

ORDINANCE ON NUMBER PORTABILITY

(Official Gazette No. 42/09 and 62/11)

Unofficial consolidated text¹

I. GENERAL PROVISIONS

Contents and purpose

Article 1

This Ordinance shall lay down the manner, conditions and procedure for number portability in fixed and mobile electronic communications networks.

Concepts and meanings

Article 2

"(1) Within the meaning of this ordinance, individual terms shall have the following meanings:

1. Agency: the Croatian Post and Electronic Communications Agency,
2. "All Call Query": a method for routing calls towards ported numbers whereby the originating network, before establishing a call, submits a query into its LNPD in order to determine whether the called number has been ported. If the called number has been ported, the originating network, on the basis of the network routing code from its own LNPD, establishes the call directly towards the electronic communications network containing the ported number. If the called number has not been ported, the originating network, on the basis of the called number, establishes the call directly towards the electronic communications network containing the ported number,
3. Central administrative database of ported numbers (CADPN): a database recording the status of any transaction during the number porting procedure and containing data necessary for call routing towards a ported number and used to timely update local number portability databases,

¹ The Council of the Croatian Post and Electronic Communications Agency adopted the Ordinance on number portability. pursuant to Article 12, paragraph 1, item 1 and Article 76, paragraph 3 of the Electronic Communications Act (Official Gazette No. 73/08),

The original text of the Ordinance on number portability was published in the Official Gazette No. 42/09 and it entered into force on 13 April 2009.

The amendments to the Ordinance on number portability were published in the Official Gazette No. 62/11 and it entered into force on 14 June 2011.

The unofficial consolidated text contains the original text of the Ordinance on number portability incorporating the amendments to the Ordinance on amendments to the Ordinance on number portability OG No. 62/11. (hereinafter: Ordinance on amendments)

4. Donor Operator: an operator providing a number in the number porting procedure,
5. User account: current status of the account of a user in a pre-paid mobile electronic communications network system,
6. Local Number Portability Database (LNPD): an active database kept by an operator, which contains all the information necessary for routing calls to a ported number and is used in real time when establishing calls,
7. Fixed electronic communications network: an electronic communications network which does not include mobile communications network,
8. Beneficiary operator: an operator of an electronic communications network who has been assigned a number through primary or secondary assignment pursuant to the provisions of the current Ordinance on the assignment of addresses and numbers,
9. Mobile electronic communications network: an electronic communications network enabling the establishment of an electronic communications connection even during physical movement of a user of services of that network,
10. Originating network: an electronic communications network to which the caller is connected,
11. Post-paid user: an user paying for service upon receipt of the invoice,
12. Ported number: a national number which has been ported unaltered from a mobile electronic communications network of one operator to a mobile electronic communications network of another operator or from a fixed electronic communications network of one operator to a fixed electronic communications network of another operator,
13. Number portability: the possibility offered to a subscriber or user in the pre-paid system to, upon their own request, retain the number assigned to them in the electronic communications network regardless of the change of operator,
14. Pre-paid user: user of a pre-paid service,
15. Primary assignment: the procedure of the assignment of addresses and numbers during which the Agency assigns addresses and/or numbers to operators for use,
16. Recipient Operator: an operator receiving a number in the number porting procedure,
17. Access operator: an operator providing a subscriber with a service of physical and logical interconnection of its terminal equipment to an electronic communications network or parts of the electronic communications network,
18. »Query on release«: a method of routing calls to ported numbers whereby the originating network, before establishing a call, sends a request for call establishment towards the electronic communications network of the beneficiary operator. If an electronic communications network of a beneficiary operator receives a signalling request for call establishment towards a number ported into a different electronic communications network, the electronic communications network of the number user shall deny the request for establishing the call in the manner laid down in the Recommendation of the International Telecommunications Union ITU-T Q.769.1 by means of a signalling message with release cause value #14 laid down in Recommendation ITU-T Q.850. Upon receipt of the signalling message with a release cause value # 14, the originating network makes an inquiry into its own local database of ported numbers and, on the basis of a network routing number received from its own local number portability database, establishes a call via the shortest possible path (directly) towards the electronic communications network in which the ported number is located,
19. Secondary assignment: the procedure for assignment of numbers during which operators assign numbers from primary assignment to other operators or end users for use;

20. Time frame for number porting: a period from 8:00am to 11:00am or from 01:00pm to 04:00pm on a working day on which a number or numbers are ported,
21. Number Porting Request: an official form submitted by a user of services to the number recipient for the purpose of using the number porting service,
22. Act: Electronic Communications Act (Official Gazette No. 73/08).

- Article 2 has been terminologically adjusted and definitions have been ordered alphabetically.

Technical solutions for number portability

Article 3

(1) All operators in electronic communications networks must develop and upgrade their electronic communications networks and systems in accordance with the increase in the number of ported numbers in order to be able to, at any moment, satisfy their obligations referred to in Article 76, paragraph 1 of the Act.

(2) The Recipient and the Donor Operator shall be responsible for the entire portability procedure and appropriate adjustments of their communications networks, systems and services in order to ensure that the transfer does not interfere with the existing quality of service, and for the delivery of information on ported numbers to the CADPN.

(3) An operator of a mobile communications network in which the call originated shall be responsible for correct routing of calls or delivery of text messages and multimedia messages directed to the ported number in the mobile electronic communications network via the shortest possible path towards the mobile electronic communications network in which the ported number is located (direct routing in accordance with technical specifications of the European Telecommunications Standards Institute ETSI TS 123 066). In the request for the establishment of calls to ported and non-ported numbers, the operator of the originating electronic communications network must add the network routing number (NRN) before the national number in case of the above-mentioned direct routing.

(4) Operators of originating mobile electronic communications networks shall be responsible for correct routing of calls to a ported number in a fixed electronic communications network. When routing the above-mentioned calls, the operator of the originating mobile electronic communications networks shall apply direct routing, that is, calls shall be routed via the shortest possible path towards the receiving fixed electronic communications network, unless it has been agreed otherwise.

(5) The operator of the originating fixed electronic communications network shall be responsible for correct routing of calls to the number ported into another fixed electronic communications network by applying the "Query on release" call routing method.

(6) If a beneficiary operator of a number in a fixed electronic communications network receives a signalling request for call establishment towards a number ported into a different fixed electronic communications network, it shall deny the request for establishing the call in the manner laid down in item C.3.1.3 of the International Telecommunications Union's

Recommendation ITU-T Q.769.1 by means of a signalling message with a release cause value #14 laid down in Recommendation ITU-T Q.850.

(7) Operators of originating fixed electronic communications networks shall be responsible for correct routing of calls to a ported number in a mobile electronic communications network. The manner of routing of such calls shall be subject to agreement between operators of fixed and mobile electronic communications networks. In case of lack of agreement on the manner of routing of such calls, operators of originating fixed electronic communications networks shall apply the "All Call Query" routing method.

(8) An operator of an electronic communications network who received a request for the establishment of an international call or for the delivery of a text or multimedia message to a ported number shall be responsible for correct routing of such a call or delivery of such a text message or multimedia message directly to the recipient electronic communications network in accordance with paragraphs 3 to 8 of this Article.

(9) Any operator of an electronic communications network shall be obliged to use LNPD with data on all ported numbers in the Republic of Croatia for its own needs and for the needs of operators who have access to its network.

(10) CADPN shall be used for the exchange of data on ported numbers between LNPDs of operators of electronic communications networks.

(11) All operators of electronic communications networks who notice synchronisation errors between local number portability databases shall notify CADPN thereof.

(12) CADPN of ported numbers contains a list of ported numbers, network routing numbers for call routing to ported numbers and transactions between operators (names of Donor and Recipient Operators, dates of number porting, notifications on the status of the number porting process etc.)

(13) The Agency shall be responsible for installation, development, testing, maintenance and management of CADPN.

(14) The Recipient and the Donor Operator shall be responsible for timely and accurate delivery of data to CADPN.

(15) The Agency shall be responsible for timely updating of LNPD.

(16) Operators shall be obliged to, immediately after the expiry of the time period in which the number was ported, correctly route calls to the ported number in accordance with te updated LNPDs.

(17) The Agency shall not be financially or materially responsible for unsuccessful calls to ported numbers.

(18) Operators must, upon request, provide the Agency with all requested data necessary for the provision of the number porting service for the purpose of monitoring the number porting procedure.

- in paragraph 1, the words "*and service providers*" are deleted.
- In paragraph 2, the words "*CADPN of ported numbers*" are replaced by the words "*CADPN*".
- in Article 3, paragraph 3, the words "*NRN*" are replaced by the words "(eng.: *NRN - Network Routing Number*)"
- paragraph 9 is amended: "*Any operator of an electronic communications network shall be obliged to use the local number portability database with data on all ported numbers in the Republic of Croatia*" (OG 42/09)
- paragraph 10 is amended: "*CADPN of ported numbers shall be used for the exchange of data on ported numbers between local number portability databases (LNPD) of operators of electronic communications networks*". (OG 42/09)
- In paragraph 11, the words "*CADPN of ported numbers*" are replaced by the words "*CADPN*".
- paragraph 12 is amended: "*CADPN of ported numbers contains a list of ported numbers, network routing numbers for routing calls to ported numbers and transactions between operators (names of the Donor and Recipient Operators, dates of number porting, notifications on the status of the number the number portability process etc.) NN 42/09*"
- In paragraph 13, the words "*CADPN of ported numbers*" are replaced by the words "*CADPN*".
- In paragraph 14, the words "*CADPN of ported numbers*" are replaced by the words "*CADPN*".

