


Content

Title :	Regulations Governing Number Portability 
Date :	2014.06.04
Legislative :	<p>1.50 article were promulgated by Directorate General of Telecommunications, MOTC, on Nov.24, 2003, Ref. the Order DIAN HSIN GUEI No.09205102320</p> <p>2.The amended Article 19, 22 were promulgated by Directorate General of Telecommunications, MOTC, on Sep 22, 2005, Ref. the Order DIAN HSIN GUEI No. 09405075140</p> <p>3.The amended Article 2, 6, 7, 10, 13to15, 18to25, 31, 34 and43 were promulgated by the NCC on July 5, 2007, Ref. the Order Tong-Chuan Fa No. 09605096211</p> <p>4.The amended Article 6, 50 were promulgated by the NCC on January 11, 2011, Ref. the Order Tong-Chuan Fa No. 10046000060</p> <p>5.The amended Article 15 was promulgated by the NCC on February 01, 2011, Ref. the Order Tong-Chuan Fa No. 10041002730</p> <p>6.The amended Article 11, 13, 14 were promulgated by the NCC on June 04, 2014, Ref. the Order Tong-Chuan En No. 10341022460</p>
Content :	<p>Chapter 1 General Provisions</p> <p>Article 1</p> <p>These Regulations are promulgated in accordance with Paragraph 4, Article 20 of the Telecommunications Act (hereinafter referred to as “this Act”).</p> <p>Article 2</p> <p>The terms of these Regulations are defined as follows:</p> <ol style="list-style-type: none">1. “Number Portability” : it refers to the service which enables subscribers to retain their existing telephone numbers, when switching from the original Type I Telecommunications Operator to other Type I Telecommunications Operators engaging the same service.2. “Operators” : it refers to the persons who have been granted the concessions and licenses by the National Communications Commission (hereinafter referred to as “the NCC”) for operation of Type I Telecommunications business.3. “Subscribers” : it refers the persons who enter into contracts with Operators and use the telecommunications services provided by Type I or Type II Telecommunications Operators.4. “Ported Subscribers” : it refers to the Subscribers who retain their existing telephone numbers when changing their Type I or Type II Telecommunications Operators.5. “Recipient Operator” : it refers to the Operator who has gained the Ported Subscriber in the provision of Number Portability.6. “Donor Operator” : it refers to the Operator from whom the Ported Subscriber has been ported in the provision of Number Portability.7. “Concentrated Databases” : it refers to the Databases administrated by the Concentrated Databases Administrator as referred to in Chapter VII, involving all data of Ported Subscribers, state of portability and other necessary information of Number Portability for the Operators to query, exchange, store and startup the interactive procedure in relation to Number Portability or data management.8. “Ported Subscriber Databases” : it refers to the databases that are constructed by the Operators for exchanging and storing the routing information of Ported Subscribers.9. “Mobile Virtual Network Operators” (hereinafter referred to as MVNOs): it refers to the persons who have been granted the permissions and licenses by the Directorate General of Telecommunications, the NCC for operation of Type II telecommunications business engaging in Mobile Resale Services or Mobile Resale and Value-added Services. <p>Article 3</p> <p>The application of these Regulations of Number Portability shall include</p>

the Fixed Network Telecommunications Business and the Mobile Network Telecommunications Business.

Chapter 2 Number Portability of Fixed Network Telecommunications Business

Article 4

The Fixed Network Telecommunications Business applicable to these Regulations refers to Integrated Network Business, Local Network Business, Long Distance Network Business and International Network Business.

Article 5

The Fixed Network Telecommunications Business Operators (hereinafter referred to as "Fixed Network Operators") shall provide their subscribers with Number Portability with the following numbers of classification:

1. A local telephone number at the same location;
2. 080 free phone number.

Article 6

Fixed Network Operators shall provide Number Portability as referred to in the preceding provisions in the following implementation time schedule:

1. The Fixed Network Operators shall be able to provide Number Portability in their local telecommunications operation areas where it has business operation within Taipei City, New Taipei City, Keelung, Taichung City and Kaohsiung City.
2. Outside those areas set forth in the preceding paragraph, where two or above Fixed Network Operators have business operation shall be able to provide Number Portability.

