



GUIDELINES

FOR

PROVISION OF

MOBILE NUMBER PORTABILITY

SERVICES

IN KENYA

June 2018

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GUIDELINES FOR THE PROVISION OF MOBILE NUMBER PORTABILITY SERVICES IN KENYA, JUNE 2018

1 INTRODUCTION

The Communications Authority of Kenya (hereinafter referred to as the Authority) was established under the Kenya Communications Act, 1998, No. 2 of 1998 and the Kenya Communications (Amendment) Act 2009, to license and regulate telecommunications, radio communications, postal, e-commerce and broadcasting services in Kenya. The Authority is also responsible for promoting competition, protecting consumers, and ensuring fairness and efficiency within the Communications sector.

Other core functions of the Authority include Management and Administration of the National Numbering resource for Kenya including the development of guidelines related to allocation and use of numbers.

Number portability enable consumers retain their telephone numbers whenever they decide to change service providers further enhancing consumer convenience and the competitive environment in the sector.

The Authority has conducted public consultations on the implementation of number portability including its review and the majority of respondents were in favour of making the porting process more efficient.

The Authority is therefore facilitating arrangements to ensure that number portability process is efficient in order to enhance consumer convenience and produce pro-competitive outcomes on a fair and equitable basis between Service Providers.

These procedures and guidelines are therefore aimed at achieving these objectives and are to be observed accordingly.

2 PRELIMINARY PROVISIONS

3 Application of the Procedures and Guidelines

These procedures and guidelines are issued pursuant to Section 5 (1) of The Kenya Information and Communications (Numbering) Regulations, 2010.

3.1 Citation

These may be cited as Procedures and Guidelines for the Provision of Mobile Number Portability services in Kenya.

3.2 Application

These Procedures and Guidelines apply to porting active mobile electronic communications numbers in Kenya National Numbering Plan, to and from the block operator and between operators who are not block operators via the Central Reference Database.

They also involve actions by one Operator that have to be relied upon by another Operator including but not limited to Subscriber order validation process.

3.3 Effective Date of the Procedures and Guidelines

The Procedures and Guidelines will become effective from the issue date.

3.4 Amendments to the Procedures and Guidelines

These Procedures and Guidelines may be amended in accordance from time to time in consultation with mobile operators and other stakeholders including consumers and public.

3.5 Commercial Agreements between Licensees on provision of Number Portability Services

The Licensee and the Number Portability Services Provider shall enter into commercial agreements for the provision of the service and such agreements shall include but not limited to settlement of transaction fees.

3.6 Dispute Resolution

All disputes arising from the provision of number portability services shall be settled in accordance with the Act.

4 DEFINITIONS AND ABBREVIATIONS

4.1 Definitions

In these Procedures and Guidelines, unless otherwise stated the following definitions apply;

“**Act**” means the Kenya Communications Act 1998 any successor legislation and any subsequent amendments thereto.

“**Account**” means a number(s) held by a individual person or legal entity.

“**Activation**” means that the Request to Port has been accepted and acted upon by the Donor and the Recipient Operator and the number is now recognised by all Operators as being active on the Recipient Operator’s Network.

“**All Call Query**” is the call set-up process where an operator’s internal porting databases are queried for the correct network of the called subscriber before completion of call set-up.

“**Applicant**” in this document is any individual, entity or organisation applying for mobile number portability services.

“**Application**” is a software package that performs a set of routines required by a user or users to enable some action.

“**Block Operator**” is the Operator to whom the number block, which contains the number subject for porting, was assigned by the Authority.

“Broadcast” means the automatic transmission of routing information from the Mobile Number Portability Administration Service to an Operator managed database;

“Browser” means an application which is designed to enable users to access systems across the Internet. Microsoft Internet Explorer is one such browser application.

“Business day” in this Procedures and Guidelines means official working day of operator’s outlets and/or its agencies.

“Business hours” in this Procedures and Guidelines means official working hours of operator’s outlets and/or its agencies.

“Client” means an application provided by a Service provider, which can be installed on hardware located in the user’s domain and under the control of the user, which shall provide specific functionality.

“Authority” means the Communications Authority of Kenya.

“Cooling Off” means the function that enables a Subscriber to experience the services on the ported network.

“Cooling Off Period,” means the 14-day calendar period allowed for the ported subscriber to experience on the ported network with the possibility of going back to the Donor Operator in the case that the Recipient Operator’s service fails to meet the Subscriber’s expectations;

Description of the main Messages Used:

“Accept Message” means the Donor Operator has indicated that the request to port may go ahead.

“Authorisation Request Message” is the initial message sent by the Recipient Operator to the Central Reference Database that initiates the porting request.
The Authorisation Request contains the:

- a) Number(s) to be ported;
- b) Number to be used to validate the porting request;
- c) Donor Account type;
- d) Name of the donor network and
- e) Date porting is required;

“Initial Response Message” is the message sent by the Central Reference Database to the Recipient Operator once the Central Reference Database has checked the Authorisation Request and successfully matched the Authorisation Request to the Calling Line Identity (CLI) of the authorisation Short Message Service /text message received from the Subscriber;

“Authorisation Response Message” is the message sent by the Donor Operator to the Recipient Operator via the Central Reference Database once the Donor Operator has performed the authorisation checks. The Authorisation Response message indicates whether or not the Donor Operator shall permit the number to be ported.

“Instruction Request Message” is the message sent by the Recipient Operator via the Central Reference Database to the Donor Operator. The Recipient Operator activates the Subscriber number on their network and sends the Instruction Request to the Donor Operator instructing them to deactivate the number on its network and apply onward routing for any incoming calls.

“Instruction Response Message” is the message sent by the Donor Operator to confirm the Subscriber number has been deactivated from their network and the porting operation is completed.

“Donor Network” means the network the Subscriber intends to port from.