Basic rules for routing of communications traffic to ported numbers

Article 4

(1) In order to ensure correct routing of calls to ported numbers, an operator of an electronic communications network shall, in the initial address message (IAM), insert the network routing number (NRN) before the national number. The structure of the NRN is illustrated in image 1.

The Network Routing Number is a network number consisting of a network identifier (NetID) and the node (NodeID) on which the ported number is located.

(3) The link between the subscriber number and the network routing number is stored in CADPN. The network routing number consists of 5 digits and its structure is illustrated in image 1.

Network Routing Number (NRN)		
5 digits		
Hexadecimal value 14 1 digit	NetID (00-00) 2 digits	NodeID (00-00) 2 digits
E	NetID	NodeID

Figure 1 Structure of the Network Routing Number

(4) The first digit of the network routing number has hexadecimal value 14 which means that the calling number consists of the network routing number followed by a national number.

(5) The value of the NetID field shall be determined by the Agency in accordance with the valid Ordinance on assignment of addresses and numbers.

The value of the NodID field shall be determined by the operator.

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- in paragraph 3, the words "*database*" are replaced by the words "*CADPN*".
 - in figure 1 the words "*-1 digit*" are added to the field "*Hexadecimal value 14*", and letter "*E*" is added to the field below.
 - in paragraph 5, the word "*valid*" is added after the words "*in accordance with*".

Procedures, protocols and interfaces for updating information on ported numbers

Article 5

(1) The Agency shall define two types of interfaces according to CADPN: administrative and referential.

(2) The administrative interface shall be used for the exchange of data related to the status of the administrative part of the number porting process.

(3) Referential interface shall be used to transfer data on ported numbers between CADPN and operators by means of XML messages.

(4) Specifications of the referential interface referred to in paragraph 3 of Article 5 of this Ordinance shall be published on the Agency's website.

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- In paragraph 1, the words "*central number portability database*" are replaced by the words "*CADPN*".
 - In paragraph 3, the words "*CADPN of ported numbers*" are replaced by the words "*CADPN*".

Other technical requirements referring to number portability

Article 6

(1) The Recipient Operator must fully prepare its electronic communications network and systems and carry out all the necessary testing laid down in this Ordinance before connecting a new subscriber and/or user of services.

Administrative procedure of number portability

Article 7

- (1) A graphic overview of number porting procedure, which was described in this Article, is provided in Annex 2 to this Ordinance.
- (2) A subscriber in a fixed electronic communications network, who wishes to port his or her number, shall submit a Number Porting Request to the Recipient Operator together application for subscription.
- (3) The Donor Operator may not make porting of a number subject to a contract on another package or return to the previous contracted service nor by any other unjustified requests.
- (4) A user of services in a mobile electronic communications network, who wishes to port his or her number, shall submit a Number Porting Request to the Recipient Operator together with the application for subscription or request for the opening of a pre-paid account.
- (5) The Recipient Operator must, before establishing subscription or opening of pre-paid account with the user requesting number porting, verify the subscriber's, or user's, identity.
- (6) The Recipient Operator shall verify the identity of the user or subscriber who is a natural person by means of an ID card or some other identification document. The Recipient Operator shall verify the identity of a user or subscriber who is a legal person by means of a copy of an extract from the court register or some other equivalent document proving the status of a legal person. During the identification process, upon request, the subscriber must, together with the above-mentioned documents, submit a bill for electronic communications services provided by the Donor Operator which is less than three months old. During the identification process, a pre-paid user must, upon request, provide his or her SIM card and PUK number.
- (7) A Number Porting Request shall at the same time represent a final request for the termination of subscription or closure of a pre-paid account for all services indicated in the Number Porting Request.
- (8) The content of the Number Porting Request is described in Annex 1 to this Ordinance. All fields in the Request must be completed by the user.
- (9) A subscriber submitting the Number Porting Request must pay all outstanding amounts for the services provided over a telephone number/numbers for which the Number Porting Request is submitted at the latest within 30 days from the due date of the last bill. The user must pay all outstanding amounts for the provided electronic communications services and fulfil all other obligations from the subscription agreement towards the Donor Operator for the time period preceding the porting of the number.
- (10) If there is a contractual obligation of the user who submitted the Number Porting Request, the Donor Operator must, without delay, give to the user a written note on the outstanding amount in case of earlier termination of the agreement, and the possibility to settle his or her contractual obligations within the shortest possible time and at the latest with the following bill issued by the Donor Operator. In this case, the Donor Operator may postpone the porting of the number in accordance with Article 7 paragraph 26 of this Ordinance whereby the period for the postponement of number porting may not exceed 10 working days.

(11) The Donor Operator shall not deny the Number Porting Request in the following cases:

- a. if the subscriber is disputing a bill before competent institutions,
- b. if the subscriber did not pay the last issued bill before the submission of the Number Porting Request and the bill is not 30 days past due.

(12) The Recipient Operator must timely notify the user requesting the porting of his or her number about the number porting procedure, in particular of:

- a. the time period during which the user may not use the service (time frame for the porting of the number),
- b. the loss of services used in the Donor Operator's network after porting his number into the Recipient Operator,
- c. scope of use and activation of services by the Recipient Operator,
- d. manner of payment of outstanding debts for the provided electronic communications services in the Donor Operator's network,
- e. reasons for impossibility to port the number,
- f. reasons for delay with number porting,
- g. time period after which the user may submit a new Number Porting Request,
- h. the obligation to transfer groups of numbers on the same location, within a VPN group, ISDN series and the similar, where technically feasible,
- i. activation of a voice mail message about the status of ported numbers in mobile networks,
- j. conditions for number porting.

(13) The Recipient Operator shall, immediately upon having received a Number Porting Request from the user, submit the Number Porting Request to the Donor Operator in writing or by electronic means in accordance with the valid Electronic Signature Act, which is regarded as the final subscriber's request for the termination of subscription in the Donor Operator's electronic communications network, that is, the request for the suspension of all services requested from the Donor Operator provided over the number which is being ported, that is, as the final request for the closing of a user account of a user of services in the pre-paid system.

(14) The Recipient Operator shall notify CADPN about the Number Porting Request submitted to the Donor Operator via a special interface.

(15) If the Number Porting Request has been entered into CAPB, the Donor Operator may not deny the Number Porting Request on grounds that the request (or a part or annex of it) has not been received, before having contacted the responsible person of the Recipient Operator and having tried to resolve the problem of insufficient documentation.

(16) After the Recipient Operator has delivered the Number Porting Request to the Donor Operator, the user may not request for the cancellation of number porting, except in case of misleading sale.

(17) The Number Porting Request received by the Donor Operator on a working day, regardless of the time of receipt, shall be regarded as received on that working day. The Number Porting Request received by the Donor Operator on a holiday shall be regarded as received on the first working day following that holiday.

(18) When the Recipient Operator has submitted the Number Porting Request, the Donor Operator shall, without delay, start preparing the network for number porting. The entire number porting and network preparation procedure may not exceed 5 working days for a fixed electronic communications network from the date on which the Donor Operator received the Number Porting Request and 3 working days for the mobile electronic communications network. The Donor Operator must within three (3) working days for a fixed electronic communications network and one (1) working day for the mobile electronic communications network from the date of receipt of the Number Porting Request verify the possibility for number porting and notify the Recipient Operator whether all preconditions laid down in this Ordinance have been met, that is, whether the request has been accepted, postponed or denied. If, considering the moment of delivery of the Number Porting Request to the Donor Operator, and the time frame and date of number porting, the Donor Operator does not have at its disposal a definite time for the verification of possibility of porting and network preparation, the Donor Operator may postpone the number porting for the number of working days corresponding to the number of days by which the time limit for number porting laid down in this Ordinance has been shortened due to the delay with the submitted request.

(19) The Donor Operator shall notify CADPN about the confirmation sent to the Recipient Operator referred to in the previous paragraph of this Ordinance.

(20) After having sent the confirmation to the Recipient Operator and CADPN about the acceptance of number porting referred to in paragraph 19 of Article 7 of this Ordinance, the Donor Operator in a mobile electronic communications network may subsequently, at the latest 24 hours before the beginning of the time frame in which number porting has been approved, deny number porting if the Donor Operator establishes abuse of electronic communications services as a result of which the use of Donor Operator's electronic communications services has been restricted or if the user did not pay outstanding bills received before the submission of the Number Porting Request in accordance with paragraph 9 of this Article.

