



Code of Practice on Principles of Number Portability for the Telecommunications Services in Brunei Darussalam

NO.	RECORDS	EFFECTIVE DATE
1	First issue	19 August 2021

TELECOMMUNICATIONS ORDER, 2001

CODE OF PRACTICE ON PRINCIPLES OF NUMBER PORTABILITY FOR THE TELECOMMUNICATIONS SECTOR IN BRUNEI DARUSSALAM

In exercise of the powers conferred by *Section 26(1) of the Telecommunications Order, 2001*, the Authority for Info-communications Technology Industry of Brunei Darussalam (“Authority”) hereby issues the following Code of Practice on Principles of Number Portability for the Telecommunications Services in Brunei Darussalam with the effective date on 19/08/21.

Table of Contents

1. PRELIMINARY	3
1.1 Citation and Commencement.....	3
1.2 Goals of the Code.....	3
1.3 Definitions.....	3
1.4 Legal Provisions.....	4
1.5 Legal Effect of the Number Portability Code	4
1.6 Modification of Provisions	4
2. INTRODUCTION	5
2.1 Background	5
2.2 Advisory Guidelines.....	5
2.3 Application of the Code	5
2.4 Regulatory Principles	5
3. COMPLIANCE OF THE LICENSEE	6
3.1 Filing of IBR	6
3.2 Duty to comply to the IBR.....	6
3.3 Submission of Information.....	6
3.4 Management of Ported numbers	7
3.5 Duty to report any Unethical Marketing Practices among the Licensees	7
3.6 Duty to educate consumer on number porting.....	7
3.7 Duty to resolve disputes	7
3.8 Compliance to the code	7

Annex 1: Notification Form

1. PRELIMINARY

1.1 Citation and Commencement

The Code of Practice on Principles of Number Portability for the Telecommunications Services in Brunei Darussalam may be cited as the “Number Portability Code”. The Number Portability Code shall commence on a date set by the Authority.

1.2 Goals of the Code

The purpose of the Number Portability Code is intended to establish standards to improve governance and efficiency on number portability processes. This will promote fair practices and healthy competition for the long-term benefit of the industry and all parties involved. Additionally, this will ensure that consumers are provided with transparent porting processes and service quality in their porting choices.

1.3 Definitions

As used in the Code:

- (a) **“Authority”** means the Authority for Info-communications Technology Industry of Brunei Darussalam.
- (b) **“Authorised Representative”** means an appointed individual that has been given authorisation and approval from concern parties to act on its behalf in relation to specified tasks.
- (c) **“BNP-WG”** means Brunei Number Portability-Working Group that consists of all licensees providing telecommunication infrastructure and services provisioning number portability.
- (d) **“Donor”** means a service provider providing service for customers’ number before Porting.
- (e) **“IBR”** means Industry Business Rules.
- (f) **“Infrastructure Provider”** means an entity that owns infrastructure network and makes it available for the purpose of transporting bearers of telecommunication services.
- (g) **“Number Portability”** means a telecommunications network feature that enables end users or customers to retain their numbers when changing from one service providers to another.
- (h) **“Number Portability Operator”** means network infrastructure provider that provisions Number Portability to the Service Provider.
- (i) **“Port”** means the transfer of consumer’s number from Donor to the Recipient. The words Porting and Ported have corresponding meanings.

- (j) **“Quarantine”** means withholding of a Number from further use for a period of time, after a subscription has been terminated.
- (k) **“Recipient”** means a service provider providing service for a customer’s number after Porting.
- (l) **“Service Provider”** means an entity that provides services to users and customers on the basis of telecommunications infrastructure made available by Infrastructure licensee.

1.4 Legal Provisions

- 1.4.1 The powers of the Authority to issue Codes of Practice are contained in *Section 26 of the Telecommunications Order, 2001*.
- 1.4.2 The powers of the Authority to require information are contained in *Section 62 of the Telecommunications Order, 2001*.