“Donor Operator” means the Operator that was providing service for the Subscriber's number before Porting.

“Deferred Porting,” means the function that enables a Subscriber to define or set a future porting date not more than 30 calendar days from the date that a porting request is made.

“E164” is an International Telecommunications Union Recommendation that defines the international public telecommunication Numbering Plan.

“File Transfer Protocol (FTP)” is a standard network protocol used to copy a file from one host to another over a TCP/IP based network, such as the Internet.

“Graphical User Interface (GUI)” is a type of user interface item that allows people to interact with programs in more ways than typing such as computers.

“Identification Document” means any of the following documents:

1. Kenya national identity card;
2. Valid passport;
3. Military identity card;
4. Work permit;
5. Alien card;
6. National identity card issued by parent country;
7. Valid driving license;
8. Student Card from an accredited educational institution;
9. Certificate of incorporation;
10. Certificate of Registration or
11. Enabling legislation or Gazette notice.

“Network” means the infrastructure deployed by an Operator, which provides mobile services to their Subscribers.

“Number Portability” means the ability to retain an existing subscriber number when changing from one Operator to another Operator.

“Numbering Plan” means the number blocks assigned to Operators in Kenya.

“Onward Porting”: means a subsequent porting requests made by a subscriber to a new Recipient Operator.

“Onward Porting Restriction”: means a limitation on Onward Porting request made within a period of less than or equal to 60 calendar days from a previous successful port on the same number;

“Per Port Charges” means the fee charged for porting a number from the Donor Operator to the Recipient Operator.

“Porting,” means the act of initiating a request to a Donor Network to transfer a number from their Network to the Recipient’s Network, the subsequent receipt of an answer 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 Applicant,” means an individual or entity requesting for porting.

“Porting day” means a Business Day.

“Porting Window,” means the Central Reference Database porting time between 0830- 1730 Hours of the CRDB business hours.

“Post pay Account” means an Account held by a Subscriber for mobile services which is paid after services are offered in accordance with contractual arrangement between the two parties;

“Pre pay Account” means an Account held by a Subscriber for mobile services, which is paid in advance.

“Recipient Network” means the network the Subscriber intends to port the number to.

“Recipient Operator” means the Operator that is to start serving the number that is being ported and any sales Agents or other parties acting for them.

“Reference Database” means an electronic storage medium that contains information used in the execution of the Mobile Number Portability Administration Service.

“Regulations” means all regulations promulgated under the Act.

“Reject” means the Donor Operator or Central Reference Database has indicated that the Request to Port may not go ahead.

“Retailer (Agent)” means an entity, which enters into contractual arrangements with a mobile Network Operator, in accordance with its licensing conditions, to provide retail services.

“Routing” means linking a number that is to be ported with the relevant Operator code of the Recipient Network, storing the linked information in a reference table and delivering the calls to appropriate Operator.

“**Subscriber Identity Module (SIM)**” is small electronic card inserted into cell phones, which provides a unique identity to a phone such as the Subscriber number and Operator network.

“**Subscriber**” means any natural person or legal entity who or which has an Account with an Operator.

“**Time**” in these guidelines refer to the time in Kenya (+3 GMT)’

“**Win-back**” means where the Donor Operator initiates contact with a customer who has either requested number portability, or who has already ported their number(s) and where that contact has the intention or effect of encouraging the customer to remain with or return to the donor operator network. [SEP]

4.2 Abbreviations

The following abbreviations apply in this document.

ACK	Acknowledge the message
ACQ	All Call Query
CLI	Calling Line Identity
CRDB	Central Reference Database
FTP	File Transfer Protocol
GUI	Graphical User Interface
HTTPS	Hypertext Transfer Protocol Secure
ID	Identification Document
IMSI	International Mobile Subscriber Identity
MNP	Mobile Number Portability
KPI	Key Performance Indicator
MMS	Multimedia Messaging Service
SIM	Subscriber Identity Module
SLA	Service Level Agreement
SMPP	Short Message Peer-to-Peer
SMS	Short Message Service
SMSC	Short Message Service Centre
TCP/IP	Transmission Control Protocol/Internet Protocol

5 GENERAL

5.1 General Principles

- a) The porting shall be independent of other commercial, business, legal and regulatory processes and therefore shall not be used as a framework for solving debt collection, legal, contractual issues and other related processes.
- b) Number Portability services, at the minimum, shall be available in all mobile operator owned retail outlets within Kenya during business hours.
- c) Porting shall be allowed even where there are outstanding debts payments and/or contractual obligation with the donor operator. However the customer is still obliged to fulfill any contractual obligations with the donor operator, including payment of any fees or outstanding charges after the port is completed.
- d) Recipient operators shall inform the porting applicant with regards to honouring its/their obligations with regards to any outstanding debts; payments and/or contractual obligation with the donor operator and that porting their number does not in any way shield them at all from honouring those obligations.
- e) Recipient operator shall inform the customer to expect a final bill from the donor mobile operator that may include a demand for payment for outstanding contract duration.
- f) Where the applicant fails to meet their obligation with regards to fulfilling debt payment and contractual obligations with the donor operator, the donor operator may take any legal action as per the contract.
- g) Recipient operators shall pay end user porting fees.
- h) Recipient operators shall assist and ensure the porting applicant sends the validation Short text message to Short Code 1501, before the applicant leaves the recipient operator shop/outlet.
- i) Off-net ported numbers with tariff transparency shall be provided with a standard audible tones prescribed by the Authority in consultation with operators in the porting process.
- j) Porting execution time frames and maximum porting period shall not exceed four (4) hours from the time a porting application is accepted at the recipient operator.
- k) There shall be no winback.
- l) Recipient operator shall not reject any application properly presented.