Fixed Network Operators shall inform their operation areas of launch plan to other Fixed Network Operators and the Directorate General of Telecommunications, the NCC by written form within a month counting from seven months prior to the date of initial operation.

Article 7

When a Ported Subscriber ceases to use his/her existing telephone number, the Recipient Operator shall return that telephone number to the original service provider assigned it within seven days either thereof or after an announcement service, if any, is terminated, and shall perform the required notifications in accordance with the provisions set forth in Item 10, Paragraph 1 or Paragraph 5 of Article 22. As the original service provider assigned that telephone number has stopped its business operation or that telephone number is not held by any Operator, that telephone number shall be returned to the NCC.

The term "cease to use" as referred to in the preceding paragraph does not include the conditions that an inheritor continues to use a telephone number through inheritance, or a surviving or new company continues to use its forerunner's telephone number after consolidation or merger.

Unless a Ported Subscriber ceases to use his/her existing telephone number, the Donor Operator shall not reassign that telephone number to another Subscriber.

Article 8

Fixed Network Operators shall mutually provide Number Portability on a reciprocal basis, and shall conform in accordance with the principle of impartiality and reasonableness, and shall be non-discriminatory.

Article 9

The service contract between a Fixed Network Operator and its Subscribers shall, in a distinct way, state the following proceedings:

1. Subscribers may request for the provision of Number Portability from the commencement date of the provision of Network Portability in accordance with Article 6.
2. Fixed Network Operators may offer a Subscriber's data necessary for the provision of Number Portability to other Operators, Type II Telecommunications Operators, and the Administrator of Concentrated Databases.

3. Fixed Network Operators may charge fees for porting process of Number Portability in accordance with Paragraph 1 of Article 43.

If the service contract between a Fixed Network Operator and its original Subscribers has not contained the provisions set forth in Paragraph 1,2 and 3, the Fixed Network Operators shall inform its original Subscribers by written form within two months from the promulgation date of these Regulations.

Article 10

A Fixed Network Operators shall maintain reasonable quality of customer services and quality of network performance, when providing communications services for Ported Subscribers.

By January 10 and July 10 of each year, each Fixed Network Operator shall compile and submit information on the number of Subscribers ported to/from its networks, the failure rate of porting process, average duration of porting process, additional call set-up delay time on average calculated by calling sampled Ported Subscribers, and so on, for the previous six months to the NCC. The report formats shall be formulated and announced by the DGT.

Chapter 3 Number Portability of Mobile Telecommunications Network Business Article 11

The Mobile Telecommunications Network Business applicable to these Regulations refers to Mobile Telecommunication Business, the Third Generation (3G) Mobile Telecommunications Business, and Mobile Broadband Business.

Article 12

The Mobile Telecommunications Network Business Operators (hereinafter referred to as "Mobile Operators") shall provide their subscribers with Number Portability with the following numbers of classification:

1. A mobile telephone number;
2. 080 free phone number.

Mobile Operators shall not restrict MVNOs to provide Number Portability of re-assignment of telecommunications numbers provided in the contract with the cooperative MVNOs, and any terms in violation of this provision shall be null and void.

The Mobile Operator, which undertakes the called Ported Subscribers Network that the MVNO belongs to, shall negotiate with the said MVNO for the proceedings provided in Article 15 and Article 21, 22, 23, 24 and 25. The proceedings, which could not be disposed by the MVNO by nature or be disposed by the Mobile Operator through mutually negotiation, shall be disposed by the said Mobile Operator within scope of the above proceedings. The MVNO of the Ported Subscribers shall provide the necessary data of the Ported Subscribers upon the Mobile Operator' s request when it implements the proceedings as referred to in the preceding paragraph.

Article 13

Mobile Operators shall provide Number Portability for their subscribers upon the date of obtaining allocated telephone numbers.

Article 14

(Deleted)

Article 15

When a Ported Subscriber ceases to use his/her existing telephone number, the Recipient Operator shall return that telephone number to the original Mobile Operator assigned it within seven days either thereof or after an announcement service, if any, is terminated, and shall perform the required notifications in accordance with the provisions set forth in Item 10, Paragraph 1 or Paragraph 5 of Article 22. As the original service provider assigned that telephone number has stopped its business operation or that telephone number is not held by any Operator, that telephone number shall be returned to the NCC.