1.5 Legal Effect of the Number Portability Code

- 1.5.1 All Licensees providing mobile and fixed line telecommunication services in Brunei Darussalam must comply with the applicable provisions of the Number Portability Code.
- 1.5.2 The obligations contained in this Number Portability Code are in addition to those contained in the *Telecommunications Order 2001*, as well as any other regulations, licences or codes of practice issued by the Authority.

1.6 Modification of Provisions

- 1.6.1 The Authority, where appropriate, will modify the provisions of the Number Portability Code to reflect changing market conditions. The Number Portability may be modified in the following manner:
 - (a) The Authority will review the Number Portability Code at regular intervals after the issuance of the Number Portability Code. If such a review is conducted, the Authority may amend or modify relevant sections of the Number Portability Code. The Authority will also make any other changes it deems fit and necessary to achieve the goals of the Number Portability Code; or
 - (b) The Authority may modify the Number Portability Code on its own initiative at any time.
- 1.6.2 In each case, the Authority may seek comments from licensees prior to adopting modification.

2. INTRODUCTION

2.1 Background

- 2.1.1 Number Portability was introduced in Brunei Darussalam on 24 January 2020 to provide consumers the freedom to retain their fixed-line and mobile numbers when switching service provider. It is targeted to bring forth healthy competition in the telecommunication sector which in turns facilitate better consumer choice, lower prices and introduce innovative service offerings in the market.
- 2.1.2 The implementation of Number Portability is in line to the Authority's policy objectives of promoting competition in the telecommunication sector for the benefit of consumers and businesses in Brunei Darussalam.

2.2 Advisory Guidelines

- 2.2.1 The Authority has imposed requirements under "Advisory Guidelines on Number Portability for the Telecommunications Services" issued on 4 October 2019 which required licensees to established Industry Business Rules (IBR) on Number Portability processes.
- 2.2.2 These Advisory Guidelines will be superseded by the Number Portability Code.

2.3 Application of the Code

- 2.3.1 Unless otherwise stated, the Number Portability Code shall apply to all Licensees providing mobile and fixed line telecommunication services.

2.4 Regulatory Principles

The following regulatory principles provide the foundation for the Code:

2.4.1 Consumer Protection

The Authority recognises the importance in ensuring consumer welfare is safeguarded and not misled over the terms and conditions in number portability process, in line with goals stated in Section 1.2 of the Number Portability Code, to ensure consumers are provided with transparent porting processes and service quality in their porting choices.

2.4.2 Adherence to Regulatory Requirements

- (a) The Authority sets the following Number Portability requirements, which includes the following:
 - i. **Porting Timeframe**
The overall porting process shall be completed and made available to consumers in one (1) day or in the shortest time practically possible as mutually agreed between the Recipient and Donor.

- ii. **Porting Charges**
Porting charges, if any, provided that the prices are reasonable, competitive and non-discriminatory.
- iii. **Porting Requests**
Recipient-led process of handling of consumers' porting requests, which shall be inclusive for both prepaid and postpaid consumers', taking into account of credits and their overdue amounts, any contractual obligations to donor operators, rejection causes with agreed reasons, and such other matter that may consider necessary.
- iv. **Responsibilities and Obligations**
Responsibilities and obligations of Service Providers to safeguard consumers' interests such as informing consumers about the process and effect of porting, the cost, if any and any other obligations that may be considered necessary.

3. COMPLIANCE OF THE LICENSEE

3.1 Filing of IBR

- 3.1.1 The authorised representative of BNP-WG shall file the IBR with the Authority.
- 3.1.2 The authorised representative shall be appointed, through agreement among the BNP-WG, in writing. The appointment letter shall be enclosed when filing the IBR.
- 3.1.3 Any changes to the IBR shall be reviewed through BNP-WG. The authorised representative of BNP-WG shall file to the Authority of the changes, for approval at least ten (10) days before it takes effect.
- 3.1.4 The Authority may review the IBR with the purpose, amongst others to ensure the IBR remain reasonable and non-discriminatory, and may direct the BNP-WG to make appropriate modifications.