5.2 General Process Overview

During the porting process:

- (1) The applicant opens an Account with the new (Recipient) Operator;

- (2) The applicant installs a new SIM that has the number that they are already using with the old (Donor) Operator;
- (3) The applicant requests the new Operator to close their Account with the old (Donor) Operator;
- (4) a request is made to all Operators to change their routing arrangements so that calls can be routed directly to the new Operator;
- (5) The total turnaround time in the porting process is a maximum four (4) hours including all stages; and
- (6) Any porting process beyond the four hours shall be recorded by the CRDB and shall form part of the KPI reporting.

Ultimately the process shall ensure that incoming communications including but not limited to calls, SMS, MMS, to the Subscriber's number are terminated on their Account with the new (Recipient) Operator.

5.3 Design Concept

The design of this porting process is asynchronous and sequential; a sequence of actions is specified with each action starting only after completion of the previous action. The design:

- i. maximizes the checking that can be performed automatically by the CRDB in order to reduce the workload on the Operators; and
- ii. limits the information on the MNP process that needs to be held by the CRDB and the Recipient Operator therefore minimizing problems associated with the re-establishing the process after some unforeseen disruption. If problems occur and the porting transaction is failed, the Subscriber and/or the Recipient and Donor Operator shall take the necessary actions to resolve the problem. A new porting transaction may then be initiated.
- iii. the process allows for a number to be ported to both a new account and to an account that is already active, with a number allocated by the Recipient Operator.

5.4 Validation and Checking

- i. The porting process shall provide for validation and checking within the Recipient Operator, the CRDB and the Donor Operator to minimize errors, workloads, and unforeseen disruptions and ensure that the owner of the number is the one that ports.
- ii. The checking and validation procedures shall be standardized for each types of Account, group or all accounts.
- iii. The process of validation and checking may be done at the same time for efficiency and in the interest of meeting porting times.

5.5 Retail Flexibility

Recipient Operators shall provide flexibility including but not limited to:

- 1) Ensuring application for porting is completed in one visit to the retail outlet.
- 2) Provisions for the porting applicant to request number portability without visiting the retailer subject to use of secure means and terms and conditions of the Recipient Operator. This function shall be provided without prejudice to provisions of these Procedures and Guidelines.
- 3) Assisting the applicant in sending the SMS validation request to the toll free short code number.
- 4) Providing assistance to the elderly and persons living with disabilities.

6 TECHNICAL DESIGN AND OPERATIONAL STANDARDS

The number portability technical solution in the minimum, shall be as follows:

6.1 Central Reference Database clearing house design;

- a) All Call Query (ACQ);
- b) Direct routing approach;
- c) Decentralized Number Portability database at the operator.

6.2 The porting processes shall:

- a) Be recipient led 'one-stop-shop' design concept, where the porting applicant initiates the porting process by contacting the recipient operator or its agent to manage the process on behalf.
- b) Be a fully Automated Process with validation at each stage;
- c) Apply to porting of mobile numbers only, but not to services.
- d) Short and simple, generally asynchronous and sequential porting process, with each process beginning after completion of the previous process or action.

6.3 Execution Times:

Porting execution time frames shall not exceed 240 minutes.

6.4 Winback And Cooling Off:

- (a) There shall be no Winback.
- (b) Cooling off period of fourteen (14) shall be provided for every port.

7 ELIGIBILITY, RIGHTS OF USE AND OTHER REQUIREMENTS

- (a) Any active pre-paid and post-paid electronic mobile number shall be eligible to be ported irrespective of the applicable mobile technology.

- (b) Any porting mobile subscriber using post-paid services at the donor operator shall be capable of using pre-paid services at the recipient operator and vice versa.
- (c) A pre-paid subscriber, who ports his number to a different operator, shall forfeit the remaining pre-paid balance in the account.
- (d) Subscriber Identity Module (SIM) shall not be ported and therefore the recipient operator shall issue the porting Mobile Subscriber with a new SIM card.
- (e) There shall be no limit to the number of times that a subscriber ports a number however this shall only apply thirty (30) days after the cooling off period.
- (f) Where a subscriber changes from one operator to another after porting a number, all rights and obligations related to the use of the number shall be transferred from donor operator to the recipient operator.
- (g) The prescribed dialling procedure for ported subscriber numbers shall be the same as that for non-ported telephone number.
- (h) A ported subscriber shall retain with the recipient operator all previous services including but not limited to Voice, SMS and MMS.

8 ACCOUNT CLASSIFICATION

For the purposes of porting, accounts shall be classified as:

- i. Pre pay Accounts held by an individual person.
- ii. Prepaid Accounts held by a non-individual, group or entity;
- iii. Post pay Account held by a natural person (personal)
- iv. Post paid Accounts and held by an entity other than a natural person (non-personal).

9 TREATMENT OF NON-PERSONAL AND PERSONAL PREPAY ACCOUNTS

Non-personal Pre pay Accounts number(s) porting requests shall be handled in the same way as personal Pre pay Accounts.

10 TREATMENT OF NON-PERSONAL POSTPAY ACCOUNTS ARRANGED BY AUTHORIZED SIGNATORY

Non-personal Post pay accounts number(s) porting requests arranged by authorized signatory shall:

- 1) Be accompanied by a letter of authority on letterhead paper of the organization.
- 2) Be signed by an authorized signatory explicitly authorizing the porting and the closure of the Account with the Donor Operator.

- 3) The authorized signatory shall sign the porting request form.

11 TREATMENT OF NON-PERSONAL POSTPAY ACCOUNTS ARRANGED BY DELEGATED AUTHORITY.

Non-personal Post pay Accounts number(s) porting requests arranged by delegated authority shall:

- (1) Be accompanied by a letter of authority on letterhead paper of the organization signed by the authorized signatory and countersigned by delegated authority signatory explicitly authorizing the porting and the closure of the Account with the Donor Operator.
- (2) The delegated authority shall sign the porting request form.

