



MEMORANDUM CIRCULAR

No. 03-06-2019

SUBJECT: RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO. 11202 OTHERWISE KNOWN AS THE “MOBILE NUMBER PORTABILITY ACT”

WHEREAS, Section 24, Article II of the 1987 Philippine Constitution declares that the State recognizes the vital role of communication and information in nation-building;

WHEREAS, Sec. 11 of Republic Act No. 11202 (RA 11202), otherwise known as the “*Mobile Number Portability Act*,” provides “*Within ninety (90) days from the effectivity of this Act, the NTC, as the government entity mandated to implement nationwide MNP, shall coordinate with the Department of Information and Communications Technology, the National Privacy Commission, the Philippine Competition Commission, and other concerned agencies, and promulgate rules and regulations and other issuances as may be necessary to ensure the effective implementation of this Act*”;

NOW, THEREFORE, pursuant to Republic Act No. 7925 (RA 7925), Executive Order No. 546 series of 1979 (EO 546), and RA 11202, after due consideration of the comments, recommendations, and position papers received in the course of the requisite public hearing, the following implementing rules and regulations (IRR) are hereby promulgated:

SECTION 1. Definition of Terms

1.1 As used in this IRR:

- 1.1.1 **Commission** refers to the National Telecommunications Commission;
- 1.1.2 **Cutover Period** refers to the date and time when a subscriber who submitted a porting application will have no mobile telecommunications service while the porting process is being completed. The period shall not exceed four (4) hours;

- 1.1.3 **Donor Provider** or **DP** refers to the mobile service provider to whose network the mobile number belongs at the time the subscriber submits a porting application;
- 1.1.4 **Hours** refers to the time reckoned from midnight to midnight and not business hours;
- 1.1.5 **Local Number Portability Database** refers to the database of all ported mobile numbers maintained by a Mobile Service Provider;
- 1.1.6 **Mobile Number** refers to the number series assigned by a mobile service provider to its subscribers;
- 1.1.7 **Mobile Number Portability** or **MNP** refers to the ability of a mobile postpaid or prepaid subscriber, who has no existing financial obligation to the Donor Provider, to retain an existing mobile number despite having moved from one mobile service provider to another, or to change the type of subscription from postpaid to prepaid or vice versa;
- 1.1.8 **Mobile Number Portability Service Provider** or **MNPSP** refers to the entity that provides mobile number porting services as set out in Section 3 hereof;
- 1.1.9 **Mobile Postpaid Subscriber** refers to any person, natural or juridical, who avails of the mobile telecommunications service under a prior arrangement with a mobile service provider. The subscriber is billed after the fact, according to the use of mobile telecommunications services at the end of the monthly billing cycle;
- 1.1.10 **Mobile Prepaid Subscriber** refers to any person, natural or juridical, who avails of the mobile telecommunications services from a mobile service provider by purchasing credit in advance of service use. The purchased credit is used to pay for mobile telecommunications services at the point the service is accessed or consumed;
- 1.1.11 **Mobile Service Provider** or **MSP** refers to a public telecommunications entity or a virtual network operator, or any entity that provides mobile telecommunications service to subscribers;