The term "cease to use" as referred to in the preceding paragraph does not include the conditions that an inheritor continues to use a telephone number through inheritance, or a surviving or new company continues to use its forerunner's telephone number after consolidation or merger, or number Ported Subscribers under service contract to the Recipient Operator apply for the other user continue to use the original telephone number.

Unless a Ported Subscriber ceases to use his/her existing telephone number, the Donor Operator shall not reassign that telephone number to another Subscriber.

Article 16

Mobile Operators shall mutually provide Number Portability on a reciprocal basis, and shall conform in accordance with the principle of impartiality and reasonableness, and shall be non-discriminatory.

Article 17

The service contract between a Fixed Network Operator and its Subscribers shall, in a distinct way, state the following proceedings:

1. Subscriber may request for the provision of Number Portability from the implementation date of provision of Network Portability service.
2. Mobile Operators may offer a Subscriber's data necessary for the provision of Number Portability to other Operators, Type II Telecommunications Operators, and the Administrator of Concentrated Databases.
3. Mobile Operators may charge fees for porting process of Number Portability in accordance with Paragraph 1 of Article 43.
4. The operational procedure of the remaining sum of pre-paid card when Mobile Operators provide Number Portability to the pre-paid card subscribers.

If the service contract between a Mobile Operator and its original Subscribers has not contained the provisions set forth in the preceding paragraph, the Mobile Operators shall inform its original Subscribers by written form within one month from the implementation date of Number Portability.

Article 18

Mobile Network Operator shall maintain reasonable quality of customer services and quality of network performance, when providing communications services for Ported Subscribers. By January 10 and July 10 of each year, each Mobile Operator shall compile and submit information on the number of Subscribers ported to/from its networks, the failure rate of porting process, average duration of porting process, additional call set-up delay time on average calculated by calling sampled Ported Subscribers, and so on, for the previous six months to the NCC. The report formats shall be formulated and announced by the NCC.

Chapter 4 Providing Telecommunications Services for Called Ported Subscribers

Article 19

The Originating Network Operator shall access routing information by proper method to provide communications services for the called Ported Subscribers since the implementation date of Number Portability under the provisions set forth in Article 6 or Article 13.

The Originating Network as referred to in the preceding Paragraph means that the network of the Operator of the originating Ported Subscriber. But the following Telecommunications Originating Network shall be defined as:

1. Long-distance Telecommunications: long-distance Network.
 2. International Telecommunications Voice Service: International Network.
- The Originating Network Operator may commission other Operator to implement the proceedings as referred to in Paragraph 1, the commissioned Operator may charge for relevant fees from the Originating Network Operator.

The Originating Network of International Telecommunications non-voice service shall be defined in accordance with the following provisions:

1. If the implementation of non-voice services by international networks is technically feasible , the international networks shall be defined as Originating Networks .
2. If the above-mentioned implementation by international networks is not technically feasible , the Recipient Operator shall negotiate with the Donor Operator or operators that have been assigned original telephone numbers by the NCC .

The negotiation between operators as specified in Item 2 of the preceding Paragraph shall be based on the following principles :

1. If communication can be effectuated technically, the Originating Network Operator with the obligation of implementation mentioned in Paragraph 1 shall collect related expenses from the Recipient Operator, and Paragraph 3 is preclusive. The above-mentioned collection of expenses shall meet the principles of equality, reciprocity, and fair treatment to related operators , and be regulated according to the network interconnection agreements negotiated and signed by both parties . If the negotiations cannot be successfully concluded, either party shall apply to the NCC for arbitration according to the Regulations Governing Network Interconnection among Telecommunications Enterprises.
2. If communication can not be effectuated technically, the Recipient Operator shall inform recipient users that there is no international telecommunications non-voice services when ported subscribers apply for porting .

3. The Recipient Operator may negotiate with third-parties who is not Donor Operators or operators that has been assigned original telephone numbers by the NCC for providing international telecommunications non-voice services, and access the services providing by the third-parties . The above is not constrained by Item 2 of Paragraph 4 and Item 1 of proceeding Paragraph.