12 TREATMENT OF MULTILINE ACCOUNTS

In the treatment of multiple numbers held under the same Account with the Donor Operator, the following two approaches may apply.

- 1) Each number may be ported separately as separate transactions using the same procedure as for a single number Account; or;
- 2) The numbers may be ported as a contiguous or non-contiguous subset or a total set of numbers in an Account with any one of the numbers being selected for matching the CLI of SMS with the numbers to be ported in the Authorization Request. In this case, if the Donor Operator refuses to port any number out of a subset or a total set of numbers then the whole transaction is refused;
- 3) The Recipient Operator shall coordinate multiline Account portings with the Donor Operator through the appropriate contacts; and;
- 4) Multiline Account porting shall be handled in the same way as single number portings through the CRDB.

13 STATUS OF A PORTED NUMBER AFTER DEACTIVATION

- (1) Once a ported subscriber number is deactivated, such number shall immediately be returned to the original or block operator.
- (2) The original or block operator shall quarantine the number for the normal period applicable to the normal numbers.

14 PORTING PROCEDURES

14.1 Advise to the applicant

The Recipient Operator or their Agent shall advise Subscribers requesting number portability that:

- i. A porting request shall be declined if the Subscriber gives incorrect information about their Account;
- ii. The Recipient Operator shall inform the applicant that any outstanding payments, bills, and other contractual obligations with the donor operator shall be honoured and porting to the network does not invalidate the obligations;
- iii. Pre-paid customers shall be informed by the recipient operator that any outstanding credit they have on their current service will be forfeit at the time of porting;
- iv. They shall take the necessary action to retrieve any funds in a money transfer Account held against the number to be ported;
- v. All services of existing Operator shall be lost including but not limited to any incoming messages or SMSs or MMSs that have not been retrieved or delivered. In addition contacts saved on the Donor Operator's SIM are likely to be lost;
- vi. The Subscriber shall be required to set up the details of their Account with the Recipient Operator as no details or arrangements shall be passed across from the Donor Operator to the Recipient Operator. In particular, the Recipient Operator is obliged to register a ported Subscriber in accordance with the Authority's Subscriber registration requirements.

14.2 Verification of ID documents

The Recipient Operator or Agent shall obtain and verify copies of ID submitted by the Subscriber and to confirm whether the Account of the number submitted for porting is Pre pay or Post pay.

- (1) If the number is Post pay accounts, the Recipient Operator or their Agent will ask the Subscriber to present the latest bill or any proof that the number is a post-pay account.
- (2) If the post-pay Account is both personal or non-personal but bears the name of the authorized signatory then the Recipient Operator shall check the ID of the person requesting porting against the information on the bill. If there is a reasonable match then the process proceeds, if not, then the agent shall request the applicant for more information.
- (3) If the Account is non-personal and does not bear the name of the authorized signatory, then the Recipient Operator shall require the Number Porting Request Form to be signed by an appropriate legal representative of the organization. The Recipient Operator shall check the identity of the representative and letter of authorization proving that they are the legal representatives. If there is a reasonable match then the process proceeds, but if not then the recipient or agent shall request for more information.

Items to be verified

- 1) The Donor Operator bill submitted shows all the numbers to be ported;
- 2) The organization name shown as the Account holder on the Donor Operator bill

submitted matches the organization name on the letterhead;

- 3) The signatures on the Number Porting Request Form and the letter of authority conform to option A or option B in Table 1 match; and
- 4) The person requesting the porting matches the photograph on the ID and the name on the ID match the Authorized signatory in the case of option A or the Delegated authority in the case of option B.

14.3 Filling and signing of a standard Number Porting Request Form

The Recipient Operator or their Agent shall require the Subscriber to sign a standard Number Porting Request Form appointing the Recipient Operator to act as their agent and to close their Account with the Donor Operator and to port the number.

The Recipient Operator shall retain copies of the following documents for a period of at least twelve (12) months:

1. The signed Number Porting Request Form;
2. All ID submitted and checked;
3. In the case of Post pay Account, the latest bill from Donor Operator.
4. Evidence of the legal representative of a non-personal Subscriber including a letter of authority; and
5. A record of the person who made the identity check the time and date when this check was made.

14.4 The Recipient Operator or their Agent **shall inform and assist** and the applicant to send an SMS message.

14.5 The SMS message may be blank or contain a request message preferred by the applicant.

14.6 This SMS shall be sent from a terminal using the SIM card of the Donor Operator associated with the number to be ported to the CRDB to the **1501** Toll-Free short-code number.

14.6.1 The ability to send the SMS message shall demonstrate that the number is active on the Donor Operator's network.

14.6.2 The CLI shall be relayed to the CRDB using SMPP and should not be affected by the Subscriber's use of CLI restriction.

14.6.3 Where a block of numbers is being ported, the SMS shall be sent from the number specified for this purpose in the Number Porting Request Form and Authorization Request.

14.6.4 When all the above requirements have been met, the Recipient Operator shall send the Authorization Request to the CRDB with information including but not limited to:

- a). Number to be ported;
- b). Porting request number;
- c). Porting Start Date; and
- d). Account type.

14.7 Deferred Portings and CRDB Timings

If the Subscriber requests for Deferred porting, the Recipient Operator may either:

- (a) Record the Deferred porting request date specified on the Number Porting Request Form and advise the Subscriber to send porting request by SMS to the toll free short-code number; 1501, on the Deferred porting date to initiate the porting process; or:
- (b) Assist the Subscriber to send the porting request by SMS to the toll-free short-code number; 1501, on the date that the porting request is made and send the Authorization Request immediately specifying the Deferred porting date. If the CRDB response is successful, the CRDB shall store the request and forward it to the Donor Operator two porting days from the Deferred Porting date. This is the preferred option.
- (c) ii). In handling Deferred porting orders the Recipient Operator shall take into account the CRDB timings of the Start Date and Due Date. Where the CRDB is recording and storing a Deferred port, the Authorization Request is sent to the Donor Operator 120 minutes porting minutes before Start Date. The Deferred porting process is illustrated in the *Figure 4*.

