

15 May 2023

Communications Alliance Ltd
Level 12/75 Miller St
North Sydney NSW 2060

By email: c.purdon@commsalliance.com.au; p.wilson@commsalliance.com.au

Dear Communications Alliance,

Scheduled Review of the C570:2009 Mobile Number Portability Incorporating Amendment No.1/2015 Industry Code and the C657:2015 Inbound Number Portability Industry Code

Thank you for the opportunity to comment on the Mobile Number Portability Incorporating Amendment No.1/2015 Industry Code (MNP Code) and the Inbound Number Portability Industry Code (INP Code).

This submission offers feedback and practical observations on the operation of the current MNP Code based on our handling of complaints about porting. We do not have any feedback about the operation of the INP Code, as we rarely see complaints involving this Code.

1. The MNP Code should be updated to reflect newer regulations

We support the MNP Code being updated to reflect newer regulations introduced in the telco industry. Since the MNP Code's last revision in 2015, stronger security regulations have been introduced to keep up to date with the evolving telco industry and address the threat of scams or fraud. This includes the [Telecommunications \(Mobile Number Pre-Porting Additional Identity Verification\) Industry Standard 2020 \(PPV Standard\)](#) and the [Telecommunications Service Provider \(Customer Identity Authentication\) Determination 2022](#).

The MNP Code should reflect current regulations that relate to customer identity verification processes. For example, the MNP Code could state that telecommunications providers must comply with other customer identity verification obligations as outlined in the PPV Standard before they can proceed with a mobile number port. These updates would provide further clarity to providers about their current obligations.

2. The MNP Code should be simplified to help providers understand their obligations

The MNP Code outlines important rules about mobile porting which are relevant to our complaint handling. We regularly handle complaints from consumers who experience delays and issues when porting their mobile services. For example, in our [Annual Report 2021-2022](#), a Delay establishing a service (4% of mobile complaints) featured in our top 10 mobile complaint issues. While this category of complaint issues is not limited to mobile porting delays, mobile porting delays make up a significant portion of these complaints.

The MNP Code is complex in nature and can be difficult to apply in practice. Our office sometimes receives complaints where a provider is unaware how to apply this Code to its porting processes or may have to engage intermediaries to help them with the porting process. These factors can delay a mobile port. Limited provider understanding of their obligations under the Code can also make it difficult for us to assist in the timely resolution of porting complaints.

While the MNP Code is precise, we support measures to further simplify the Code to make obligations easier to understand and implement in practice. Carriage service provider and mobile carrier obligations could be simplified by including a diagram clearly showing the port process, such as in the [Mobile Number Portability-IT Specification Part 1](#).

Case study – Naomi* was impacted by lengthy delays in porting her mobile service to Pine Communications

Naomi had a mobile service with Leaf Telco. One day, she decided to transfer her mobile service to a new provider, Pine Communications. After delays in the porting process with both Pine Communications and Leaf Telco taking no responsibility, Naomi approached our office for help.


During our complaints process, we found there were technical issues with the port because Leaf Telco had listed parts of Naomi's account information incorrectly. Our office also found that Pine Communications' representative misunderstood elements of the MNP Code, which slowed the troubleshooting process.

We helped coordinate responses between all parties, and the mobile service was eventually transferred to Pine Communications nine months after Naomi first reported these issues to our office.

* Names of all parties have been changed.

We look forward to the outcome of this consultation.

Yours faithfully



Cynthia Gebert
Telecommunications Industry Ombudsman