Article 20

The Fixed Network Operator and the Mobile Operator shall provide communications services for the called Ported Subscribers by means of database query method since the following time schedule:

1. Fixed Network Operators: January 1, 2003.
2. Mobile Operators: Since the implementation date of Number Portability under the provisions set forth in Article 13.

The database query method as referred to in Paragraph 1 means that access routing information from the Ported Subscriber Database before the communications links are set up.

The Originating Network Operator shall negotiate with other Operator to provide communications services for the called Ported Subscribers through the network of the said Operator, the one who accesses routing information from the Ported Subscriber Database before the communications links of that network, which connecting to the network of the receiving Ported Subscriber, may be regarded as in accordance with the requirement of complete the implementation of database query method for providing communications services for the called Ported Subscribers.

The Databases prescribed in the preceding three Paragraphs shall not be the Concentrated Databases, except as otherwise in other laws and regulations or in emergency situation that has been granted by the NCC.

Article 21

Among or between Fixed Network Operators, Mobile Operators and those two kinds of Operators shall complete the negotiation of the setting method of Network Codes and routing information prior to the implementation time schedule of database query method pursuant to paragraph 1 of the preceding article, and shall submit the result to the NCC by written form for reference prior to the implementation of database query method.

The Network Code as referred to in the preceding Paragraph shall apply for authorization in accordance with the Regulations Governing Telecommunications Numbers.

Chapter 5 Relevant Provisions of Porting Process of Ported Subscribers

Article 22

The Fixed Network Operators and the Mobile Operators shall perform the porting process of Ported Subscribers in accordance with the following requirements:

1. A Subscriber who applies for Number Portability shall submit a written application in duplicate to the Recipient Operator. The application thereof regards as filling for a terminated notice to the Donor Operator except as otherwise prescribed in Paragraph .
2. The Recipient Operator shall preserve the application sheets as referred to in Item 1 for at least six months, for inquiry by the Donor Operator or examination by the NCC.
3. The Recipient Operator shall co-ordinate with the Ported Subscriber to arrange for reasonable date and time of the proposed cutover after receiving the application sheets as referred to in Item 1.
4. The Recipient Operator of the Fixed Network Telecommunications Business and the Mobile Network Telecommunications Business shall inform the Donor Operator and the Concentrated Databases Administrator of the Ported Subscriber's name, existing telephone number and the date and time of proposed cutover at least five and four working days respectively in advance of the proposed cutover date, and hand over the application sheets as referred to in Item 1 to the Donor Operator.
5. The Donor Operator may refuse to provide Number Portability for the Subscribers whose communications services have been terminated due to arrears of service fees, or violations of laws, regulations, code of practices or service contracts. The Donor operator may provide Number Portability for the Subscribers, whose service contract has been restricted to termination or the termination date thereof has been set, after those Subscribers have performed the agreed obligation of liquidated damages and penalty.

6. The Donor Operator shall not engage in win-back activities during the period of porting process.

7. Upon receipt of the documents set forth in Item 4, the Donor Operator shall, by the end of the next working day, reply to the Recipient Operator with an acknowledgement to confirm agreement on the proposed cutover date and time, and immediately inform the Concentrated Databases Administrator and the Executing Authority of Communications Supervision after that confirmation. The Recipient Operator may co-ordinate with the Subscriber and the Donor Operator to change the cutover date and time if necessary, and immediately inform the Concentrated Databases Administrator after that confirmation. The Donor Operator shall immediately inform to the Executing Authority of Communications Supervision after confirming the proposed cutover date and time.

8. For the Operator of the Fixed Network Telecommunications Business providing Number Portability, the Recipient Operator shall co-ordinate with the Donor Operator to carry out testing for the local loop and relevant equipment prior to the agreed cutover date and time; and the Recipient Operator and the Donor Operator shall, with no permission to postpone or advance the process at will, undertake the cutover of Ported Subscribers according to the agreed date and time.

9. For the Operator of the Mobile Network Telecommunications Business providing Number Portability, the Recipient Operator shall co-ordinate with the Donor Operator to carry out testing for relevant equipment prior to the agreed cutover date and time; and the Recipient Operator and the Donor Operator shall, with no permission to postpone or advance the process at will, undertake the cutover of Ported Subscribers according to the agreed date and time.