14.8 Checks performed by the CRDB on the Authorization Request

The checks performed by the CRDB when it receives an SMS requesting for porting from the Subscriber shall include but not limited to the following:

- I. The CRDB shall attempt to match the CLIs of received SMSs with the numbers to be ported in the received Authorization Requests. If the check fails, the CRDB shall send an appropriate error message to the Recipient Operator. The Recipient Operator may resend a corrected Authorization Request if an error is established on its part in the previous request or SMS-3 sent to the Subscriber. In this case the porting request may be restarted.
- II. When the CRDB has received an SMS where the CLI matches the number to be ported in an Authorization Request, and if the Subscriber has not requested Deferred porting, the CRDB shall send:
 - a. An Initial Response message to the Recipient Operator confirming that the porting is proceeding; and
 - b. The Authorization Request to the Donor Operator
 - c. The text message SMS-2 to the Subscriber.
- i. If an SMS is not matched with the CLI in the Authorization Request by 240th minute, then the CRDB shall:
 - a. LSend a Time Out Message to the Recipient Operator; L
 - b. Discard the Authorization Request; and
 - c. Send SMS-1 to the CLI of the SMS

- ii. If the Authorization Request is received minutes before the end of business, and if the porting process may not be concluded in the day, the CRDB shall set the Due Date parameter in the Authorization Request to be the next porting day within the remaining minutes of the porting window. Unless
- iii. If Deferred porting has been requested then the CRDB shall set the Due Date parameter in the Authorization Request to be the date requested by the Subscriber and shall forward the Authorization Request to the Donor Operator at the end of the porting day, two porting days before the chosen porting date. Deferred dates in the Authorization Request sent by the Recipient Operator more than 30 calendar days ahead of the current date shall be rejected by the CRDB.
- iv. The CRDB shall carry out the checks including but not limited to the following criteria. If these checks are not met, the CRDB shall generate appropriate error codes:
 - a) The number to be ported is valid on the National Numbering Plan and Donor Network number ranges and is therefore inconsistent with the number ranges held by the CRDB;
 - b) The number to be ported is not already subject to an existing porting process;
 - c) The number to be ported is in the Cooling off period;
 - d) The Deferred porting date is within 30 calendar days of the current date.

14.9 Actions by the Donor Operator on receiving an Authorization Request

The following requirements apply on receipt of an Authorization Request.

- i. The Donor Operator shall authorize the porting unless one or more of the requirements (R9 - R14) have been failed. If the porting is refused the Donor Operator shall indicate the results of each check that it has performed. Where a block of numbers is being ported and a refusal reason relates to a specific number then the Donor Operator shall indicate which number the refusal reason relates to. The Donor Operator may omit any checks that it wishes, but cannot reject porting requests that have been rejected due to the checks that have been omitted.
 - ii. All checks shall be performed and all refusal reasons shall be given. This means that the Donor Operator shall not send the Authorisation Response after it has encountered one reason for refusal but before it has completed all the checks.
The Donor Operator shall handle all Authorization Requests in the order in which they were received.
- R9. The Donor Operator shall handle all authorization requests in the order in which they were received.
 - R10. The Donor Operator shall check that the number to be ported is not a number for which the SIM is blocked as stolen or lost.
 - R11. The Donor Operator shall check that the Account classification matches its records. That is check whether the Account is Pre pay or Post pay.
 - R12. The Donor Operator shall check that the payment status of the number to be ported.
 - R13. Donor Operator shall check that the Subscriber is not already subject to suspension of any

service for reasons unrelated to payment. ^[SEP]If the Donor Operator refuses the port for such reasons then follow the procedure in [Annex 3](#) shall be followed.

- R14. The Donor Operator shall send an Authorization Response message to the Recipient Operator via the CRDB by within one hour on the porting day specified by the Due Date parameter in the Authorization Request received either authorizing or refusing the porting.

15 ACTIVATION BY THE RECIPIENT OPERATOR

The following applies separately for each transaction:

- (a) In a multiline Account where each number is ported as separate transactions, the porting of each number shall be independent of any other number in the Account. That is, if an Authorization Request is rejected for one number in the Account, porting of other numbers continues.
- (b) In multiline Account where numbers are ported as subset or total set of numbers in an Account in a single transaction; the porting shall continue only if an Authorization Request is not rejected for any one of the numbers in the subset or total set. The Recipient Operator may initiate a separate new porting transaction for the numbers for which the Authorization Request has been accepted.
- (c) If the porting has been accepted, the Recipient Operator shall activate the ported number(s) on its network, and send the Instruction Request message via the CRDB to the Donor Operator. For Authorization Responses received, the Recipient Operator shall send the Instruction Request within 5 minutes.
- (d) If the Recipient Operator does not send the Instruction Request by this deadline then the CRDB shall abort the porting and the Recipient Operator may restart the porting process if appropriate. ^[SEP]
- (e) If the Authorization Request has been refused, the Recipient Operator may consult the Subscriber to resolve the problem and may submit a revised Authorization Request. After two refusals for the same number the Recipient Operator shall not submit further requests for the same number until it has resolved the problem with appropriate Donor Operator contacts as provided in.
- (f) If the Authorization Request is accepted and the Recipient Operator receives the Authorization Response, then at this stage:
 - (i) Originating calls can be made from the Recipient Operator's SIM;
 - (ii) Calls originating from Subscribers on the Recipient Operator network shall be received on the Recipient Operator's SIM; and
 - (iii) The Subscriber still has full service on the Donor Operator's network and so calls from other Operators shall be received on the Donor Operator's SIM.
- (g) Before the end of porting process, the subscriber may terminate the porting process through the Recipient Operator by canceling the application. The abort message shall be send to the donor through the CRDB. However this shall not be done once the Instruction Request message has been send.

