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RESOLUTION OF RA PUBLIC SERVICES REGULATORY COMMISSION ON APPROVAL OF RULES OF PORTABILITY OF MOBILE COMMUNICATION NUMBERS OF PUBLIC ELECTRONIC COMMUNICATION

«Registered»

By  
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PUBLIC SERVICES REGULATORY COMMISSION OF THE REPUBLIC OF ARMENIA

17<sup>th</sup> July, 2013  
Yerevan

N 251-Ն

RESOLUTION

RESOLUTION OF RA PUBLIC SERVICES REGULATORY COMMISSION ON APPROVAL OF RULES OF MOBILE COMMUNICATION NUMBERS PORTABILITY OF PUBLIC ELECTRONIC COMMUNICATION

In consideration of clauses 1, 2, and 4 of part 1 of article 1, sub-clause u) of clause 1 of part 1 and sub-clauses ե) and ի) of clause 2 of article 5 of the law “On electronic communication” of the Republic of Armenia, the Public Services Regulatory Commission of the Republic of Armenia herewith *decides*:

1. To approve the rules of portability for mobile communication numbers of public electronic communication according to the appendix.

2. To establish that mobile communication operators of public electronic communication shall provide the number portability service to the mobile communication subscribers as of April 1<sup>st</sup>, 2014.

*(2<sup>nd</sup> clause modified as of 24.10.13 N 372-Ն)*

3. This resolution shall enter into force on the tenth day after the day of official publication.

*Approved  
by the resolution of Public Services Regulatory  
Commission of the Republic of Armenia N251 as of  
17<sup>th</sup> July, 2013*

## RULES OF MOBILE COMMUNICATION NUMBERS PORTABILITY SERVICE FOR PUBLIC ELECTRONIC COMMUNICATION

### CHAPTER 1. GENERAL PROVISIONS

1. These rules establish the procedure and terms for organization and implementation of the portability of mobile communication (hereinafter mobile communication) numbers of public electronic communication.

2. The mobile numbers portability service is regulated by the law of the Republic of Armenia “On Electronic Communication”, these rules and other legal acts.

3. The main concepts used in these rules are the following:

1) Commission: Public Services Regulatory Commission of the Republic of Armenia,

2) Number: mobile communication number of public electronic communication,

3) Subscriber: a person using mobile communication services,

4) Mobile Number portability service: service, which allows the Subscriber to change mobile communication operator, by keeping the mobile communication number assigned to him/her,

5) Number portability procedure: procedure, which starts from submission of the Subscriber’s application for a number portability and finishes at the moment of registering a successful completion of the number transfer in the Centralized database,

6) Network: mobile communication network,

7) Operator: mobile communication operator,

8) Donor Operator: an operator, from whose network the number is being or has been transferred to the network of another operator:

9) Initial Donor Operator: a person with a permit to occupy the number line containing the number subject to transfer,

10) Host Operator: an operator, to whose network the number of the Donor Operator’s network is being or has been transferred,

11) Centralized database: Automatic system containing the data stipulated by the 17<sup>th</sup> clause of these rules of numbers, which ensures the procedure of numbers portability,

12) Immediately: a period not exceeding one minute,

13) Call: call, short messages (SMS), multimedia messages (MMS) services,

14) Business day: from Monday to Friday, except for non-working days and holidays established by the legislation of the Republic of Armenia.

15) Business hours: a period of the working day, starting from 09 am till 06 pm.

*(3<sup>rd</sup> clause amended as of 31.01.14 N 12-Ն)*

4. The number portability service is free for the Subscriber and the right of the Subscriber to use it cannot be restricted by the Operators.

5. The number transferring procedure is being implemented within three business days, except a later deadline, determined by the Subscriber, which shall not exceed 30 days.

6. The Donor Operator with the Subscriber's consent has the right to restrict/suspend the services provided to the Subscriber except for incoming, local, outgoing and short message services.

7. The period in the number transferring procedure between number deactivation in the Donor Operator's network and the number activation in the Host Operator's network shall not exceed 2 hours.

8. The difference of network technologies used by the Operators does not pose an obstacle for number portability.

9. The debt of the Subscriber to the Donor Operator does not prohibit him/her from using the Number portability service.

10. The positive balance of the Subscriber's account in case of number transfer is not transferred to the Subscriber's account in the Host Operator's network.

11. In case the subscriber uses more than one number under the same contract and with technical implementation, the number (numbers) transfer leads to termination of contract provisions concerning only the transferred number (numbers), the contract provisions concerning other numbers continue having effect according to the conditions, established by it.