10. After successful completion of cutover process, the Recipient Operator shall immediately inform the Concentrated Databases Administrator and the Executing Authority of Communications Supervision.

The Fixed Network Operators and Mobile Operators shall negotiate the operational procedures when the Donor Operator receives notification from other Recipient Operator of the same number as referred to in the Item 4 of the preceding Paragraph before the completion of Subscriber porting process, and the operational procedure of negotiation result should be reported to the NCC for record.

The Recipient Operator may transmit the data required in Item 4 of Paragraph 1 by electronic method to shorten the porting time. The Donor Operator shall implement the porting procedure immediately after receiving those data .The above is not constrained by the prescript of working days referred to in Item 4 of Paragraph 1 and starting transaction after receiving necessary data specified in Item 4 of Paragraph 1 , as referred to in Item 7 of Paragraph 1 . But the electronic transmission adopted by the Recipient Operator may not be operated without the admission of the Committee referred to in Article 31 .

The Recipient Operator transmitting the data required in Item 4 of Paragraph 1 by electronic method shall guarantee the content transmitted to be correct , and shall be responsible for the duties resulting from incorrect contents .The original copy of the above data shall be delivered to the Donor Operator within 15 days after transmission.

If the one who apply for Number Portability is not the registered Subscribers of the said telephone number or the consigner by laws, the Recipient Operator and the Donor Operator shall not accept the application; if the porting process has been completed by negligence, it shall be restitution in kind.

If any difficulty is encountered in the porting process as set forth in Paragraph 1, the Recipient Operator shall co-ordinate with the Donor Operator to resolve the problems and notify the Subscriber applying for porting. Before the porting process has been successfully completed, the Recipient Operator shall maintain original telecommunications services for Subscribers thereof until the porting process has been completed. The Donor Operator and the Recipient Operator shall apply to the NCC for arbitration by filing the reasons and related certificates or information when they can not reach an agreement on the cutover date and time as set forth in Item 7 of Paragraph 1 .

Before the Concentrated Databases begin to operate, the Recipient Operator

shall inform to the Fixed Network Operator, the Mobile Network Operators, the Operator deploying Ported Subscriber Databases and Type II Telecommunications Enterprises instead of the Concentrated Databases Administrator as referred to in Item 10 of Paragraph 1.

The notifications to the Concentrated Databases Administrator and the Executing Authority of Communications Supervision as referred to in Paragraph 1 shall be in accordance with the following requirements:

1. Notifications to the Concentrated Databases Administrator: the result of the negotiation as referred to in Item 2, Paragraph 1 of Article 31.
2. Notifications to the Executing Authority of Communications Supervision:
 - (1) Donor Operator: the telephone number of Ported Subscribers, the name of the Donor Operator and the Recipient Operator, and the proposed cutover date and time.
 - (2) Recipient Operator: the telephone number of Ported Subscribers, the name of the Donor Operator and the Recipient Operator, and the completed cutover date and time.

Article 23

Before the Concentrated Databases begin to operate, the Fixed Network Operator and the Mobile Network Operators shall negotiate the coordination and testing method for the porting process of Ported Subscribers as referred to in the preceding article with one another. A written result shall be submitted to the NCC for reference before implementation. After the Concentrated Databases begin to operate, the Fixed Network Operator and the Mobile Network Operators shall perform the porting process as referred to in the preceding article in accordance with the coordination and testing method set forth in Item 1, Paragraph 2, of Article 31.

Article 24

Before the Concentrated Databases begin to operate, the Fixed Network Operator and the Mobile Network Operators shall inform other Operators in accordance with the provisions set forth in Article 22 at no charge. The notified Operators shall then immediately reply for acknowledgement at no charge and shall update their own Ported Subscriber Databases and complete any other necessary routing information settings within one hour after receiving data.

Before the Concentrated Databases begin to operate, the Recipient Operators shall perform the required notification in accordance with the provisions under Paragraph 1 of Article 7 or Paragraph 1 of Article 15 at no charge. The notified Operators shall then immediately reply for acknowledgement at no charge and shall update their own Ported Subscriber Databases and complete any other necessary routing information settings within twelve hours after receiving data.