- (h) On receipt of an Abort message, the Donor Operator shall terminate its processes in relation to the porting.

16 CHECKS PERFORMED BY THE CRDB ON THE INSTRUCTION REQUEST

On receipt of the Instruction Request:

- 16.1 The CRDB shall ensure that:
- The number being ported was the same number that was the subject of an Authorization Request made by the same Recipient Operator earlier;
 - The Instruction Request has been sent within the correct time window; The number is not currently subject to a porting process; and
 - An Instruction Response has not already been sent.
- 16.2 If any of these checks fail, the CRDB shall inform the Recipient Operator with the relevant error code. The Recipient Operator may resubmit the Instruction Request.
- 16.3 If all the checks are passed, the CRDB shall send SMS-4 to the number to be ported. The CRDB shall then forward the Instruction Response to the Recipient Operator.

17 ACTIONS BY THE DONOR OPERATOR ON RECEIVING AN INSTRUCTION REQUEST

The Donor Operator shall handle each Instruction Request received separately and in the order in which they were received.

Additionally, The Donor Operator shall:

- i. Deactivate the number on its network;
- ii. Close all services previously associated with the ported number on the donor network.
- iii. Update its routing information so that calls originating from Subscribers on the Donor Operator's network and from other Operators are routed directly to the Recipient Operator; and
- iv. Send an Instruction Response via the CRDB to the Recipient Operator.
- v. Where the Instruction Request is received 5-minutes to the end of business, the donor may send the instruction response the following day within the remaining time of the 240 minutes porting window.

18 UPDATING OF THE CRDB

When the CRDB receives a positive Instruction Response, it shall: L
SEP

- a) Update its records of the Operator that is serving the ported number.
- b) Forward the Instruction Response to the Recipient Operator; and

c) Send an E164Ported message to all other Operators.

19 ACTIONS BY THE RECIPIENT OPERATOR ON RECEIVING AN INSTRUCTION RESPONSE

R17: On receiving an unsuccessful Instruction Response, the porting is cancelled and the Recipient Operator shall inform the applicant. The applicant and Recipient Operator may, however, restart the process after resolving the reasons for failure

On receiving a successful Instruction Response, no further action is needed by the Recipient Operator.

20 ACTIONS BY THE OPERATORS ON RECEIVING AN E164PORTED MESSAGE

R18: On receiving an E164Ported message, all Operators in the porting shall use ACQ routing to immediately or within a maximum of fifteen (15) minutes from the time of receipt of the E164Ported message update the routing information and apply direct routing.

21 SUBSEQUENT PORTING 14.1.PORTINGS TO THE BLOCK OPERATOR

Subject to the Onward Porting Restriction, where the Subscriber requests for a subsequent port, back to the Block Operator, in which case the Recipient Operator is the block Operator, the normal porting procedure shall apply with the following exceptions:

- (a) The CRDB shall remove the number from the list of ported numbers; and
- (b) The Recipient (Block) Operator shall remove any onward routing applied to support previous portings.

22 PORTINGS WHERE NEITHER DONOR OPERATOR NOR RECIPIENT OPERATOR IS THE BLOCK OPERATOR

Subject to the Onward Porting Restriction, where the Subscriber requests porting where neither Donor Operator nor Recipient Operator is the Block Operator, the normal porting procedure specified shall apply but the Donor Operator shall not apply onward routing.

23 CRDB LOGS AND REPORTING OF LATE RESPONSES

At 1800Hours each porting day, the CRDB shall make available to each Operator involved as either Donor Operator or Recipient Operator, a list of the actions that have:

- a) Exceeded their time limits and remain active but incomplete; and
- b) Exceeded their time limits and have been aborted on that day.
- c) ii). In each case the data shall include:
- d) The porting reference number;
- e) The number to be ported;
- f) The code for the Recipient Operator;
- g) The code for the Donor Operator;
- h) Current state of porting if active or indication that the porting has been aborted appropriately numbered or named for ease of reference; and
- i) Date and time that the porting process entered current state or when the process was

aborted.

24 TERMINATION OF SERVICE

The objective this section is to return a ported number to the Block Operator when the provision of service to a ported number ceases.

- I. The Recipient Operator send an E164Terminated message to the CRDB either immediately or within a maximum of 60 calendar days, after the provision of service to a ported number have been ceased.
 - II. If, before sending the E164Terminated message, the former Recipient Operator receives a request from the same Subscriber to re-activate the Account and the number, then the Recipient Operator may re-activate it.
 - III. On receiving the E164Terminated message, the CRDB shall:
 - a) Remove the number in the database of ported numbers; and
 - b) Send a copy of the E164Terminated message to all Operators.
- i. If, after sending the E164Terminated message but before 30 calendar days have elapsed, the former Recipient Operator receives a request from the same Subscriber to re-activate the Account and the number, then:
 - a) The Recipient Operator may reactivate the number; and
 - b) The Recipient Operator shall send an E164Reactivate message to the CRDB; and
 - c) On receipt of the E164Reactivate message the CRDB shall remove the number from the queue of numbers to be terminated.
 - ii. An Operator shall not allocate a number that is not from a block of numbers allocated to it by the Authority. This means that an Operator may not reallocate a ported number even if services to the Subscriber have terminated.
 - iii. On receipt of an E164Terminated message, the Block Operator concerned shall apply its normal quarantine rules before re- allocating the number.

25 WINBACK

Winback is prohibited both whilst the porting process is underway and for a period of thirty (30) days from the date porting was completed. The only permissible contact a donor operator may have with a ported customer is either:

- a. Recovery of outstanding debts or;
- b. To discuss products/ services other than the ported mobile service.