3.2 Duty to comply to the IBR

- 3.2.1 Licensees shall comply to the latest terms and conditions stated under IBR, as filed to the Authority.

3.3 Submission of Information

- 3.3.1 Number Portability Operator shall furnish and submit information to the Authority on quarterly basis or at a period as the Authority may require:
 - (a) Statistics of ported Subscribers to or from its network, which shall include:
 - i. Port-In request;
 - ii. Rejected port request; and
 - iii. Duration of Porting process.

- (b) Such information as the Authority may require in order to ascertain the processes of number portability.

3.4 Management of Ported numbers

- 3.4.1 Licensees are responsible to maintain and update its records for any porting activity for minimum of seven (7) years, for both port-in and port-out subscribers' information, that is necessary to identify subscriber operators' and registered owner of the number.
- 3.4.2 In the case of terminated number, recipient Licensee shall return the number to the original number range holder upon termination of a ported number. The original number holder, if necessary may quarantine the terminated number for six (6) months. Licensees shall not reissue the number during the quarantine period.

3.5 Duty to report any Unethical Marketing Practices among the Licensees

- 3.5.1 Licensees shall perform the porting processes in fair manner and on non-discriminatory basis.
- 3.5.2 Licensees shall notify the Authority in such manner and form as may be prescribed, within one (1) month after the occurrence of any of the following events:
 - a) a significant incident where donor violates the IBR by attempting to retain the consumer through special benefits.
 - b) any significant incident that is deemed unethical and violating the IBR that affects porting processes.
- 3.5.3 The report submission shall be in the form enclosed in **Annex 1** to the Number Portability Code.

3.6 Duty to educate consumer on number porting

- 3.6.1 Before initiating porting, Recipient shall educate its consumer on procedures and, terms and conditions to porting, including informing consumer on service disruption time, total time of porting, the guarding period, any outstanding debts and contractual obligations.

3.7 Duty to resolve disputes

- 3.7.1 Any dispute regarding any matter under number portability shall first be attempted to be resolved between licensees involved.
- 3.7.2 In the event in which licensees cannot reach an agreement, the parties shall, in writing, seek resolution from the Authority as they may determine.

3.8 Compliance to the code

- 3.8.1 Failure to comply with the Number Portability Code, the Authority shall have the right to take action under the *Telecommunications Order, 2001*.



NOTIFICATION FORM

INSTRUCTIONS

- (a) **Use separate form for each issue** of unethical marketing practices.
- (b) Licensee shall provide complaint summary within **one (1) month after the occurrence of event**.
- (c) All complaints will be reviewed to determine if the licensee's conduct falls within **unethical marketing practices on the Industry Business Rules** or if there is sufficient information to proceed with an investigation.
- (d) Licensee will receive an acknowledgement of the receipt of the complaint. During the review, licensee may be contacted to provide additional information.
- (e) The length of time an investigation takes depends on the complexity of the case.

Licensee you are filing complaint about

Licensee name

Your contact information

Name	Designation
Company	
Contact Number	Email Address

Please summarise the pertinent facts in a chronological manner and additionally, provide the following:

- (a) A summary of any efforts to resolve regarding any matter under number portability between licensees involved.
- (b) A list of all involved licensees, witnesses and other persons who have acknowledge of the facts alleged unethical marketing practices.
- (c) Copies of all documents including, but not limited to images, recordings that relate to evidence of the complaint.
- (d) If the column provided is insufficient, please continue on a separate sheet of paper. Any separate sheet of paper used should be attached to this form.

Complaint Summary

Date of occurrence	Time of occurrence	Place of occurrence
Provide a brief summary of your complaint. Attach an additional sheet if necessary.		

Signature

Date	

Return form by mail or e-mail (signature required) to:

Chief Executive
Authority for Info-communication Technology Industry of Brunei Darussalam
Attn: Asha Nur Aqilah Binti Haji Kahan
Email: aqilah.kahan@aiti.gov.bn
Phone: +673 232 3232