12. The Donor Operator is not liable for end equipment use, used by the Subscriber in his network, in the Host Operator's network, except for the cases determined under the contract between the parties.

13. In case of number transfer the Initial Donor Operator keeps the permission of occupying the number line containing the transferred number, provided by the Commission.

14. In case of termination or transfer to another operator of Initial Donor Operator's permission to occupy the number line, containing the transferred number, the right of using the transferred number, if it is technically possible, is maintained, including the Subscriber's right to transfer the number to another operator's network.

15. The Donor Operator is not allowed to undertake either personally or through a third party any non-public personal action towards the Subscriber aiming at refusal from that service, including Call or other services of electronic messages, except for the cases foreseen by clause 15.1 of these rules.

*(15<sup>th</sup> clause edited as of 11.06.14 N 159-Ն)*

15.1 The Donor Operator informs the Subscriber who demands Number portability service, about his/her debt via short notification (SMS).

*(clause 15.1 amended as of 11.06.14 N 159-Ն)*

## CHAPTER 2. CENTRALIZED DATABASE

16. For the purpose of creation and subsequent exploitation of the centralized database, the operators shall establish a Non-Profit Organization on equal basis (hereinafter the Administrator) through which Operators shall provide the following:

1) Centralized database creation, funding, as well as its 24hour and uninterrupted operation according to the technical conditions of Number portability designed by them.

2) Organization and realization of public and unbiased competition for choosing a provider of Centralized database for the purpose of Centralized database system implementation and future maintenance.

3) Conclusion of contract about Centralized database creation and maintenance with the Centralized database provider.

17. The Centralized database includes information minimum:

1) about all transferred Numbers and their location networks,

2) about identification codes of the Operators (mobile communication network),

3) about precise day and time of transferred numbers deactivation,

4) about the dates of last two transfers of each Number,

5) about referral numbers,

6) about register of administrative procedures implemented between the Operators,

7) Intranet website with operators' contact information.

18. The transfer of all the standardized messages between the Operators is implemented through the Centralized database system.

19. The Centralized database must provide possibility of making both automated and non-automated (including web templates) actions. The Centralized database offers digitalized interface to the Commission.

20. The need of direct cooperation between the Operators arises only in those cases, when the existing technical or functional problems cannot be solved through standardized messages exchange, and in this case the contact person of the Operator related to the problem must find a solution as soon as possible in the Subscriber's interest and within the period, set out in clause 5. The contacting people must have telephone numbers (fixed and mobile) and e-mails and must be available on business days from 9 am till 6 pm. At the same time, in case the request for problem solution is received before 12 afternoon, the Operator's contacting person must respond to the mentioned request until 6 pm of the same day, and in case the request for problem solution is received after 12 afternoon – until 12 afternoon of the next business day. In case of recurrence of a certain technical or functional problem, the Operators take measures for expending technical specifications.

*(20<sup>th</sup> clause edited as of 31.01.14 N 12-υ)*

21. All the messages must be transferred in a protected manner, and must be free from unauthorized modification and unauthorized access. Each person who sends or receives messages must be properly identified. Each transaction must be registered for the identification of its responsible person.

22. The Centralized database must be protected from unauthorized access and technical measures, and they shall include technical measures necessary for conducting operative intelligence activities, and necessary conditions must be created for that.

23. Each Operator is obliged to personally cover the expenses arising from the implementation and launch of the numbers portability service, including expenses incurred for having interfaces with the functional database and the Centralized database, as well as expenses, connected with preparation of their Networks and systems for the implementation of numbers portability service.

### **CHAPTER 3. NUMBER TRANSMISSION PROCEDURE**

24. If the Subscriber intends to use the number transfer service, the Subscriber shall apply to the Host Operator.

25. The Host Operator provides the Subscriber with information on Number transmission procedure, including:

1) implementation of Number transmission procedure, interruption duration of mobile communication service, its active proposals, their conditions and tariffs,

2) the fact that number transmission results in termination of the contract concluded with the Donor Operator concerning the provisions on transferred Number, and this does not free the Subscriber from his obligations arising from the contract, and in case of their violation, does not free from responsibility of it, and in case of requests connected with obligations towards the Donor Operator, about the right of directing them to the Donor Operator,

3) the possibility of using Subscriber's end equipment upon Subscriber's request,

4) the possibility to suspend/restrict services provided through numbers, transferred by the Donor Operator, except for the services of incoming, local outgoing messages,

26. Upon receiving the information provided by clause 25 of these Rules, the Subscriber, wishing to use Number portability service, in case of a natural person presents an ID card, and in case of a non-natural person presents state registration number or state registration or taxpayer registration number and an application which includes 0998999996,

1) if the Subscriber is a natural person – Subscriber's name, surname, date of birth and ID card data, and if the Subscriber is a non-natural person – name and taxpayer registration number data,

2) the number (numbers) subject to transmission,

3) a request for terminating the contract with the Donor Operator and authorization of the Host Operator to do so,

4) Upon Subscriber's consent, note on the suspension/restriction of Number portability services provided by the Donor Operator, except for incoming, local outgoing and short message services,

5) Subscriber's consent on providing Subscriber's personal data to the Centralized database and the Donor Operator in the Number transmission process.