[1]
[SEP]

Winback provisions will only apply once the;

- a. Recipient operator has lodged a porting request onto the CRDB and

- b. CRDB has received the validation SMS from the customer and
- c. CRDB has successfully completed its initial validation of the porting request and
- d. CRDB has sent a Porting Approval Validation Response message to the recipient operator.

26 COOLING OFF PERIODS

Subscribers shall be allowed a Cooling off period in relation to their new Account with the Recipient Operator as follows:

- 1) Cooling off period shall be a period of not more than fourteen (14) calendar days from the date of porting from the Donor Operator.
- 2) Where Cooling off applies to a Subscriber that has entered into a contract with the Recipient Operator, the Subscriber shall have the right to cancel this contract without early termination charges, but does not remove the Subscribers obligations to pay for call charges.
- 3) The following Cooling off procedure applies:
 - a) The Subscriber shall contact the current Operator (old Recipient Operator) and state their intention to port back after the Cooling off.
 - b) The Subscriber shall make a porting request to the Recipient Operator (old Donor Operator), whom they are rejoining. This porting transaction shall follow the procedure of a normal porting transaction.

27 COMPLETE DATA DOWNLOAD, CLEANSING AND RESOLUTION

Every porting day the CRDB will make available by 0830Hours on the FTP or equivalent section, a file containing the complete set of ported numbers with the identity code of the Operator that serves each number. Operators may however at any time download this file from the CRDB reports section or from a defined FTP section and:

- Extract the set of numbers associated with their identity code and compare this set with their own set of served numbers; and
- Extract the set of numbers from their own number block and compare this set with their own set of served numbers.

This comparison exercise may result in the following error situations:^[1]Ported numbers that Operator is serving may be missing from the CRDB list;

Numbers in the database list that are associated with the Operator concerned but that they are not serving; or

Numbers from the Operator's own number block which the Operator is serving but which the CRDB list shows are served by another Operator.

The Operator shall as far as is possible, check its internal records to see if its records contain errors that may resolve these issues;

Where these errors cannot be resolved, each Operator shall send by email the list of numbers affected to the CRDB Operator by 1700Hours on the following Monday. The CRDB shall check its logs, attempt to resolve the errors and discuss them as necessary with the Operators; The CRDB shall report on the errors and classify as affecting one or more Operators:

- a) Where an error is between only one Operator and the CRDB, then the Operator may contact the Subscriber if necessary to help resolve the error;
- b) Where an error involving two Operators, for example a number that is active on more than one network, then the two Operators shall attempt to resolve the issue by comparing documentation signed by the Subscriber. If necessary the Operator with the latest relevant document signed by the Subscriber may contact the Subscriber to help resolve the issue. In such cases the Subscriber shall have the final decision on which Operator they wish to use in the future.

28 DIRECTORY SERVICES

Directory services shall be provided vide the relevant Operator Licence condition.

29 CONTACT INFORMATION

Operators and the CRDB shall:

- 1) Exchange at least two contact persons for facilitation of MNP services.
- 2) The list of the contact person shall also be shared provided to Communications Authority including any changes or updates any time they occur.
- 3) The list shall include, but not limited to, the name, telephone and email.

30 COSTS FOR PORTING NUMBERS

- A licensee originating traffic shall bear its own additional costs of conveying calls for ported numbers to the recipient.
- A donor shall not recover any costs related to mobile number portability from the recipient.
- A recipient shall not recover any costs related to mobile number portability from the porting mobile subscriber.
- A recipient shall not recover any costs related to mobile number portability from the donor.
- A donor shall not recover any costs related to mobile number portability from the porting mobile subscriber.

31 GENERAL PROVISIONS

31.1 Service Agreements

- (1) All mobile operators in the MNP process shall enter into operational and service agreements to ensure continuous and seamless availability of the service to the customer, achievement of Quality of Service parameters and improve and for effective collaboration on dispute resolutions.
- (2) New mobile operators shall accede to the existing agreements before launching of services.

32 QUALITY OF SERVICES

- i. A licensee shall ensure that any service passing through its network is delivered at the level of quality prescribed in the Quality of Service Regulations.
- ii. A licensee shall ensure that number portability complies with the prescribed quality of service parameters.

33 NON-DISCRIMINATORY TREATMENT

- i). A recipient operator shall not provide services on any less favourable terms than those it affords to subscribers of its own, its subsidiaries, affiliates, or other similarly situated network or licensee.
- ii). A licensee committing a fraudulent port shall bear all the costs for reversing the port.
- iii). Notwithstanding the provision of clause 36, a person who commits fraudulent porting commits an offence under the penal code, relevant and provisions of Licence on Numbering and Number Portability conditions and/or relevant provision of the current Kenya Information and Communications (Numbering) Regulations.

34 REPORTING

- a) All Operators involved in the number portability including the number portability clearing house shall submit regular reports to the Authority on the following KPI's, in a standardized template or format prescribed by the Authority
- b) The number of Authorization Requests received by each Donor Operator;
- c) The number of Authorization Requests accepted by each Donor Operator;
- d) The number of Authorization Requests refused by each Donor Operator;
- e) The number of ports effected within porting period as compared to all ports received
- f) The total ported numbers served by each Operator;
- g) The total number of ported requests handled for selected towns/cities of the country; and:
- h) Any other information that the Authority may request from time to time.

35 CUSTOMER COMPLAINTS

- (1) Complaints related to the porting process shall be directed to, handled and coordinated with by the recipient operator.
- (2) The recipient and donor operators shall cooperate in good faith to resolve the complaint between them and the complaining customer.
- (3) If the complaint cannot be resolved between the recipient and donor operators then the complaint should be escalated to the Authority for resolution.
- (4) The Complainant shall be kept abreast of the progress of their complaint, through to resolution.
- (5) In the case where a complaint cannot be resolved to the satisfaction of the complainant, it is the responsibility of the operator to whom the complaint is addressed to inform the complainant of their rights in relation to appeals and/or escalations.