(21) After the completion of network preparation for number porting referred to in paragraph 18 of Article 7 of this Ordinance, the Donor Operator and the Recipient Operator shall execute the portability procedure on the date and within the time frame laid down in the Number Porting Request.

(22) A subscription or user account between the Donor Operator and the user for which a number has been successfully ported shall be regarded as terminated at the moment of completion of number porting.

(23) The Donor Operator shall, after the disconnection of the number from its electronic communications network, notify CADPN thereof, by means of a special interface.

(24) The Recipient Operator shall, upon a successfully completed number porting procedure, that is, upon the connection of the number into its electronic communications network, immediately notify CADPN thereof by means of a special interface.

(25) Upon receipt of the notification referred to in the previous paragraph, CADPN of ported numbers shall immediately notify all other operators on the market of the ported number.

(26) If the requested number may not be ported (refusal) or there will be a delay in the transfer of the requested number (postponement), the Donor Operator shall notify the Recipient Operator about the reasons for impossibility or delay in number transfer (by referring to the existing Number Porting Request) in writing or by electronic means within the maximum of 3 (three) working days in case of fixed electronic communications network and (1) one working day in case of mobile electronic communications network, and, in case of delay with number porting, the Donor Operator shall notify the Recipient Operator about the date after which number porting will be possible. Up to the moment of activation of the number porting service, the Donor Operator must allow the user to use electronic communications services which are the subject of number porting.

(27) The Donor Operator must notify CADPN about the refusal or postponement of the Number Porting Request referred to in the previous paragraph of this Ordinance.

(28) Upon receipt of the notification of delay referred to in paragraph 24, Article 7 of this Ordinance, the Recipient Operator shall, in agreement with the user who submitted the Number Porting Request, agree upon a different date for number porting after the date laid down in paragraph 24, Article 7 of this Ordinance, and notify the Donor Operator thereof. The Recipient Operator shall notify CADPN of ported numbers about the acceptance of the notification of postponement of number porting and specify a new date for porting referred to in paragraph 24, Article 7 of this Ordinance.

(29) The Donor Operator shall bill the user for the outstanding amount for the provided electronic communications services for the month in which the number porting was carried out or refund (offset) the excess prepaid amount.

(30) The reasons for impossibility (denial) to port a number may be the following:

a. existence of outstanding debts for received bills at the moment of submission of the Number Porting Request, which are not covered by Article 7, paragraph 11 of this Ordinance,

b. if the requested number already is in the number porting procedure, that is, in case of existence of a previous request for the porting of the same number,

c. if the subscriber number for which porting is requested has been temporarily or permanently disconnected from the electronic communications network of the Donor Operator,

d. if the requested date for porting is shorter than the time limit laid down in paragraph 18 or longer than 60 days from the date of submission of the Number Porting Request in a fixed electronic communications network, that is, longer than 21 days from the date of submission of the Number Porting Request in a mobile electronic communications network,

e. for pre-paid: if a user loses the right to use the number (SIM deactivated) or user has not made the first call (SIM inactive) or if the Donor Operator establishes in his verification that the serial number of the SIM card does not correspond to the PUK number,

f. impossibility to work with CADPN (force majeure),

g. if it is not technically feasible to satisfy the request for a wholesale broadband access service or service of unbundled access to the local loop if the Recipient Operator requests number porting at the same time as the above-mentioned services,

h. if the subscriber number for which transfer is requested is a FGSM number, and the Recipient Operator does not have technical capacity to prevent its use,

g. in case of withdrawal of request for wholesale broadband access service or service of unbundled access to the local loop if the Recipient Operator requests for the above-mentioned services at the same time as number porting,

(31) The reasons for delay (postponement) in number porting may be the following:

a. incorrectly completed Number Porting Request (e.g. if the request refers to a non-existent number in the electronic communications network of the Donor Operator, if the request was submitted by an unauthorised person, if the Recipient Operator is at the same time the Donor Operator),

b. if all the necessary documentation has not been enclosed with the Number Porting Request,

c. in case of existence of a contractual obligation referred to in Article 7, paragraph 10 of the Ordinance,

d. if the Number Porting Request does not refer to all numbers within the service of VPN group or ISDN series of the same connection,

e. impossibility to work with CADPN (force majeure),

(32) In case of delay in porting of the requested number referred to in paragraph 30 of Article 7 of this Ordinance, the exact date and time frame for number porting shall be agreed upon between the Donor Operator and the Recipient Operator on the basis of a previous agreement with the user who submitted the Number Porting Request, in accordance with paragraph 26 of this Ordinance,

(33) If the Recipient Operator, upon having received the notification referred to in paragraph 26, Article 7 of this Ordinance, assesses that the above-mentioned reasons for impossibility or delay in number porting are unjustified, it shall immediately submit a written complaint to the Donor Operator. After having received a negative reply from the Donor Operator, the Recipient Operator shall submit a complaint to the Agency within 8 days from that day. The above-mentioned complaints may be filed by the user only through the Recipient Operator. The Agency must resolve the written complaint within 15 days from the date of receipt. If the Agency finds the complaint to be justified, it shall adopt a decision ordering the Donor Operator to carry out the number porting procedure within the appropriate time limit.

(34) The use and activation of other services shall be agreed upon by the user with the Recipient Operator.

(35) The unused amount on the user's account for the pre-paid services of the Donor Operator may not be transferred and used for the payment of electronic communications services provided by the Recipient Operator. The Recipient Operator shall refund the unused amount

on the account to the user of a pre-paid service in accordance with the provisions of the valid Ordinance on the manner and conditions for the provision of electronic communications networks and services.

(36) When the ported number is no longer used, the Recipient Operator must return the number to the Donor Operator. The procedure for returning the number shall be carried out via CADPN in order to ensure the updating of LNPDs of other operators.

(37) Technical problems with CADPN operation shall be regarded as reasons for the impossibility to carry out the number porting procedure and as reasons for the suspension of receipt of the Number Porting Request. The Agency shall notify the operators about technical problems with CADPN operation by electronic mail messages addressed to persons responsible for number porting.

(38) The Recipient and the Donor Operator shall timely provide information referred to in paragraph 12 of this Article concerning the number porting procedure to end users and operators (e.g. about the loss of services used in the Donor Operator's electronic communications network after the porting of the number into the Recipient Operator's electronic communications network, information about all numbers in the ISDN series or NETphone series referring to the same telephone access point in order to enter complete and accurate information into the Number Porting Request, and other) and publish the appropriate information on the operator's official website. Operators must publish appropriate information on the number porting procedure on their websites at the beginning of their business operations in mobile and fixed electronic communications network.

(39) If the number was ported by mistake, the Recipient Operator shall be entitled to use CADPN functionalities in order to return the number to the Donor Operator.

(40) The Donor Operator must, upon the Recipient Operator's request, deliver to the Recipient Operator in electronic form an itemised daily report on the processed requests for activation of the number portability service.

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- in paragraph 2, the words: the words „*service provider*“ are replaced by the word „*operator*“
 - new paragraph 3 is added:
 - former paragraph 4 is deleted (*"A subscriber in a mobile electronic communications network shall submit an application for subscription in mobile electronic communications network of the Recipient Operator, while a user who is not a subscriber shall submit a request for the opening of a pre-paid account in the Recipient Operator's electronic communications network" OG 42/09*), former paragraph 3 shall become paragraph 4
 - in paragraph 6 the word "*receiver*" shall be replaced by the words "*Recipient Operator*"
 - paragraph 7 is amended: *"A Number Porting Request shall represent at the same time a final request for the termination of subscription (or closing of the pre-paid account) for all services agreed with the Donor Operator, that is, a request for the termination of all services requested from the Donor Operator that are provided over a number which is the subject of the porting procedure." (OG 42/09)*
 - a sentence is added in paragraph 8: *"All fields in the Request must be completed by the user."*

