatory data matches to validate Subscriber porting transactions;
  - e) reception and checking of SMS messages from Subscribers confirming the request to port;
  - f) communicating with the Subscribers and advising them by SMS on the status of their porting requests;
  - g) 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;
  - h) Updating of the SIM Registration Database to reflect the migration of successfully ported numbers from Donor Operators to Recipient Mobile Service Providers;
  - i) collection of logs on all port activities;

- j) collection of statistics on porting;
- k) 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;
- l) 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;
- m) managing daily or weekly porting quotas between the Mobile Service Providers in the interests of ensuring consistent porting performance and timescales between all Mobile Service Providers at all times;
- n) maintaining a Reference Data Base of all ported numbers and the provision of download of this information to any Mobile Service Provider, especially new entrants; and management of ancillary porting functions as required, including, return to Number Range Holder, Cooling Off and emergency repatriation processes etc.

(2) The Number Portability Clearinghouse and the Number Portability System to be deployed in Nigeria shall be administered and run in accordance with the provisions of the Act, these Regulations, the MNP Business Rules as amended and the respective Subscriber and Inter- Operators' Code of conduct issued from time to time.

(3) The NPC Administrator shall, in every case, ensure the operation of a maintenance period, for any period of time falling between the hours of [00:00hrs and 06:00hrs] to ensure minimal disruption of the MNP Service and the administrative system.

7. (1) The NPC Administrator shall set-up and operate a MNP helpdesk within Nigeria with the responsibility for:
- MNP Clearinghouse help desk
- 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) other responsibilities as determined by the Commission from time to time.

(2) The NPC Administrator will operate its MNP helpdesk during the Prescribed Porting Period. The NPC Administrator outside the normal porting hours, shall set-up and operate monitoring and fault resolution of the Number Portability Clearinghouse. Such out of hours monitoring and fault resolution may be performed from within the NPC Administrator's Nigerian premises or from its remote external location.

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

8. (1) Each Mobile Service Provider shall have a customer complaint unit within its organization with the responsibility of receiving, reviewing and resolving the complaints made by a Subscriber(s) in respect of the Number Portability services rendered to them.
- Mobile Service Provider's obligations to set up Operators' MNP Help desk

(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) Notwithstanding the provisions in any other Regulations issued by the Commission, the Recipient Operator's customer complaint unit shall respond to Customers' complaints within two (2) hours after a problem is reported.

(4) The Recipient Operator's customer complaint unit shall give a progress update to the Subscriber concerning efforts being made by it to address the problem reported by the Subscriber, every day until the problem is resolved.

(5) The Recipient Operator's customer complaint unit shall record the Customer's complaints and take all necessary steps to ensure that the complaint or query is resolved within a maximum of forty eight (48) hours from the time the Customer makes the complaint.

(6) The Recipient Operator's customer complaint unit shall keep records of all complaints made to it and any issues arising from these complaints shall be identified and serve as suggested points for the review of the code of practice.

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

(8) Where a Recipient Operator and Donor Operator are unable to agree on the actions to resolve a Customer's complaint or query within the of forty eight (48) hours timeframe, the Recipient Operator shall refer in a timely manner such complaint/incident to the Commission for resolution.

9. (1) The Mobile Service Providers and the NPC Administrator shall keep confidential and shall not disclose any data supplied by the Subscribers to any of them in connection with the Mobile Number Portability System or Service. Privacy of Data

(2) The NPC Administrator and the Mobile Service Providers shall put in place suitable mechanism for safeguarding the data provided by porting Subscribers from unauthorised interception or unauthorised access and shall ensure that such data is used solely for the purposes of porting of mobile numbers and not for any other purpose.

(3) The NPC Administrator and the Mobile Service Providers shall ensure that data collected and used to process porting requests shall be authenticated by the Subscriber Information Database. The NPC Administrators and the Mobile Service Providers, shall as required by the Commission amend the design and operations of the porting process and systems to align with the requirements of and future changes to the Nigerian Subscriber Information registration process and systems.

(4) Provided that the provisions of this sub-regulation (3) above shall not prevent such Mobile Service Providers from providing such data or access to such data for monitoring purposes to the designated security agencies and authorised personnel of the Commission.

(5) The use of the word authorised persons in this clause shall include authorised personnel of the Commission, law enforcement agencies and other relevant regulatory bodies.

(6) The NPC Administrator and all Licensed Operators shall offer the MNP services in compliance with the Inter operator code of practice and MNP Consumer code of practice..