36 DISPUTE RESOLUTION

- a) In case of any dispute on number portability, the Authority may require the petitioning party and the responding party to provide such information as may be necessary for the Authority to determine the matter.
- b) Where any party refuses or fails to provide the information required by the Authority within the time prescribed, the Authority may proceed to resolve such issues on the basis of the best information available.
- c) In resolving any dispute on number portability, the Authority may-
- d) Impose appropriate conditions on implementation of the terms and conditions by the parties to the agreement; and
- e) Ensure that such resolution and conditions meet the requirements of the Act, relevant regulations and License conditions.
- f) Any person aggrieved by decision of the Authority in any matter relating to number portability may appeal in the manner of appeals against decisions of the Authority as prescribed in the Act.

37 PENALTIES

Any person who contravenes any provision of these Procedures and Guidelines commits an offence and shall be subject to penalties in accordance with relevant conditions of the Act, Regulations and Licence conditions.

Issued by

**Director General
Communications Authority of Kenya**

38 ANNEX 1

Analysis of Accounts Treatment by the Recipient Operator

	Single porting	
Account Type	Pre pay	Post pay
Personal	Basic process	Basic process Check Donor Operator Bill
Non personal	Basic process Letter of Authorisation	Basic process Check Donor Operator bill Letter of Authorisation

Multiline porting	
Pre pay	Post pay
Basic process	Basic process Check Donor Operator bill
Basic process Letter of Authorisation	Basic process Check Donor Operator bill Letter of Authorisation

List of SMS Messages used in the Porting Process

Message	Text
SMS-1	Your porting request has failed. Please contact your new Operator.
SMS-2	Thank you for your SMS. Your porting request is being processed
SMS-3	Porting error. Please contact your new Operator
SMS-4	This Account will be closed soon please use your new SIM from your new Operator

**SMS text may be sent in the language matching the initial port request*

39 ANNEX 2: NUMBER PORTING REQUEST FORM

NUMBER PORTING REQUEST FORM {Operator's Logo}

MOBILE NUMBER PORTING REQUEST FORM

Subscriber Details

Customer Name*

(Letter of Authority to be attached if necessary)

Postal Address

Contact Telephone*

Email

Porting Details

Number(s) to be ported*

(Separate sheet may be used for multiple numbers)

Number for SMS check*

Name of current Operator*

Tick where applicable

Current Account type*

Pre
pay

Post
pay

(Copy of the latest Post pay bill required)

Type of Account to be
ported to*

Pre
pay

Post
pay

Porting Date *

Town/City where this
Porting Request is made*

*I declare that the information given is correct, and that I as current Subscriber of the number(s) to be ported appoint <**Operator Name**> to close my Account with my current Operator and to port my number(s), and that:

1. I understand that any unused top-up balance shall be lost;
2. I have taken the necessary actions to retrieve any funds in my money transfer Account held against the number(s) to be ported;
3. I understand that all services of my existing Operator shall be lost;
4. I understand that I shall be solely liable to any contractual obligations not met with my current Operator;

Signature*
Date(DD/MM/Y)

***Required**

FOR OFFICIAL USE

Verification of Subscriber Identification

ID Inspected Type
and
ID/No.

Operators reference Number

New SIM Card Number
(IMSI)

Date

Time

Order taken By:

I confirm that I have checked and retained copies the Customer ID and authorisation letter, where applicable:

Name

Signature

Date

40 ANNEX 3: LIST OF MESSAGES

The following is a list of messages used in these Guidelines and Procedures:

1. Authorisation Request
2. Initial Response
3. Authorisation Response
4. Abort
5. Instruction Request
6. Instruction Response
7. E164Ported
8. E164Terminated
9. E164Reactivate
10. Time out

41 ANNEX 4: PROCEDURES FOR RESOLVING REFUSALS TO PORT ON GROUNDS OF SUSPENSION

- 1) If the Donor Operator refuses to port because the Subscriber requesting porting is subject to suspension of any service for reasons unrelated to payment, the Donor Operator shall, within 24 hours of refusing the port, contact the Authority's Number Portability contact person and shall, at a minimum provide the following information;
 - (i) identify the Subscriber;
 - (ii) specify when the porting request was received;
 - (iii) specify when the porting request was refused;
 - (iv) identify the requesting Recipient Operator;
 - (v) provide a detailed explanation of the reasons why the porting request was refused; and
 - (vi) identify any confidential information that cannot be shared with the requesting Recipient Operator.

- 2) Promptly upon receipt of this information from the Donor Operator, the Authority shall notify the requesting Recipient Operator.
- 3) The requesting Recipient Operator shall, within 24 hours, send a response and shall provide reasons why the port should be allowed. The requesting Recipient Operator shall specifically identify any confidential information that cannot be shared with the Donor Operator. The requesting Recipient Operator shall also notify the Subscriber in question that the porting request is under review by the Authority.
- 4) Within seven (7) calendar days after the response period for the requesting Recipient Operator has expired, the Authority shall determine whether the porting request shall be refused or allowed. The determination of the Authority shall be sent to both the Donor Operator and the requesting Recipient Operator, setting forth the decision and the reasons thereof.
- 5) Upon receipt of this determination both the Donor Operator and the requesting Recipient Operator shall comply. Any aggrieved party may appeal to the Authority in accordance to the Act.
- 6) If within fourteen (14) calendar days no appeal is launched, and the Authority's determination was that the Subscriber may port, then the Recipient Operator may re-submit the port and the Donor Operator shall not refuse the port request.