Before the Concentrated Databases begin to operate, by the tenth day of each month, the Fixed Network Operator and the Mobile Network Operators shall compile and provide information of imported Ported Subscriber in the previous month for other Operators at no charge, for the purpose of collating data and maintaining the validity of Ported Subscriber Databases. The NCC, if necessary, may demand Operators to provide Ported Subscriber information for one another.

Before the Concentrated Databases begin to operate, when the Fixed Network Operators, the Operators outside of the Mobile Operators, and Type II Telecommunications Enterprises have deployed the Databases of Ported Subscriber, the Fixed Network Operators and the Mobile Operators shall perform the required notifications in accordance with the provisions set forth in the preceding three Paragraphs.

Before the Concentrated Databases begin to operate, except as otherwise provided in preceding four paragraphs, while one party in which the Fixed Network Operators, the Mobile Operators and the Operator deploying Ported Subscriber Databases demands another Operator to provide Ported Subscriber information, the related procedure and charges shall be subject to negotiations between themselves.

Article 25

The Fixed Network Operators and the Mobile Operators shall negotiate the coordination and testing method for Subscriber porting process with one another in order to perform the process of data exchange in accordance with Paragraph 3 of the preceding Paragraph, and submit a written result to the NCC for reference before implementation.

Article 26

After the Concentrated Databases begin to operate, the Fixed Network Operators and the Mobile Operators shall state in the contract of commissioned management that the Concentrated Databases Administrator shall perform in accordance with the following requirements:

1. Perform the required notifications in accordance with Item 3, Paragraph 1 of Article 31.
2. Maintain the accuracy of Ported Subscriber information in accordance with Item 4, Paragraph 1 of Article 31.
3. Perform the exchange of Ported Subscribers' data between Concentrated Databases and Ported Subscriber Databases of Operators according to the interface specifications, format and procedure for exchanging Ported Subscriber information, and the testing method for exchanging Ported Subscriber information set forth in Item 6, Paragraph 1 of Article 31.

After the Concentrated Databases begin to operate, the Fixed Network Operators and the Mobile Operators shall maintain the accuracy of the Ported Subscriber information in accordance with Item 4, Paragraph 1 of Article 31.

Article 27

After the Concentrated Databases begin to operate, the Fixed Network Operators and the Operators outside of the Mobile Operators deploying Ported Subscriber Databases shall choose by themselves for the method of updating the Ported Subscriber information.

Chapter 6 The Settings and Management of Ported Subscriber Databases

Article 28

The Fixed Network Operators and the Mobile Operators shall manage their Ported Subscriber Databases in accordance with the following requirements:

1. Ensure and periodically check data accuracy, security and normal operational function of the Ported Subscriber Database.
2. Ensure and periodically check the normal operation of function and equipment required for the exchange of Ported Subscriber information.
3. Establish complete data backup and preparatory rescue measures.
4. Establish and preserve for at least six months historical records of data updates.
5. Perform the testing for data exchange of the Ported Subscriber Database upon the request of other Operators who have set up Ported Subscriber Databases and Type II Telecommunications Enterprises before the Concentrated Databases begin to operate.

The management of the Ported Subscriber Databases of the Fixed Network Operators and the Operators outside of the Mobile Operators and Type II Telecommunications Enterprises deployed Ported Subscriber databases shall apply to the stipulations of the preceding Paragraph.

Article 29

Except as otherwise prescribed in Paragraph 3 of Article 20, the Fixed Network Operator and the Mobile Operator shall complete the deployment of duplicate Ported Subscriber Database equipment and any other equipment necessary for exchanging Ported Subscriber information prior to the provision of Databases query.

Article 30

The Ported Subscriber Database equipment as referred to in the preceding Paragraph shall be able to perform the function of exchanging Ported Subscriber information based on the mode and interface of information exchange set forth in Article 25 or Item 6, Paragraph 1 of Article 31.

Chapter 7 The Settings and Management of The Concentrated Databases

Article 31

All Fixed Network Operators and Mobile Operators shall collectively supervise the establishment, maintenance and management of Concentrated Databases in accordance with the following requirements:

1. Collectively establish the Management Committee of Concentrated Databases (hereinafter referred to as the Committee), and set the regulations for the organization and the operation of the Committee.
2. Negotiate the coordination and testing method for Subscriber porting process among Concentrated Databases Administrator (hereinafter referred to as the Administrator), Fixed Network Operators and Mobile Operators.
3. Negotiate the notifying method among Administrator, Fixed Network Operators and Mobile Operators.