## **Part IV**

### **Relationship of Mobile Service Providers and NPC**

#### **Administrator**

10.(1) All existing interconnect agreements or arrangements between Operators, shall, upon the coming into force of these Regulations, stand amended so as to conform to the provisions of the Regulations as regards routing of traffic to and from ported and non-ported mobile numbers using the direct routing approach mandated by the Commission and the corresponding routing prefixing allocated by the Commission.

Compliance of Operators with Inter Operator Code of Practice and MNP Business Rules.

(2) Other Licensed Operators in Nigeria shall before the launch of MNP service establish fail-proof connectivity from their respective Mobile Number Portability gateway to the main and Disaster recovery sites of the Number Portability Clearinghouse Administrator at its own cost;

Provided that –

- a) A Licensed Operator having licenses in more than one licensed service area may establish such fail-proof connectivity to the main and Disaster recovery site(s) of the Number Portability Clearinghouse Administrator common for all its licensed service areas; and
- b) A Licensed Operator, who is also a fixed interconnect exchange and/ or international gateway Operator providing carriage service to another Licensed Operator, may establish such fail-proof connectivity to the main and Disaster recovery sites of the NPC Administrator common 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 System:

Provided further:

- i. that no Licensed Operator shall share its Local Number Portability Database with another Licensed Operator;
- ii. that 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.

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

(4) A Licensed Operator shall not be permitted to charge Additional Conveyance Charges for direct routed traffic originated and terminated in Nigeria.

(5) Calls received from Licensed Operators with no access to the Reference Data Base shall be routed to the original block 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.

(6) Other Authorized Parties who are able to port but do not possess the capability for automated porting platforms or interfaces may provide porting services through the Number Portability Clearinghouse. The NPC Administrator will however be entitled to charge such an Authorized Party separately for this service at a commercially competitive rate to be approved by the Commission.

(7) In case of International incoming messages, the International Gateway Operator carrying such messages shall be responsible for correct direct routing of traffic to the

terminating operator through All Call Query direct routing via its own Local Number Portability Database.

(8) The International Gateway Operator or Number Range Holder may as directed by the Commission levy an Additional Conveyance Charge for performing the All Call Query Direct routing of incoming international traffic to ported numbers. Such Additional Conveyance Charges will be set by the Commission and will be charged by the International gateway operator or Number Range Holder to the terminating or Recipient Operator.

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

Rights and  
Obligations of  
Donor Operator

(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 twelve (12) months from the date of rejection of request, as the case may be.

12.(1) The Recipient Operator shall pay the NPC Administrator, a transaction porting fee for every number successfully ported at the rate specified by the Commission from time to time, within thirty [30] days of receipt of the bill from the NPC Administrator or within such other time limit as may be mutually agreed upon.

Rights and  
obligations of  
Recipient  
Operator

(2) 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 12 Months from the date of the successful porting of such mobile numbers.

13. (1) The Number Portability Clearinghouse 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 Number Portability Clearinghouse Administrator shall generate specific sets of statistics and reports including but not limited to, the number of porting requests received, the number of porting carried out successfully, 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 such other statistics and reports as may be determined by the Commission or in accordance with the Business Rules.

(3) In the event that a Recipient Operator fails to pay the Transaction Porting Fee within the time limit specified in **sub-regulation (1) of regulation 12**, the NPC Administrator shall before taking any action, issue a notice to such Recipient Operator, and within the period of fifteen (15) days from the specified time limit, call upon such Recipient Operator to make payment of the outstanding dues within such period.

(4) Notwithstanding the issue of notice to the Recipient Operator under **sub-regulation (3)**, the NPC Administrator shall in no case discontinue the provision of Mobile Number Portability Service to a defaulting Recipient Operator.

14.(1) Any dispute arising between the Recipient Operator and the Donor Operator regarding number portability processing of individual Subscriber numbers or related to specific Customer complaints; or any Mobile Service Provider and the NPC Administrator pursuant to the legal framework of the MNP System in Nigeria shall in the first instance be resolved amicably between the concerned parties.

Dispute Resolution

(2) In the event that the dispute is not resolved amicably between the parties within seven (7) days of the existence of the dispute, the dispute shall be resolved in accordance with the Business Rules.

(5) 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 Business Rules or by the Commission.

## **CHAPTER VI**

### **General Porting Guidelines**

15. (1) The provision of the MNP Service to all Subscribers shall be the collective responsibility of all Mobile Service Provider and the NPC Administrator on a non-discriminatory basis, within the timelines set out in the Business Rules as amended from time to time. MNP Subscriber Interface

(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. Only porting requests from eligible Subscribers shall be processed by the Recipient Operator.