*(26<sup>th</sup> clause edited, amended as of 31.01.14 N 12-У)*

27. Upon receiving the application pursuant to clause 26 of these Rules the Host Operator sends a number transmission request to the Centralized database, which includes:

- 1) the number (numbers) subject to transmission,
- 2) if the Subscriber is a natural person – Subscriber's name, surname, date of birth and ID card data, and if the Subscriber is a non-natural person – name and taxpayer registration number data,
- 3) Identification (of mobile communication network) codes of the Donor Operator and the Host Operator,
- 4) Transmission dates if the Subscriber has set a later date than 3 business days.

*(27<sup>th</sup> clause edited as of 31.01.14 N 12-У)*

28. The Centralized database checks immediately the compliance of the Number transmission request with the data, existing in its database, in particular whether the limit of presenting Number transmission request has been exceeded or whether the number, indicated in the transmission request, is in the Number transmission process. When detecting an inaccuracy, the Centralized database immediately sends a rejection notification to the Host Operator.

29. In case of conformity, the Centralized database immediately registers the Number transmission request, attaches to the regular number and sends to the Donor Operator.

30. Upon receiving the Number transmission request, the Donor Operator checks the compliance of its existing data with the data sent by the Host Operator by the following principle:

- 1) if the Subscriber is a natural person:
  - a. Compliance of the Transferred number and Subscriber's name, surname, and day, month, year of birth and ID card/passport data,
  - b. Compliance of the Transferred number and Subscriber's name, surname, and day, month, year of birth,
  - c. Compliance of the Transferred number and Subscriber's name, surname, and day, month, year of birth and ID card/passport data,
  - d. Compliance of the Transferred number and Subscriber's day, month, year of birth and ID card/passport data,
  - e. Compliance of the Transferred number and Subscriber's ID card/passport data.
- 2) if the Subscriber is a non-natural person:
  - a. Compliance of the Transferred number and Subscriber's name and taxpayer registration number, or
  - b. Compliance of the Transferred number and Subscriber's taxpayer registration number data.

*(30<sup>th</sup> clause edited as of 31.01.14 N 12-У)*

31. After checking the Number transmission request the Donor Operator sends a transmission respond to the Centralized database, which includes:

- 1) the regular number of the Number transmission procedure,
  - 2) note about positive or negative respond.
32. A positive respond shall be sent by the Donor Operator for each Subscriber natural and non-natural person in case of at least one match with cases indicated in clause 30 of these Rules.

*(32<sup>th</sup> clause edited as of 31.01.14 N 12-У)*

32.1 In case of failure to present positive respond bases pursuant to clause 32 of these Rules, the Donor Operator sends a negative response, indicated rejection basis. Upon Host Operator's request, the Donor Operator presents respective information and bases on the Number transmission request rejection bases within the timeframes set forth in clause 5 of these Rules. After correcting the existing faults or deficiencies, a new Number transmission may be presented.

*(clause 32.1 amended as of 31.01.14 N 12-У)*

33. In case of sending a negative respond for the Number transmission request to the Donor Operator, the Centralized database immediately sends it to the Host Operator.

34. The Number transmission request respond is sent by the Donor Operator according to the sequence of receipt as soon

as possible, moreover, the period of responding to 90 percent of all requests received within one calendar month must not exceed 5 minutes, and to 98 percent – 4 business hours. If the Donor Operator does not send transmission request within 4 business hours after receiving Number transmission request is considered to be presentation of a positive respond.

35. In case of a positive respond for the Number transmission request by the Donor Operator, the Centralized database chooses the hour of Number deactivation by the Donor Operator and registers it in the database within the next business day after the day of receiving the respond, if no later period of Number transmission is set by the Subscriber.

*(35<sup>th</sup> clause modified as of 31.01.14 N 12-У)*

36. The Centralized database immediately sends transmission confirmation to the Donor and the Host Operators, which includes:

- 1) the regular number (numbers) of Number transmission procedure,
- 2) the Number subject to be transferred,
- 3) Subscriber's name, surname or entity name,
- 4) identification (mobile communication network) codes of the Donor Operator and the Host Operator,
- 5) date and time of the transferred Number deactivation.