- former paragraph 9 is deleted: *(A subscriber must, before submitting the Number Porting Request, pay all outstanding amounts for the services provided for a telephone number/numbers for which the Number Porting Request is submitted at the latest within 30 days from the due date of the last bill. The user shall remain obligated to pay for the used electronic communications services and fulfil all other obligations from the subscription agreement with the Donor Operator until the moment when the number has been ported into the electronic communications network of the Recipient Operator. Regardless of the termination of the subscription as a result of number porting, the provisions of the subscription agreement between the Donor Operator and the user concerning the payment and/or return of equipment shall apply until the moment of settlement of all outstanding amounts for the service in question.)*, OG 42/09) and new paragraphs 9 and 10 are added:
 - former paragraph 10 shall become paragraph 11 and so on.
 - in paragraph 11, new items h. and i. are added, and former item h. shall become item j.
 - in paragraph 12, the word "operators" is deleted
 - in paragraph 13, the words "CADPN of ported numbers" are replaced by the words "CADPN".
 - in paragraph 14 the word "Donor" is replaced by the word "Donor Operator".
 - in paragraph 14 the second sentence is deleted: *"After the Recipient Operator has submitted the Number Porting Request to the Donor Operator, the user may not request the cancellation of number porting."* (OG 42/09)
 - new paragraph 16 is added, former paragraph 15 becomes paragraph 17 and so on.
 - in paragraph 15, the words "with the first working day" are replaced by the words "on the first working day".
 - paragraph 16 is amended: *When the Recipient Operator has submitted the Number Porting Request, the Donor Operator shall, without delay, start preparing the network for number porting. The procedure for the verification for the possibility for number porting and preparation of the network for number porting may not exceed 5 working days from the date on which the Donor Operator received the Number Porting Request, and the Donor Operator shall, within 3 working days from having received the Number Porting Request, respond to the Recipient Operator whether all the preconditions laid down in this Ordinance have been met regardless of the fact whether the request has been accepted, postponed or denied. If, considering the moment of delivery of the Number Porting Request to the Donor Operator, and the time frame and date of number porting, the Donor Operator does not have at its disposal the defined time for the verification of possibility of porting and network preparation, the Donor Operator may postpone number porting for the number of working days for which the time limit for number porting has been shortened due to the delay of the submitted request.* (NN 42/09)
 - In paragraph 17, the words "CADPN of ported numbers" are replaced by the words "CADPN".
 - paragraph 18 is amended: *"After confirmation has been sent to the Recipient Operator and CADPN about the acceptance of number porting referred to in paragraph 17 of Article 7 of this Ordinance, the Donor Operator in a mobile electronic communications network may subsequently, at the latest 24 hours before the beginning of the time frame in which number porting has been approved, deny number porting if the Donor Operator establishes abuse of electronic communications services as a result of which the use of Donor Operator's electronic communications services has been restricted or if the user did not pay outstanding bills in accordance with paragraph 9 of this Article.* (OG 42/09)
 - paragraph 19 is amended: *"After the completion of the network preparation for number porting referred to in paragraph 16 of Article 7 of this Ordinance, the Donor Operator and the Recipient Operator shall carry out the number porting procedure on*

the date and within the time frame laid down in the Number Porting Request and the requests shall be solved on the first-come-first-served basis. NN 42/09

- in paragraph 21, the words "*CADPN of ported numbers*" are replaced by the word "*CADPN*".
- in paragraph 22, the words "*CADPN of ported numbers*" are replaced by the word "*CADPN*".
- in paragraph 23, the words "*CADPN of ported numbers*" are replaced by the word "*CADPN*".
- paragraph 24 is amended: "*If the requested number may not be ported or there will be a delay in the transfer of the requested number, the Donor Operator shall notify the Donor Operator about the reasons for impossibility to or delay in number porting (by referring to the existing Number Porting Request) in writing or by electronic means within the maximum of three working days from the date of receipt of the request, and in case of delay, the Donor Operator shall notify the Recipient Operator about the date after which number porting will be possible. Up to the moment of activation of the number porting service, the Donor Operator must allow the user to use electronic communications services which are the subject of number porting. (NN 42/09)*"
- In paragraph 25, the word "*notifies*" shall be replaced by the words "*shall notify*", and the word "*CADPN of ported numbers*" by the word "*CADPN*".
- in paragraph 26, the word "*24*" is replaced by the word "*26*", and the word "*notify CADPN of ported numbers*" with the words "*shall notify CADPN*", and the word "*states*" is replaced by the word "*shall state*."
- paragraph 28 is deleted "*Reasons for impossibility or delay in number porting may be the following:*
 - a. *incorrectly completed Number Porting Request (e.g. if the request refers to a non-existent number in the electronic communications network of the Donor Operator, if the request was submitted by an unauthorised person, if the Recipient Operator is at the same time the Donor Operator),*
 - b. *when the Number Porting Request is not accompanied with all the necessary documents, this also represents a reason for delay in number porting,*
 - c. *when the Number Porting Request does not contain the correct user's address, also represents only a reason for delay in number porting,*
 - d. *non existence of unfulfilled contractual obligations of the user towards the Donor Operator at the moment of receipt of the Number Porting Request (e.g. the existence of outstanding debts referred to in Article 7, paragraph 9 of this Ordinance or other contractual obligations of the user from the subscription agreement with the Donor Operator),*
 - e. *when there is a provision of the minimum duration of subscription, this shall represent only a reason for delay in number porting,*
 - f. *if the requested number already is in the number porting procedure, that is, in case of existence of a previous request for the porting of the same number,*
 - g. *if the subscriber number for which porting is requested has been temporarily or permanently disconnected from the electronic communications network of the Donor Operator,*
 - h. *if the requested date for porting is shorter than the time limit laid down in paragraph 16 or longer than 60 days from the date of submission of the Number Porting Request in a fixed electronic communications network, that is, longer than 21 days from the date of submission of the Number Porting Request in a mobile electronic communications network,*
and, if the subscriber number or numbers that are the subject of porting are one among numbers is a ISDN series or one of the numbers in PBX, BRA, ISD series and the similar,
 - j. *if the Number Porting Request does not refer to all numbers within the service of VPN group or ISDN series or similar,*

k. for pre-paid: if the user loses the right to use the number (SIM deactivated) or user has not made the first call (SIM inactive) or if the Donor Operator establishes in his verification that the serial number of the SIM card does not correspond to the PUK number,

l. impossibility to work with CADPN (force majeure),

m. if it is technically impossible to provide access to the unbundled local loop, if the Recipient Operator requests number porting at the same time as the service of access to the unbundled local loop" (OG 42/09) and new paragraphs 30 and 31 are added

- former paragraph 29 shall become paragraph 32 and so on.
- paragraph 29 is amended: "*In case of delay referred to in paragraph 28 of Article 7 of this Ordinance, in the porting of the requested number, the exact date and time frame for number porting shall be agreed between the Donor and the Recipient Operator.*" (OG 42/09)
- paragraph 30 is amended: "*If the Recipient Operator, upon having received the notification referred to in paragraph 24 of Article 7 of this Ordinance deems that grounds for impossibility or delay in number porting are unjustified, it may submit a written complaint to the Agency within 8 days from the date of receipt of the written notification. The Agency shall resolve the written complaint within 15 days from the date of receipt thereof. If the Agency finds the complaint to be justified, it shall adopt a decision ordering the Donor Operator to carry out the number porting procedure within the appropriate time limit.*" (OG 42/09)
- paragraph 32 is amended: "*The unused amount on the pre-paid user's account with the Donor Operator may not be transferred for payment of Recipient Operator's services.*"
- in paragraph 3, the word: "CADPN" is replaced by the word "of CADPN", and the word "LNPD" is replaced by the word "LNPDs".
- in paragraph 34, the word "CADPN" is replaced by the words "of CADPN".
- paragraph 35 is amended: "*The Recipient and the Donor Operator shall timely provide information concerning the number porting procedure to end users, operators and service providers (e.g. about the loss of services used in the Donor Operator's electronic communications network after the porting of the number into the Recipient Operator's electronic communications network, information about all numbers in the ISDN series referring to the same telephone access point in order to enter complete and accurate information into the Number Porting Request, and other) and publish the appropriate information on the operator's official website. Operators must publish appropriate information on the number porting procedure on their websites at the beginning of their commercial activities in mobile and fixed electronic communications network.*" (OG 42/09)
- in paragraph 36 the words "*Recipient Operator*" are replaced by the words "*Number Recipient*" and the word "CADPN" by the word "of CADPN".

Procedures for notifying users about information concerning ported numbers

Article 8

(1) An operator of a fixed electronic communications network shall not be obliged, before establishing a call to a ported number, to notify the caller about the electronic communications network into which the number to which the call is being made has been ported.

(1) An operator of a mobile electronic communications network shall be obliged, upon a user's request, before establishing a call to a ported number, to notify the caller about the

electronic communications network into which the number to which the call is being made has been ported. That notification in the form of a voice message must contain the following text: "Hold please, the number has been ported into the x network (x- network into which the number to which the notification service. The service of switching on and off of this notification n is free of charge.

(2) For the purpose of public information of users, an operator must, on own website or in some other way of publication, inform its users of services about numbers ported into other networks.

Relations and exchange of data between operators

Article 9

(1) Operators must regulate their mutual relations and manner of exchange of data about ported numbers in an appropriate manner on the basis of interconnection agreements.

(2) After the completion of the number porting procedure, the same subscriber may not request for number porting for a minimum of three months from the date of number porting, unless otherwise prescribed in the subscription agreement. This does not refer to cases where the user was limited in the use of electronic communications services due to breach of contractual obligations by the Recipient Operator.

(3) Additional services to which the user's number was connected in the Donor Operator's electronic communications network shall not be ported automatically but the subscriber may sign an agreement for the provision of such services with the Recipient Operator in accordance with the latter operator's offer of services and general business terms and conditions.

(4) Any operator participating in the number porting procedure must notify contact information of responsible persons for number porting to the Agency, as well as any change in such contact information. The Agency shall deliver the collected data by electronic means to all operators in order to enable their communication.