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

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

16.(1) Every Subscriber shall be eligible to make a request for porting his mobile number. Porting Eligibility Criteria

Provided that:

- a) a period of Ninety (90) days has expired from the date of activation of his mobile number after its last porting, in the case of a mobile number which has been ported earlier;
- b) the mobile number has been registered on the Subscriber Information Database and the Subscriber's identity details match those held by the Donor Operator and the Subscriber Information Database, in accordance with the MNP process requirements 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 concerned mobile number has not been prohibited by a Court of Law.

17.(1) The Porting Request Form shall, inter alia, incorporate:

- a) the eligibility criteria as stated in **Regulation 16** above,
- b) an undertaking by the Subscriber that he is eligible/authorized to request porting of the mobile number and that the number has not been reported stolen or lost, nor is the number subject to fraudulent or inappropriate activity;
- c) in the case of a pre-paid Subscriber, an undertaking by the Subscriber to the effect that he understands and agrees that, upon porting of the mobile number, the balance amount of air time on that account, if any, at the time of porting shall lapse and in the case of a post-paid

Porting Request  
Form



- Subscriber porting does not extinguish the Subscribers 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 MMS messages saved by the Subscriber may be lost;
  - e) in the case where a Subscriber ports away from on-net package or group, an undertaking by the Subscriber to the effect that he understands and agrees that, upon porting of the mobile number, charges and bills may increase;
  - f) an undertaking by the Subscriber to the effect that he understands and takes direct responsibility for recovering from the Donor Operator all outstanding monies held and corresponding mobile banking accounts registered to the mobile number that is the subject of the porting request, at the time the porting request is lodged with the Recipient Operator; and
  - g) Such details of the Subscriber as prescribed by the Commission from time to time.
- (2) Each porting request shall be accompanied by:
- a) a completed porting application form
  - b) the Subscriber's photo identification, driver's licence, National Identity card or International Passport; and
  - c) a declaration that the mobile number to be ported has already been successfully registered in the Subscriber Information Database.

18. The Recipient Operator shall confirm the eligibility of the Subscriber based on the criteria itemized in **Regulation 17** and upon such confirmation send a Porting Approval Request Message to the Number Portability Clearinghouse. The Recipient Operator shall at the successful initiation of the porting process issue the Subscriber a new SIM.

Porting Approval  
Message

19. The MNP procedure and timelines shall be as provided in the MNP Business Rules as amended from time to time.

MNP Procedure  
and timelines

## **CHAPTER VII**

### **Transaction Charges and Reporting Requirement**

20. (1) The Commission shall approve a Per Port Transaction fee which shall be levied on the Recipient Operator by the Number Portability Clearinghouse for each successful porting transaction completed and such fees shall be paid to the Number Portability Clearinghouse directly by the Recipient Mobile Service Provider. No payments shall however be made for unsuccessful portings.

Per Port  
Transaction  
charges / Dipping  
Charges/Transit  
Charges

(2) All operators and Interconnect Exchanges shall be provided with access to the NP Database free of charge to enable proper transiting and routing of calls. Provided that such operator or Interconnect Exchange has in place an All Call Query infrastructure to enable it interconnect with the NP Database.

Access to the NOC  
by Operators and  
Interconnect  
Exchanges

(3) 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

authorized parties at a dipping charge to be approved by the Commission where such parties do not have their own ACQ infrastructure.

(4) The operators and interconnect exchanges shall provide other authorized parties with access to the information in the NP Database at a charge to be approved by the Commission.

(5) An original block operator shall be entitled to levy on the Recipient Operator a transit charge approved by the Commission for all national calls to the original block operator that has ported to the recipient operator. The transit charge shall be deducted from the termination payments due to the Recipient Operator by the original block operator and be treated as part of the routine interconnect billing activities between Mobile Service Providers.

(6) The charge for the All Call Query response system shall be approved by the Commission within thirty days from the date of publication of these regulations in the official Gazette.

Intervention and  
Review

21.(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 Per Port Transaction charge and Dipping charge at such intervals as the Commission may consider appropriate.

## **PART VIII**

### **Sanctions and Penalties**

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

(2) The general provisions of the Act and Enforcement Regulations shall apply in all respects for the enforcement of the sanctions and penalties pursuant to these Regulations.