4. Negotiate the time limit for updating Concentrated Databases after receiving the notification by the Administrator as referred in Article 22, and the time limit for the Fixed Network Operators Mobile Operators after receiving notification from Administrator.
5. Negotiate that the Administrator shall provide Ported Subscribers information periodically to Fixed Network Operators and Mobile Operators to check the accuracy of Ported Subscriber Databases and the ways and operational method for updating Ported Subscriber Databases with Fixed Network Operators and Mobile Operators.
6. Negotiate the interface specifications, format and procedure for exchanging Ported Subscriber information, and the testing method for exchanging Ported Subscriber information between the Concentrated Databases and the Ported Subscriber Databases of each Operator.
7. Negotiate the transaction of the Administrator and its standard of the service quality.
8. Negotiate the system for superintendence of the Administrator.
9. Negotiate the judging standard of the Administrator and the relevant proceedings such as the judging procedure.
10. Elect a single Administrator according to the judging standard and the judging procedure.
11. Negotiate the contract of commissioned management.
12. Negotiate the matters concerned regarding the former Administrator shall hand over to its successor and the method of superintendence.
13. Negotiate the contingency plan when the Administrator falling vacant.
14. Negotiate other provisions related to the setting and management of the Concentrated Databases.

The quality of service set forth in Item 7 of the preceding paragraph shall conform to the provisions of Article 41.

The matters shall be performed set forth in each Item of Paragraph 1, except for Item 10, the Fixed Network Operators and Mobile Operators shall collectively report to the NCC for reference before implementation; if necessary, the NCC may order to revise it.

The Fixed Network Operator and Mobile Operator shall collectively establish the Committee set forth in Item 1 of Paragraph 1 within one month from the date of promulgation of these Regulations, and the Committee is commissioned to transact each Item of Paragraph 1.

Article 32

The Fixed Network Operators and the Mobile Operators shall collectively enter into the contract of commissioned management with the Administrator. The Operators or Type II Telecommunications Enterprises shall enter into the contract of service with the Administrator respectively. The service contract shall be made on the basis of the contract of commissioned management, and shall not be against of the contract of commissioned management.

Article 33

The Administrator commissioned by the Fixed Network Operators and the Mobile Operators shall be the registered incorporated foundation or company, whose chairman of the board shall be the national of Republic of China. If the Administrator is a company, it shall meet the following requirements:

1. The sum of shareholding by foreigners shall be in accordance with the provisions set forth in the Article 12 of the Telecommunications Act.
2. It shall not hold above 10 percent of shares with voting rights or of capital sum for any Operators.
3. It shall not be the same board chairman or over 10% (including 10%) of directors the same as any Operators.
4. It shall not be the same shareholders or investors who hold over 50% (including 50%) of the issued shares with voting rights or capital sum of any Operators.
5. Any shareholder, director or employee who holds over 10% (including 10%) shares of the Administrator shall not hold over 10% (including 10%) of the shares of any Operator at the same time.
6. The employees of the Administrator shall not be employees of any Operators at the same time.

With the consent of over 75% (including 75%) of the Fixed Network Operators and the Mobile Operators, the Administrator may not be restricted from the

provisions set forth in Item 2 to Item 6 of the preceding Paragraph. The employees as referred in Item 5 and 6 of the preceding Paragraph means the persons who are hired by the Administrator and obtain the salary or other recompense for full-time or part-time job.

Article 34

The contract of commissioned management set forth in Item 11, Paragraph 1 of Article 31, except as otherwise prescribed in these Regulations, shall include the following proceedings:

1. The proceedings as referred to in Item 7, 8, 12, 13 and 14 of Paragraph 1 of Article 31.
2. Dissolution of contract before expiration as the Administrator does not meet the requirement as prescribed in Article 31.
3. The tariff rates or the tariff charging method for service of the Administrator.
4. The Administrator shall not refuse the application of any Operator or Type II Telecommunications Enterprises, and shall treat them on the principle of impartiality and reasonableness.
5. Collection, disposition and use of the Ported Subscribers information by the Administrator shall be in accordance with the Telecommunications Act and other relevant laws and regulations and the Law for the Protection of Computer-processed Personal Information, and the Administrator shall ensure its confidentiality and safety.
6. The Administrator shall provide the relevant government organizations (institutions), upon requests by law, with the Ported Subscribers information in accordance with the Regulations on Telecommunications Business Handling the Related Authorities Inquiring Telecommunications Communication Record.
7. The Administrator shall cooperate with the supervision of the NCC.
8. The penalty or other legal liability in violation of the provisions of the commissioned management contract.

