

Unofficial Translation

Notification of the National Telecommunications Commission Re: Criteria for Mobile Number Portability (No. 2)

Whereas it is expedient to amend the Notification of the National Telecommunications Commission Re: Criteria for Mobile Number Portability;

Pursuant to Section 51 (11) of the Act on the Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunication Services, B.E. 2543 (2000) in conjunction with Section 12, paragraph four of the Telecommunications Business Act, B.E. 2544 (2001) being an Act which contains certain provisions in relation to the restriction of rights and liberties of persons, in respect of which Section 29 in conjunction with Section 35, Section 36, Section 43, Section 45, Section 46, Section 47, Section 61 and Section 64 of the Constitution of the Kingdom of Thailand so permit by virtue of law, and the National Telecommunications Commission's 18/2553 meeting on 30 June 2010 and 23/2553 meeting on 4 August 2010 which made a resolution to change the porting period when it involves a large number of applications at one time, and give the Information Technology System Service Center a right to charge for porting service fee, the National Telecommunications Commission hereby prescribes the Criteria for Mobile Number Portability (no. 2) as follows;

Clause 1. The provision in Clause 11 of the Notification of the National Telecommunications Commission Re: Criteria for Mobile Number Portability dated 28 July 2009 shall be revoked and replaced by the following;

“Clause 11. The porting of number to another service provider shall be completed within three working days as from the application date. In the case where the application is made by one service user for a porting of twenty-five numbers or more at one time, the porting process shall be completed within twenty days as from the application date except for necessary case specifically if the documents and evidence are incorrect or incomplete or inconsistent with the information of the real service user recorded in the system. The Donor Provider shall have burden of proof ground for such necessity.”

Clause 2. The provision in Clause 14 of the Notification of the National Telecommunications Commission Re: Criteria for Mobile Number Portability dated 28 July 2009 shall be revoked and replaced by the following;

“Clause 14. Mobile service provider and the Information Technology System Service Center shall have the duty to provide number porting service.”

Unofficial Translation

Clause 3. The provision in Clause 21 of the Notification of the National Telecommunications Commission Re: Criteria for Mobile Number Portability dated 28 July 2009 shall be revoked and replaced by the following;

“Clause 21. The Recipient Provider or the Information Technology System Service Center may charge for porting service fee at the rate prescribed by the Commission.

In the case where the Recipient Provider is unable to port respective number owing to the circumstances under Clause 17 or cancellation of the porting made by the service user, the Recipient Provider or the Information Technology System Service Center shall be obliged to refund the fee to the applicant for the porting, provided that the cancellation occurred before the porting is completed.”

Clause 4. The provision in Clause 24 of the Notification of the National Telecommunications Commission Re: Criteria for Mobile Number Portability dated 28 July 2009 shall be revoked and replaced by the following;

“Clause 24. Mobile service operators shall collaborate to establish an Information Technology System Service Center either under a consortium arrangement or as a juristic person.

In the case where the Center is set up as a juristic person, in an arrangement for mobile phone number porting, the mobile service operators shall take measures to ensure that the juristic person acts strictly in compliance with the criteria prescribed in this Notification.

In the case where the juristic person under paragraph one violates or fails to comply with this Notification, the mobile service operators shall ensure that the Information Technology System Service Center undertakes to refrain from the act of violating, or rectify, or act correctly as stipulated by law. The mobile service operators shall be reliable and obliged to any acts of the said juristic person.”

This Notification shall come into force as from the day following the date of its publication in the Government Gazette.

Announced on the 1st date of December B.E. 2553 (2010)

Professor Prasit Prapinmongkolkarn

Chairman of the National Telecommunications Commission

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This English version is prepared by International Organizations Bureau with the sole purpose of facilitating the comprehension of foreign participants in the telecommunication rules and regulations and shall not in any event be construed or interpreted as having effect in substitution for or supplementary to the Thai version thereof.

Please note that the translation has not been subjected to an official review by the Office of the National Telecommunications Commission. The Office of NTC, accordingly, cannot undertake any responsibility for its accuracy, nor be held liable for any loss or damages arising out of or in connection with its use.