23.(1) Notwithstanding the terms and conditions contained in the MNP Licence, the Commission reserves the right to revoke the MNP Licence upon the occurrence of the following: Penalties against the NPC Administrator

a) Failure of the NPC Administrator to implement MNP Systems and procedures within the timelines set by the NCC for the implementation of MNP in Nigeria.

b) Failure of the NPC Administrator to establish an Interconnecting and/or interworking agreements with Mobile Service Providers and Other Authorized Parties or discrimination and inequality in honoring such existing agreements.

(2) The failure of the NPC Administrator to perform its reporting obligations under these Regulations including reporting and repatriation of inactive ported numbers as and when directed by the Commission shall attract a penalty of [N500, 000.00] for every report period of the default.

Provided that the penalties in subsection (1) shall not be imposed where the failure was not as a result of willful neglect of the NPC Administrator and the issue is resolved within ten (10) days of occurrence.

- 24.(1) The Commission based on the MNP set parameters or performance indicators provided in the MNP Business Rules or any directives issued from time to time may impose a penalty on a Mobile Service Provider or Other Authorized Parties in any of the following circumstances:
- Penalties against the Mobile Service Provider
- a) Failure of a Mobile Service Provider to submit a porting approval request on behalf of each qualified requesting Subscriber within the set timeframe.
  - b) Failure of a Mobile Service Provider to comply with the approved timer for the completion of any porting activity including but not limited to the delivery or communication of porting responses to the Number Portability Clearinghouse.
  - c) Failure of the Donor Operator to permit Subscribers to send free SMS to Number Portability Clearinghouse at the assigned short code unless entire account is barred.
  - d) Failure of a Mobile Service Provider or Other Authorized Parties to:
    - i. Synchronize or take downloads of data from the Central Reference Database to the Local Routing Database upon receipt of port completion messages and within the set time.
    - ii. Failure of a Mobile Service Provider to directly route traffic using a local routing database infrastructure in accordance to All Call Query Direct Routing approach mandated by the Commission;

- iii. Failure of a Mobile Service Provider to take appropriate steps to accord Subscribers the desired win-back protection provided under the MNP Business Rules.
  - e) Rejection of a porting approval request by Donor Operator without citing a true and permitted basis.
  - f) Donor Operator contacting a porting Subscriber prior to completion of the porting process.
  - g) Abuse of the emergency restore process to circumvent the ninety (90) day onward porting rule.
- (2) The fine to be imposed as penalty under Regulation 37(1) shall be a minimum fee of ₦2, 000,000.00 (Two million naira) for each act or omission and ₦200, 000.00 (Two hundred thousand naira) for each incidence of violation.
- 25.(2) A Mobile Service Provider shall pay to the Commission the sum of ₦2,000,000.00 (Two million naira) for each act of contravention and ₦200,000.00 (Two hundred thousand naira) for each day that the contravention continues to occur for an act falling under any of the following categories:
- a) Submission of a porting approval request without 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 informed consent to porting before submitting a porting approval request in his/her behalf.
- f) A Mobile Services Provider providing false or misleading information regarding network attributes and Subscriber proposition to a potential Subscriber with the intent of enticing him or her to assent or dissent to porting.
- g) Failure to provide the Commission access to employees and agents in the course of an investigation.

26. Notwithstanding any other provision in agreement between the parties, failure by a Mobile Service Provider to pay the porting fees to the NPC on or before the date fixed for payment shall attract a penalty of N1,000,000.00 (One million naira) and N200,000.00 (Two hundred thousand naira) for each day that the sum remains unpaid.

27. Any person who carries out or attempts an unauthorized porting of a number shall be guilty of an offence and upon conviction be liable to a fine of ₦ 200,000.00 (Two hundred thousand naira) or an imprisonment term of one (1) year or both.

Penalties for unauthorized porting

## **PART IX**

### **Miscellaneous**

28. (1) Without prejudice to any of the provisions of the Act, or any other regulations made under the Act or directions issued there under, the Commission may modify or review these Regulations in accordance with the Act.

Power of the Commission to issue directions for various activities for implementing number portability

(2) The Commission may issue additional Regulations, directives or guidelines which shall be of general application or specific to a Mobile Service Provider or Other Authorized Parties from time to time.