Article 35

The Fixed Network Operators and the Mobile Operators shall complete the proceedings as referred to in each item of Paragraph 1 of Article 31 before January 1, 2005.

Article 36

The Fixed Network Operators and the Mobile Operators shall perform the daily operation of the Administrator and the superintendence of the hand-over of the Administrator in accordance with the provisions set forth in Article 31.

Article 37

The term of commissioned management of the Administrator is five years at most, and the term of office may be renewed; the Fixed Network Operators and the Mobile Operators shall complete the contract renewal or reelection of the Administrator within six months in the year before the Administrator's expiration of the term of office.

Article 38

The Fixed Network Operators and the Mobile Operators shall, within a time limit, inform the new elected Administrator who violates the provisions set forth in Article 33 to correct it. The Fixed Network Operators and the Mobile Operators shall remove the office of the Administrator and reelect the new one if it does not correct in before the time limit.

Article 39

If the Administrator could not be reelected successfully, the Fixed Network Operators and the Mobile Operators shall perform the contingency plan in accordance with the provisions set forth in Item 13, Paragraph 1 of Article 31.

Article 40

The Fixed Network Operators and the Mobile Operators shall bear joint liability for their joint act in accordance with the provisions set forth in these Regulations.

Article 41

The Concentrated Databases shall meet the following requirements of service quality:

1. Maintain normal operation at least 99.99% of the time all the year, and in normal condition, the service shall not be suspended over two hours each month.

2. Maintain at least 99.50% accuracy of the information.

3. It shall be equipped the preparatory rescue system, and the time for cutting over shall not be over ten minutes.

4. When the material obstacle of system occurs, the time for revert function in part shall not exceed 24 hours, and the time for revert function totally shall not exceed 48 hours.

Revert function in part as referred to Item 4 of the preceding Paragraph means that the Concentrated Databases recover the function of receiving, managing and informing information for Number Portability. Revert function totally means that the Concentrated Databases recover all the function as it provides in normal condition.

Chapter 8 Fees

Article 42

The Donor Operator shall not collect the costs incurred by the number porting process from the Recipient Operator.

Article 43

The Donor Operator may charge fees for the number porting process from Ported Subscribers.

The fees as referred to in the preceding Paragraph shall not be higher than the sum announced by the NCC, and that fee shall be set according to Article 26 of the Telecommunications Act and the Administrative Regulation Governing Tariffs of Type I Telecommunications Enterprises.

Article 44

The Fixed Network Operator and the Mobile Operator shall bear its own set-up and maintenance costs incurred for implementing the Number Portability and providing communications services for the called Ported Subscribers.

Article 45

The Originating Network Operator as referred to Paragraph 1 of Article 19 shall bear its own additional communication costs or Ported Subscriber Database query costs incurred in the provision of communications services for the called Ported Subscribers.

Article 46

An Operator shall provide communications services for Ported Subscribers and non-Ported Subscriber based at the same tariff rates.

Chapter 9 Supplementary Provisions

Article 47

Where the Operators deploying no Ported Subscriber Databases in violation of the provisions of these Regulations shall not be exempted from liability even if it could attribute to the intention or negligence of their mandataries.

Article 48

Except as otherwise prescribed in these Regulation, the provisions of Article 15, 16, 17, 19, 21, 22, 23, 24, 25, 42, 43, 44, 45, 46, and 47 shall apply to the MVNOs when providing the Number Portability.

Article 49

Those who act against these Regulations shall be punished pursuant to this Act.

Article 50

These Regulations shall become effective as of the date of promulgation. The revised articles, which were implemented on December 25, 2010, were amended on January 11, 2011.