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- paragraph 2 is amended: "*After having completed the number porting procedure, the same subscriber may not ask for number porting for a minimum of three months from the date of number porting, unless otherwise prescribed in the subscription agreement.*" (OG 42/09)

Time frame for number porting

Article 10

(1) The duration of the procedure of the disconnection and connection of a number from the beginning of number porting from the Donor Operator's electronic communications network to the enabling of use of this number in the Recipient Operator's electronic communications network may not exceed 3 hours or it shall be regarded that there was a delay.

- title of Article is amended: *"Duration of number porting procedure"*
- paragraph 1 is deleted: *"If there are no obstacles for number porting, the Donor Operator shall immediately carry out the porting of the requested number to the Recipient Operator."* (OG 42/09)
- former paragraph 2 shall become paragraph 1 and it is amended: *"The duration of the procedure of the disconnection and connection of a number from the beginning of number porting from the Donor Operator's electronic communications network to the enabling of use of this number in the Recipient Operator's electronic communications network may not exceed 3 hours, unless otherwise explicitly requested by the subscriber, or it shall be regarded that there was a delay."* (OG 42/09).

Provisions on fees related to number porting services

Article 11

(1) The Recipient Operator shall pay an annual fee to the operator to which numbers have been allocated through primary assignment pursuant to the provisions of the Ordinance on assignment of addresses and numbers, and pursuant to the provisions of the Ordinance on the payment of fees for the carrying out of tasks by the Croatian Post and Electronic Communications Agency in the amount laid down in these ordinances for each subscriber number ported into its electronic communications network in proportion to the number of days in a year during which the number has been in the Recipient Operator's electronic communications network.

(2) The fee paid by the Recipient Operator to the operator to which the numbers have been allocated through primary assignment shall be calculated in the manner that the annual fee for the use of one number is multiplied by the number of days this number has been used by the electronic communications network of the Recipient Operator and divided by the total number of days in a year.

(3) Every operator of an electronic communications network shall bear all additional interconnection costs (call transit) which may occur during routing of calls to ported numbers as a consequence of agreed indirect methods for routing calls towards ported numbers between operators in order to ensure the compliance with the provision of Article 11 of this Ordinance.

(4) If the operator of an electronic communications network from which the call towards a ported number originated does not have established direct interconnection with the operator of an electronic communications network in which the called ported number is located, the operator shall not charge for such calls at a price higher than the price charged by this operator for calls to all other numbers which have not been ported into this electronic communications network.

(5) Operators may not ask from users of their services, who have requested the porting of a number, any other additional direct compensation for number porting.

(6) Operators may not charge higher rates for calls to ported numbers than for calls to other numbers in that electronic communications network, which are used for the provision of

equivalent electronic communications services, and have not been ported from their electronic communications network.

(7) Operators may not apply higher interconnection prices to calls to ported numbers compared with calls to non-ported numbers, which are used for the provision of equivalent electronic communications services.

(8) Every operator of an electronic communications network shall bear own costs for adjustment and establishment of electronic communications and other systems necessary to comply with the obligations laid down in the provisions of this Ordinance.

(9) The Recipient Operator shall bear administrative costs of the Donor Operator related to the number porting procedure in the maximum amount of HRK 40.00 per a successfully completed Number Porting Request.

(10) The Recipient Operator shall not bear administrative costs of the Donor Operator in case of a Number Porting Request which has been completed on the basis of incorrect information about the Donor Operator's subscriber.

(11) If the Donor Operator has no other numbers in secondary assignment in a certain block used in its network, and all remaining numbers in that block are in the network of one operator as ported numbers, the Recipient Operator and the Donor Operator may apply for the transfer of rights of use of numbers and addresses in accordance with the Ordinance on the assignment of addresses and numbers.

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- paragraph 1 is amended: "*The Recipient Operator shall pay to the operator to which numbers have been allocated through primary assignment pursuant to the provisions of the Ordinance on assignment of addresses and numbers, and pursuant to the provisions of the Ordinance on the calculation and amount of fees and the manner of payment for funds for financing of the Croatian Post and Electronic Communications Agency an annual fee specified in the above-mentioned ordinances for each subscriber number ported into its electronic communications network in proportion to the number of days in a year which the number has spent in the Recipient Operator's electronic communications network.*" (OG 42/09)
 - in paragraph 2, the words "*during which number*" are replaced by the words "*which the number has*".
 - paragraph 9 is amended: "The Recipient Operator shall bear administrative costs of the Donor Operator related to the number porting procedure in the maximum amount of HRK 40.00 per a completed Number Porting Request.
 - new paragraph 11 is added:

Testing procedures prior to the provision of number porting services

Article 12

(1) The main precondition for testing and establishment of the number portability function shall be the establishment and testing of interconnection between operators. At least the following tests must be carried out before the launch of the number portability function:

1.1. between CADPN and operators:

1.1.1. number porting procedure between the operator and CADPN

1.1.2. receipt of notifications about the status of the administrative process of number portability,

1.1.3 updating of LNPDP,

1.2. between operators:

1.2.1. the establishment of calls when the call originates from a number which has been ported into different electronic communications networks (pay attention to correct caller line identification - CLI)

1.2.2. the establishment of calls when the call to a ported number originates from different electronic communications networks (pay attention to correct caller line identity presentation),

1.2.3. conveyance of SMS and MMS messages to a ported number from different electronic communications networks (obligation to test for the conveyance of an MMS message shall apply only to mobile electronic communications networks).

1.2.3. and all other possible call scenarios.

(2) If all operators reach agreement on the changes of functionality in CADPN, the Agency shall implement the requested changes, provided that it finds them justified, and it shall notify thereof in writing those who requested changes in the functionality of CADPN within a reasonable time limit from the receipt of the request. The Agency shall also carry out changes in the functionality of CADPN only for the purpose of improving the functionality of the number porting procedure and the provision of other services to end users, taking into account possible operator's costs.

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- in paragraph 1, item 1.1. the word "*CADPN*" is replaced by the words "*of CADPN*".
 - in paragraph 1, item 1.1.1. the word "*database*" is replaced by the words "*of CADPN*".
 - in paragraph 1, item 1.1.3. the word "*LNPDP*" is replaced by the words "*of LNPDP*".
 - in paragraph 1, item 1.2.1. the word "*CLI presentation*" is replaced by the words "*caller line identity presentation CLI*"
 - in paragraph 1, item 1.2.2. the words "*caller line identity presentation*" are replaced by the words "*correct caller line identity presentation*"
 - paragraph 2 amended: "*If all operators agree upon the changes of functionality in CADPN, the Agency shall implement the requested changes, provided that it finds them justified, and it shall notify thereof in writing those who requested changes in the functionality of CADPN within a reasonable time limit from the receipt of the request. The Agency shall also carry out changes in the functionality of CADPN only for the purpose of improving the functionality of the number porting procedure and the provision of other services to end users, taking into account possible operator's costs. (NN 42/0).*"

II. TRANSITIONAL AND FINAL PROVISIONS

Regulations that cease to be valid

After the entry into force of this Ordinance, the following shall cease to be valid: Ordinance on number portability and carrier pre-selection (Official Gazette No. 183/04), Decision on number portability and carrier pre-selection of 26 August 2005, the Decision amending the Decision on number portability and carrier pre-selection of 26 July 2007, and the Decision amending the Decision number portability and carrier pre-selection of 17 September 2007, except for the provisions of the above-mentioned regulations referring to the carrier pre-selection service which shall cease to be valid after the analysis of the relevant market of call origination from public communications networks provided at a fixed location, which shall be completed by the adoption of a decision referred to in Article 56 of the Act. (*OG 42/09*).