29. In these regulations, unless the context otherwise requires-
- i. **"Act"** or **"NCA"** means the Nigerian Communications Act, 2003 and any succeeding legislation thereto;
  - ii. **"Additional Conveyance Cost"** 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 Reference Data Base; Interpretation
  - iii. **"All Call Query (ACQ) Direct Routing"** means the process of routing traffic (calls and SMS etc) directly to ported and non-ported 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;
  - iv. **"Business Hours"** means the hours between 0800 and 2000 hours every day of the week, Monday to Sunday, including all Nigerian Public Holidays;
  - v. **"CDMA Operators"** means the mobile operators providing service using Code Division Multiple Access Technology.
  - vi. **"Commission"** means the Nigerian Communications



Commission established under the Act;

- vii. **“Cooling Off”** occurs where upon the Subscriber’s request, the Recipient Mobile Service Provider agrees to arrange a second porting in the reverse direction after an initial porting has been completed. Cooling Off is granted at the discretion of the Recipient Operator and should be granted where it is proved that porting has either impacted the Subscriber’s ability to enjoy the services.
- viii. **“Subscriber”** means a real or legal person having acquired mobile telecommunications service;
- ix. **“Donor Operator”** means the operator from whom the number is being ported;
- x. **“Emergency Repatriation”** occurs where upon 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 authorized by the Subscriber or is deemed to be fraudulent or inappropriate.
- xi. **“Enforcement Regulations”** means the Nigerian Communications (Enforcement Processes, etc.) Regulations 2005, as may be amended from time to time;
- xii. **“Local Number Portability Database”** means the database of all ported mobile numbers maintained by a Mobile, Fixed, Clearinghouse and International Gateway Operator. This Local Number Portability Database is maintained by each Operator and updated in real-time by the NP Clearinghouse as porting transactions are completed;
- xiii. **“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;
- xiv. **“MSISDN”** means the Mobile Station Integrated Services Digital Network Number which uniquely identifies a subscription in a GSM or UMTS mobile network;
- xv. **“National Operator”** means the Operator who provides licensed telephony services across the entire country of Nigeria;
- xvi. **“No Service Period”** means the period of time during the porting process when the Subscriber is unable to make or receive calls or SMS;
- xvii. **“Number Portability Clearinghouse or NPC”** means the centralized clearinghouse established to carry out MNP Administrative Services in Nigeria;
- xviii. **“NPC Administrator”** means the Mobile NPC Administrator licensed by the NCC to establish the NPC implement and manage the MNP System in Nigeria;
- xix. **“Number”** means a string or a combination of letters and/or 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 and/or telecommunications service where relevant;
- xx. **“Number Portability”** means a facility that enables the Subscriber in the public telephone network to change its operator, geographical position and/or service type without changing Subscriber number;
- xxi. **“Number Portability 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;
- xxii. "**Number Range Holder**" means the original operator to whom the number, which is subject to porting, is or was originally allocated by the Commission;
- xxiii. "**Mobile Service Provider**" means any person granted a licence by the Commission to provide mobile telecommunications service in Nigeria.
- xxiv. "**Per Port Transaction charge**" means the charge payable by the Recipient Mobile Service Provider to the Mobile NPC Administrator for successfully processing the porting request in respect of a mobile number through to completion;
- xxv. "**Porting**" means the act of initiating a request to the NP 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 NP Clearinghouse and donor network, the provisioning of a number on the recipient network, the deactivation of a number from the donor network and, and the act of informing all operators that a number has been successfully transferred and is now active on the recipient network;
- xxvi. "**Porting Period**" means the period between when a porting process is initiated to the time it ends;
- xxvii. "**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 excluding approved operational maintenance periods.

- xviii. **“Recipient Operator”** means the operator to whom the number is being ported
- xxix. **“Reference Database”** means the data base of information, containing a record of (at least) all Nigeria’s ported numbers and the ‘owning’ mobile service provider.
- xxx. **“Regional Operator”** means the Operator who only provides licensed telephony services within specific region or states within Nigeria and does not provide licensed telephony services on a national basis;
- xxxi. **“Regulations”** means this Mobile Number Portability Regulations, as issued by the Nigerian Communications Commission;
- xxii. **“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;
- xxiii. **“SIM”** means Subscriber Identity Module, a small electronic card inserted into cell phones, which provides a unique ID to a phone such as the Subscriber’s number and operator network;
- xxiv. **“SLA”** means Service Level Agreement which covers the business and technical requirements placed upon the service provider of managed services by the Commission;
- xxv. **“SMS”** means Short Message Service;
- xxvi. **“Subscriber Information Database”** means the central data base 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.

xvii. **“Winback”** means contact by the Donor Operator with the Subscriber which is intended to persuade the Subscriber to remain with the Donor Operator or cancel their porting request Citation

xviii. All other words and expressions used in these regulations but not defined, and defined in the Nigerian Communications Act, 2003 and the MNP Business Rules, shall have the meanings respectively assigned to them in that Act or such other regulations, as the case may be.

40. These Regulations may be cited as the Mobile Number Portability Regulations, 2013.

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