37. Upon receiving the confirmation from the Centralized database the Host Operator immediately notifies the Subscriber about the date and time of the transferred Number deactivation.

38. Upon receiving the transmission confirmation from the Centralized database, the Donor Operator deactivates the Subscriber's number on the date and time set by the Centralized database and immediately sends a confirmation about it to the Centralized database, which, in its turn, immediately sends it to the Host Operator.

39. Upon receiving the confirmation the Host Operator activates the Number immediately sending to the Centralized database and informing the Subscriber.

40. The Centralized database immediately registers the respective modifications in its database and informs the Donor Operator about the successful completion of the Number transmission process.

41. The provisions of the contract with the Donor operator, concerning the transferred Number, are considered terminated from the moment of registration of the Host Operator's confirmation in the Centralized database about the successful completion of the Number transmission process, and from that moment the services with the numbers being transferred to the Subscriber are provided pursuant to the contract, concluded with the Host Operator:

1) use the Number portability service irrespective of his/her obligations under the contract to remain the Donor Operator's subscriber, or of violation of the contract, concluded with the Donor Operator, or of the fact of his services limitation (suspension).

2) use the Number portability service maximum twice within the last twelve months.

3) on equal conditions and without any discrimination use the Host Operator's network services, available to the Subscriber, whose number was not transferred, within the technical capabilities of the Hosting Operator.

4) transfer one or more Numbers provided to him/her irrespective of the order of these numbers.

43. The Subscriber is obliged to compensate the liability pursuant to the contract in case of breach of the contract concluded with the Donor Operator.

44. The Operator is obliged to ensure Number portability service provision pursuant to these Rules, as well as to publish information and terms of using Number portability service on his website and in his service centers.

45. The Host Operator via Centralized database informs the Initial Donor Operator and the Centralized database about the termination of the contract provisions concerning the transferred Number within 5 business days, except the cases of new transfer or renaming of the Number.

#### **CHAPTER 4. SERVICES PROVISION TO THE TRANSFERRED NUMBER**

46. Operators, providing public telephone communication services, are obliged to ensure that the calls sent to the transferred numbers are forwarded on their own account. Initial Donor Operators are obliged to forward the calls sent to the

Numbers transferred to their Network to the Host Operators' Networks. Other operators, which are not connected to the Centralized database, forward the calls initiated in their public electronic communication networks to the Initial Operator's network, bearing all expenses related to transit services.

47. The Operators are obliged to use the "request upon each call" forwarding method, pursuant to which the Operator, initiating the call through his functional database, decides the launching network of the called number before making each call.

48. The Operators synchronize their operating data every day at night with the Centralized database. The exact time of the synchronization process is determined by the Operators and the Administrator.

49. The Operator, realizing Call initiation to the transferred Number, informs the Subscriber that the Number has been transferred via USSD order, and in case of calls – also with a single one-second duration signal system, and this can be deactivated by the Subscriber. The Number transfer information system is used only if a Number is transferred from the network of the Operator initiating the Call, except for the cases when the Number is again transferred to that Operator.

*(49<sup>th</sup> clause edited as of 31.01.14 N 12-У)*

50. Call forwarding to the transferred Number by the call initiating operator is carried out at the rates of calls to the Numbers launched in the Host Operator's network and not transferred.

51. The Operators are obliged to inform the international operators, who send short (SMS) or multimedia (MMS) messages to the numbers, belonging to the numbering plan occupied by them, about the Host Operator's network, where the number is launched at the moment.

52. Any operator who realizes call initiation is obliged to personally bear call forwarding expenses connected with the use of the Centralized database.

53. The tariffs of the calls interconnection with the transferred Numbers must be launched in the same Network and at the tariffs of Calls on the Numbers that were not transferred.

## CHAPTER 5. TRANSITIONAL PROVISIONS

*(the chapter was amended as of 31.01.14 N 12-У)*

54. The respond to number transfer pursuant to the clauses 30 and 32 until the 1<sup>st</sup> May 2014 can be sent by the Donor Operator both in automated and non-automated way, and starting from the 1<sup>st</sup> May 2014 – only in automated way. In case the Operator uses fully automated system before the period indicated in this clause, the Operator informs the Commission and the Operators about it. The transitional period fixed in this clause does not free the Operators from the obligation to comply with the deadlines set out in clause 34 of these Rules.

*(the chapter was amended as of 31.01.14 N 12-У)*

*(the appendix was amended, edited, modified as of 31.01.14 N 12-У, edited, amended as of 11.06.14 N 159-У)*