ANNEX I

NUMBER PORTING REQUEST

<i>Request ID</i>	
<i>Type of national number to be ported:</i>	<i>national number in fixed network</i> <i>national number in mobile network</i>
<i>Type of the existing subscription in the Donor network:</i>	<i>pre-paid (registered)</i> <i>pre-paid (non-registered)</i> <i>post-paid (one number)</i> <i>post-paid (several numbers)</i>
SUBSCRIBER/USER DATA	
<i>Subscriber/user number/numbers:</i>	
<i>Name and surname and address (for natural persons) or</i> <i>Name and seat (for legal persons):</i>	
<i>Name and surname of authorised person:</i> <i>(only for legal persons)</i>	
<i>Tax Number:</i>	
<i>Enclosed:</i>	<i>copy of ID</i> <i>excerpt from the court register</i> <i>craft working permit</i> <i>other</i>
<i>Contact number of subscriber/user:</i> <i>Fax:</i> <i>E-mail:</i>	
<i>PUK:</i>	
ADDRESS OF TELEPHONE ACCESS POINT (only for fixed network)	
<i>Postal code:</i>	
<i>City:</i>	
<i>Street and number:</i>	
OTHER	
<i>Name and seat of Donor Operator:</i>	
<i>Name and seat of Recipient Operator:</i>	
<i>Date of number porting:</i>	
<i>Time frame for number porting:</i>	<i>08:00am-11:00am or 1:00pm -4:00pm</i>
<i>New date for number porting (where necessary):</i>	
<i>New time frame for number porting:</i> <i>(where necessary)</i>	<i>08:00am-11:00am or 1:00pm -4:00pm</i>
<i>Number Porting Request related to:</i> 1. <i>service of local loop unbundling:</i> 2. <i>service of wholesale broadband access</i>	<i>Yes No</i> <i>Yes No</i>
<i>Cancelled services:</i>	<i>IP TV Internet Voice service Access</i> <i>None network</i>

The subscriber explicitly states that the submission of this request represents at the same time an irrevocable request to terminate subscription (or to close a pre-paid account) for all services contracted with the Donor Operator i.e. the request for the termination of all services requested from the Donor Operator provided over a number which is the subject of porting, and hereby authorises the Recipient Operator to submit this request to the Donor Operator. The subscriber confirms that he or she has been notified of the need to request from the current electronic communications operator the cancellation of all received IDs (user accounts) when terminating the contract on the use of internet access services, that is, of the possibility to keep his or her user accounts in accordance with the Ordinance on the manner and conditions for the provision of electronic communications networks and services. The subscriber hereby states that he or she:

- hereby terminates all the existing user accounts for Internet access service opened on the basis of the above-mentioned data.
- shall keep all user accounts for Internet access service contracted with the existing electronic communications operator and is ready to bear all future costs for them.

By signing this request, the subscriber also gives consent that his or her personal data, which are used for the purpose of implementing the number portability service, may be collected, processed and exchanged between the operator and the Agency. By signing this document, the subscriber confirms that he or she is familiar with and agrees to the below stated conditions for number porting..

The signature and the stamp of the authorised person of the Recipient Operator on this document shall mean that the Recipient accepts this request for the provision of the number portability service to the subscriber/user.

Important information related to number porting

By signing this Request, the subscriber/user states that he or she is familiar and agrees with the following conditions:

- When the Recipient Operator has delivered the Number Porting Request to the Donor, the user may not request for cancellation of number porting, except in case of misleading sale.
- After having completed the number porting procedure, the same subscriber may not request for number porting again for a minimum of three months from the date of the number porting, unless otherwise prescribed in the subscription agreement. This does not refer to cases when the user was allowed limited use of electronic communications services as a result of breach of contractual obligations or breach of other obligations by the operator.
- The unused amount on the user's account for the pre-paid services of the Donor Operator may not be transferred and used for the payment of electronic communications services of the Recipient Operator. The Recipient Operator shall refund the unused amount on the account to the user of a pre-paid service in accordance with the provisions of the valid Ordinance on the manner and conditions for the provision of electronic communications networks and services.
- The subscriber submitting the Number Portability Request must pay all outstanding amounts for the services provided over a telephone number/numbers for which the Number Portability Request is submitted at the latest within 30 days from the due date of the last bill. The user must pay all outstanding amounts for the provided electronic communications services and fulfil all other obligations from the subscription agreement towards the originating operator for the time period before the porting of the number.
- The subscriber shall be obliged to pay for used communications services to the Donor Operator up to the moment of number porting into the Recipient Operator's network. Regardless of the termination of the subscription as a result of number porting, the provisions of the subscription agreement between the Donor Operator and the user concerning the payment and/or return of equipment shall apply until the moment of payment of all outstanding amounts for the service in question.
- A subscription or deactivation of user account between the Donor Operator and the user for which a number has been successfully ported shall be regarded as terminated at the time of completion of number porting.
- Before submitting the Number Porting Request, the subscriber/user has been fully informed in particular of:
 - a) the time period during which the user will not be able to use the service (time frame for the porting of the number),
 - b) loss of services used in the Donor's network, which he or she will not be able to use in the Recipient network,
 - c) scope of use and activation of services by the Recipient Operator,
 - d) manner of payment of outstanding debts for the provided electronic communications services in the Donor Operator's network,
 - e) possible reasons for impossibility to port a number,
 - f) possible reasons for delay in porting a number,
 - g) time period after which the user may submit a new Number Porting Request,
 - h) obligation to port an entire group of numbers within a VPN group, ISDN series and the similar,
 - i) conditions for number porting.
 - j) activation of a voice mail message about the status of ported numbers in mobile networks,
- Upon receipt of a notification of delay by the Donor Operator, which contains the earliest possible date for number porting, the Recipient shall, in agreement with the user who submitted the Number Porting Request, agree upon a new date for number porting and notify the Donor Operator thereof.

In the case referred to in Article 7, paragraph 32 of the Ordinance on number portability, the user authorises by his or her signature the Recipient Operator to submit a complaint against number porting.

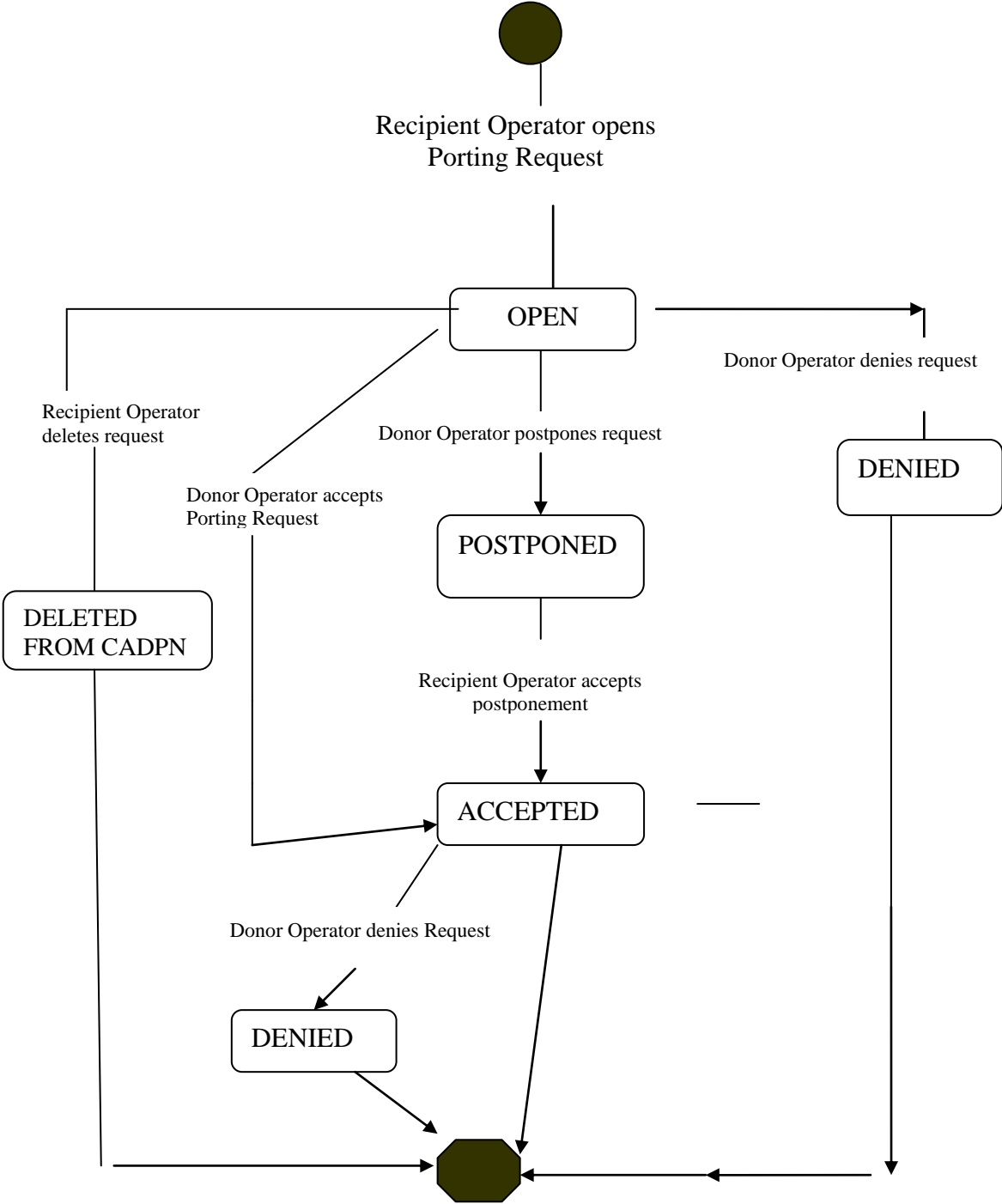
Signature/stamp of user/subscriber

Signature of authorised person and stamp of the Recipient Operator

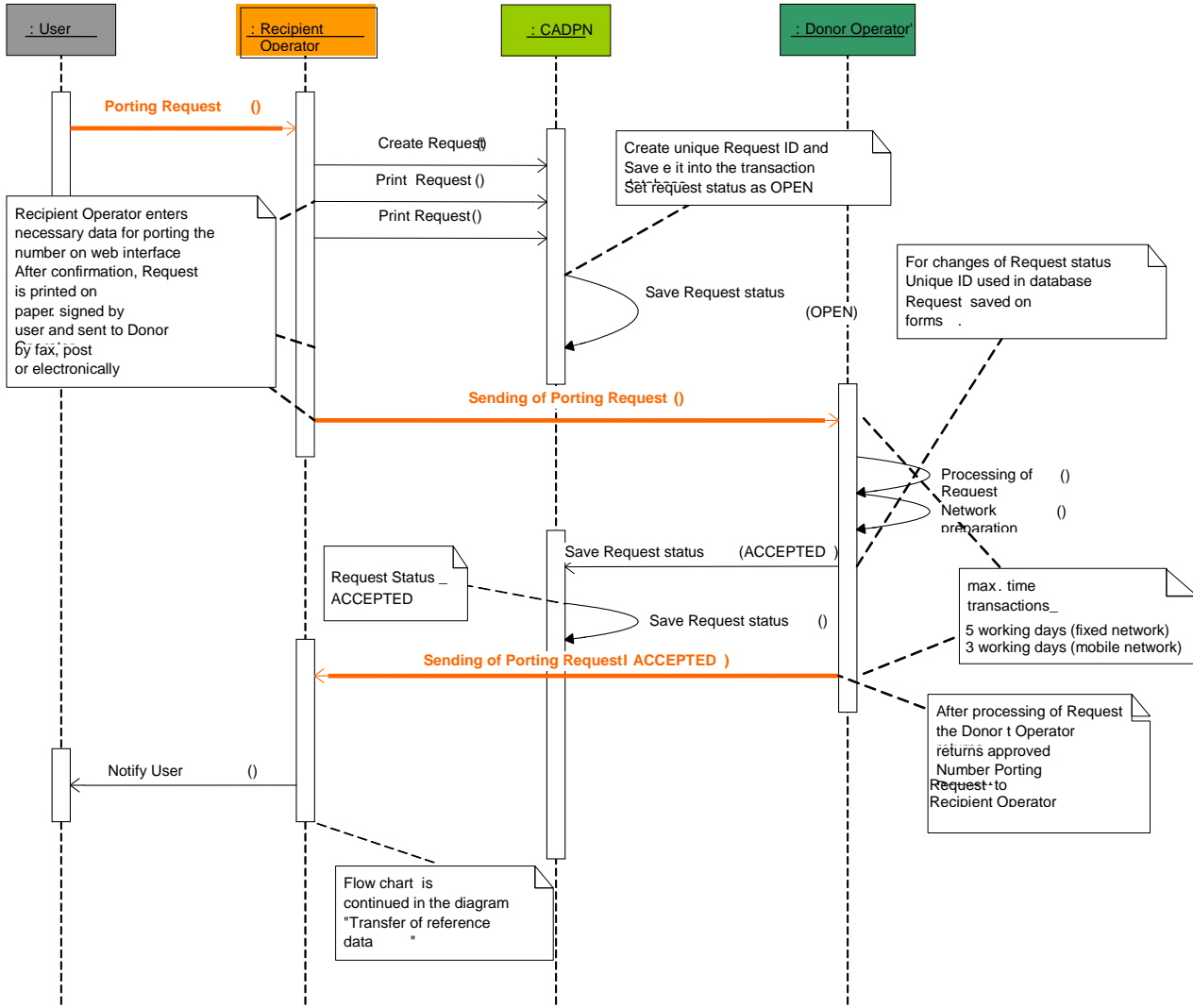
Place and date

ANNEX II

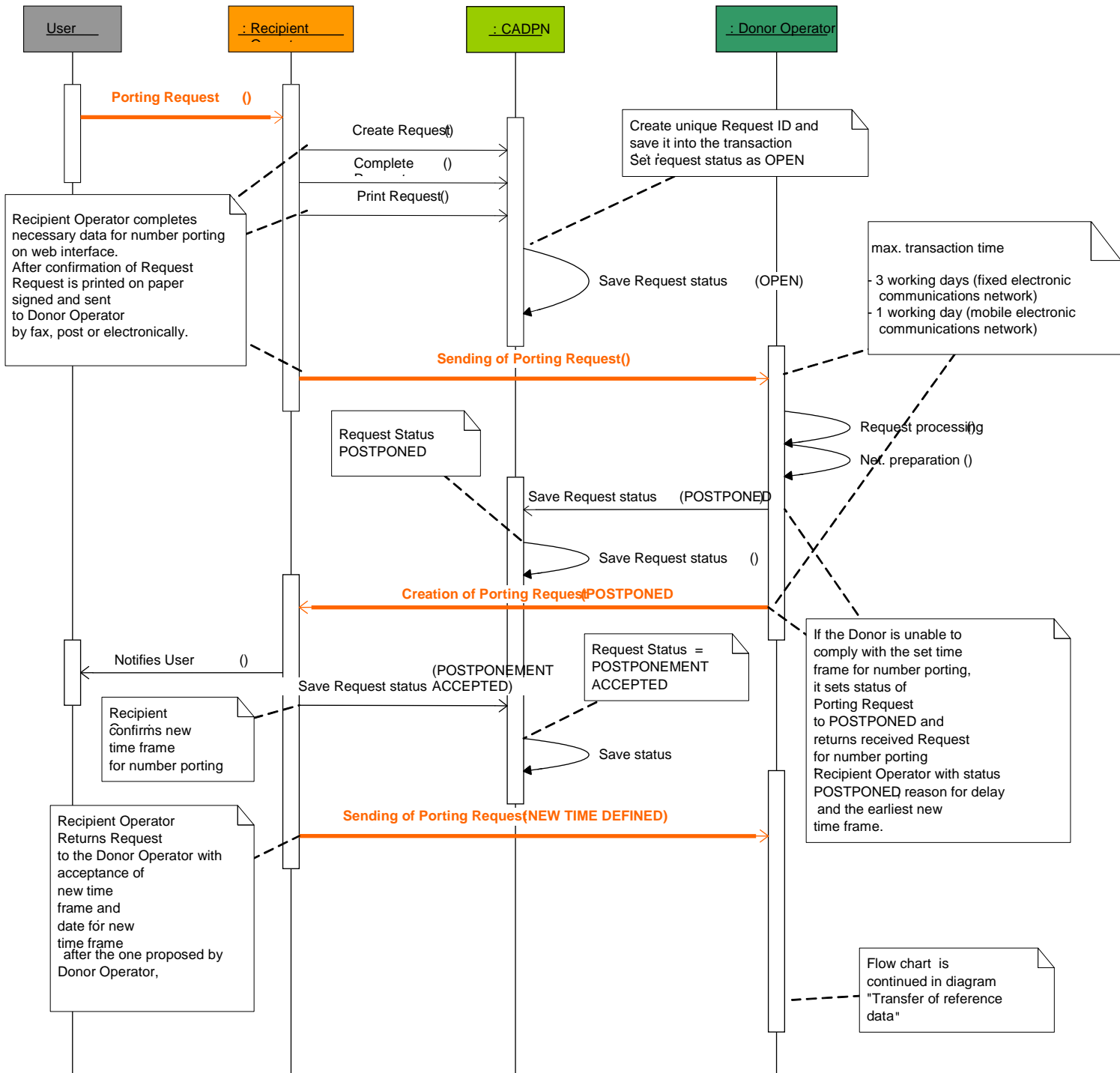
Status of porting procedure



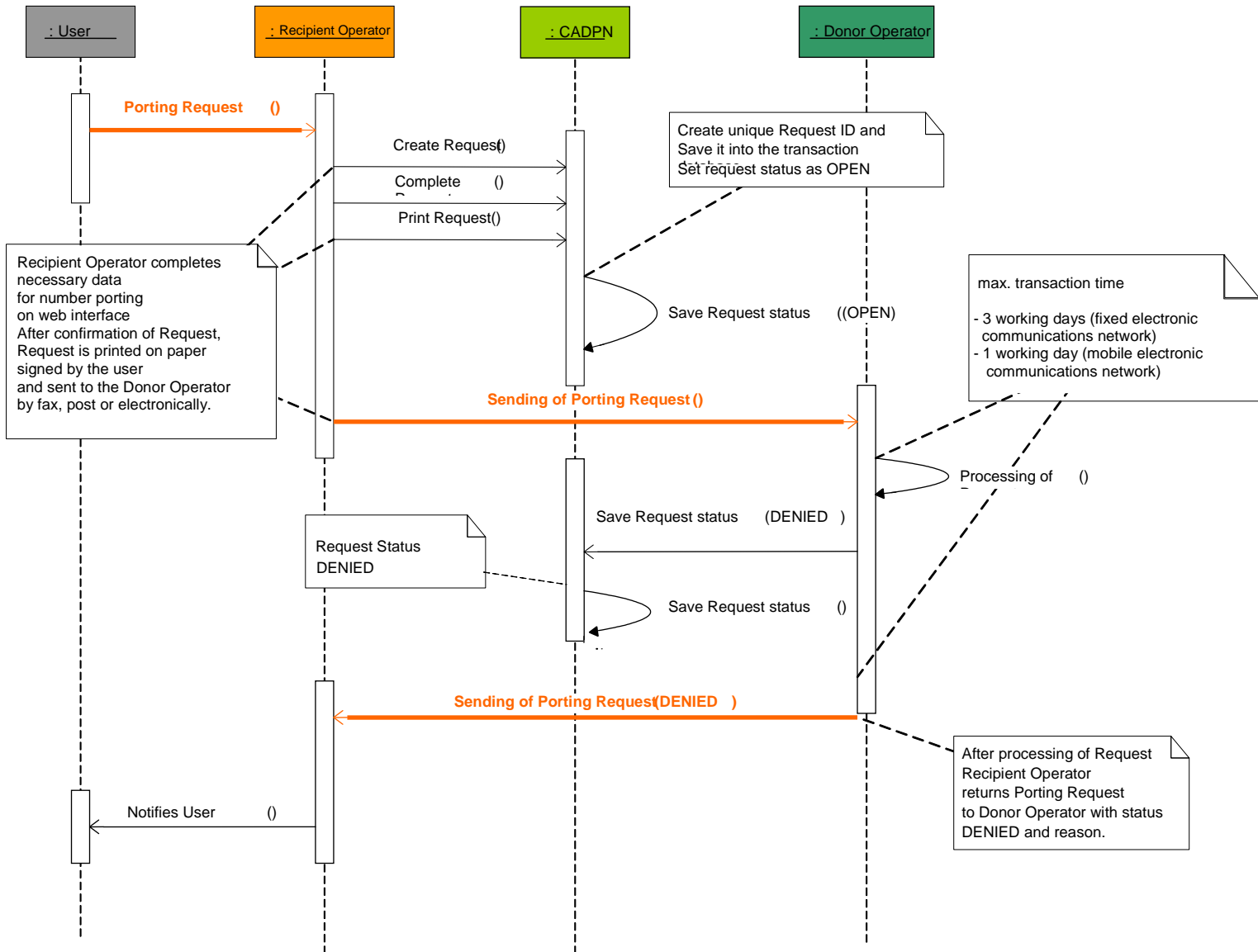
Administrative data flow - ACCEPTED



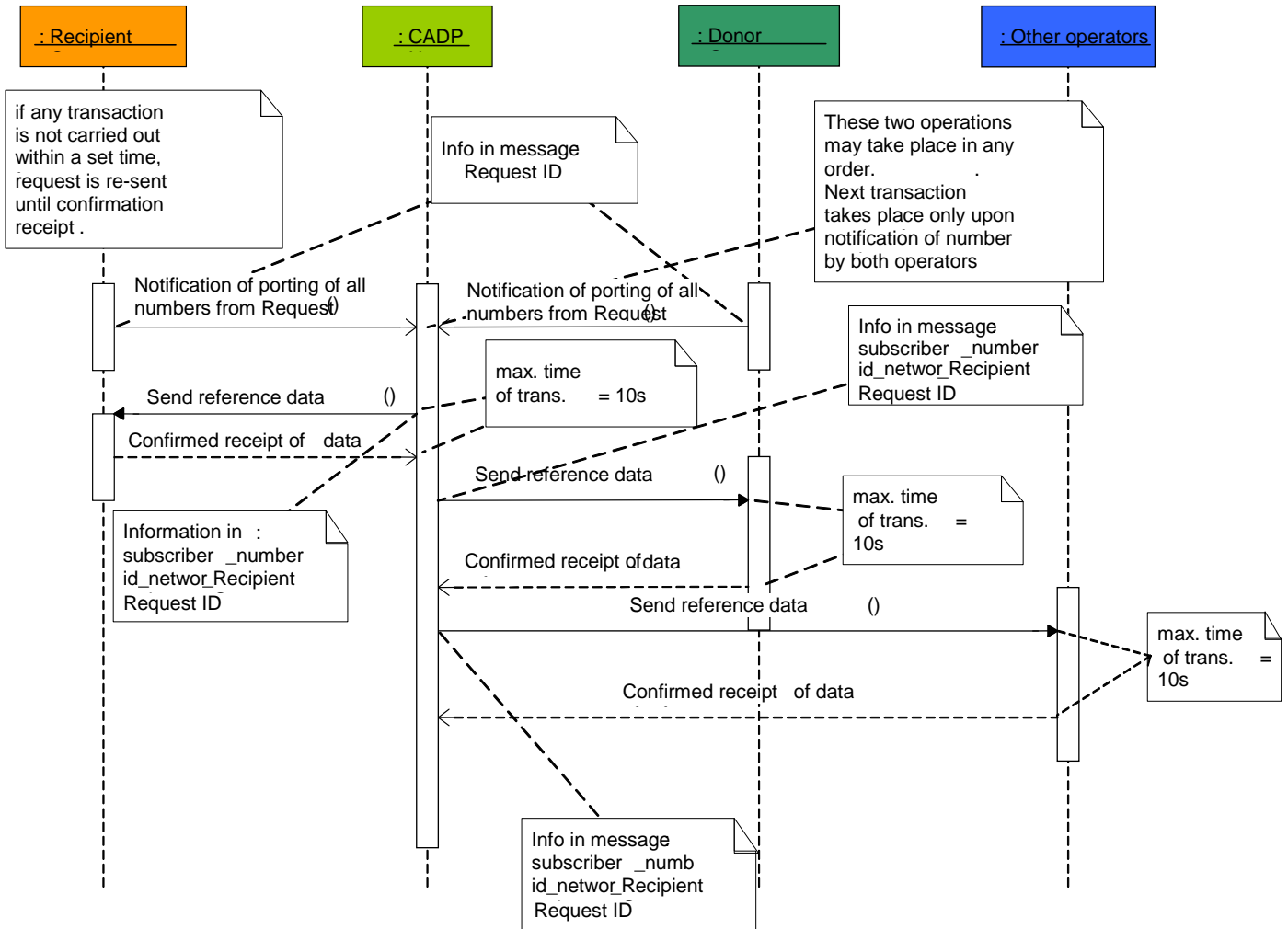
Administrative data flow - POSTPONED



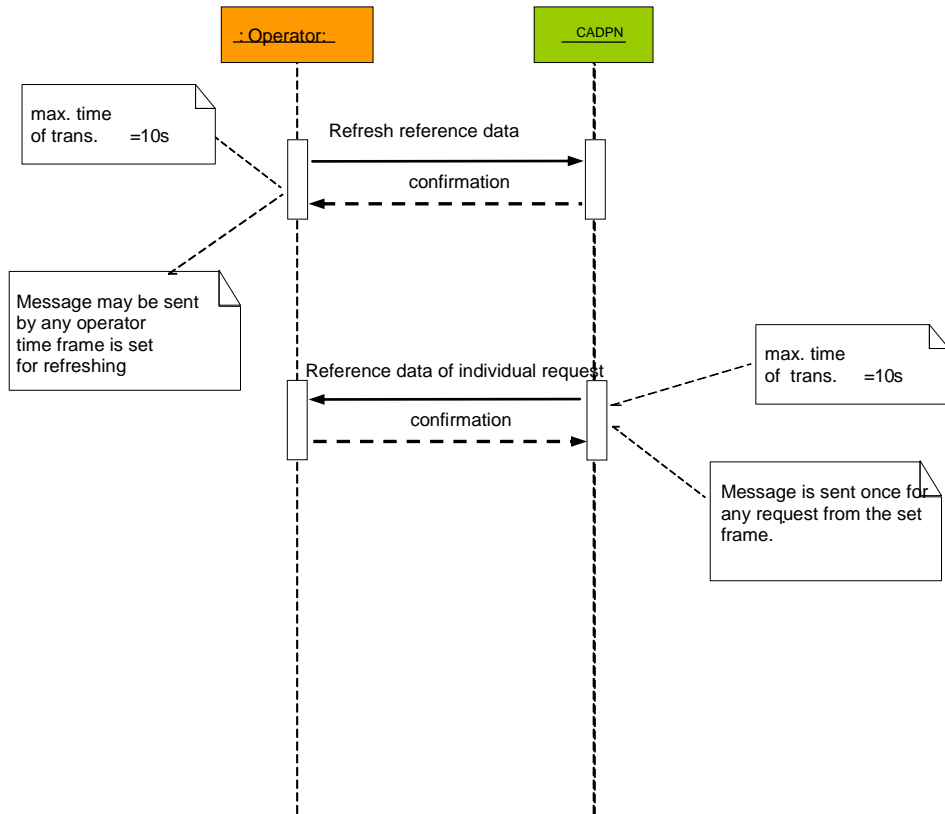
Administrative data flow - DENIED



TRANSFER OF REFERENCE DATA - BASIC FLOW



TRANSFER OF REFERENCE DATA - REFRESHING OF LOCAL DATABASE



Note: a new operator must test the test CADPN interface before establishing the number porting service.
