I.N.M.S Ltd

BUSINESS RULES

FOR THE MANAGEMENT

OF

PORTABLE FREEPHONE &

LOCAL RATE

NUMBERS

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1   INTRODUCTION

Industry Number Management Services Ltd (INMS) is a not-for-profit company which was established to facilitate number portability of Freephone (1800) and Local Rate (13/1300) telephone numbers. Local Rate services may also be known as '13 Services'. Local rate and freephone number portability allows customers and Carriage Service Intermediaries (CSI's) to change their Carriage Service Provider (CSP) and retain the same freephone or local rate number.

INMS operates a computer system (the "**System**") which facilitates the provision to its subscribers of services related to freephone and local rate number portability. Subscribers access the INMS system via the internet (Web Browser) or via a dedicated connection (XML Interface).

INMS also offers subscribers an interface to the system operated by the current delegate of the Australian Communications & Media Authority (ACMA). This interface allows subscribers to apply for allocation of freephone and local rate numbers (delegated services) and have the numbers activated at the same time in the INMS system. The delegated services are provided and billed by the ACMA's delegate, ZOAK Pty Ltd (ZOAK), and not INMS. The activation is provided and billed by INMS. INMS is merely acting as a conduit to ZOAK on behalf of the subscriber for the allocation services.

Subscription to the services of INMS is open to all CSPs. INMS subscribers must abide by the Numbering Plan and by these Business Rules. The Numbering Plan takes precedence over the Business Rules to the extent of any inconsistency.

2   SUBSCRIPTION TO INMS

A CSP wishing to become an INMS subscriber must register with INMS. There are a number of steps which must be undertaken to register with INMS:

1. Accurately complete the Application Form;

2. Establish interconnect arrangements for the purposes of call routing. Calls to Freephone and Local Rate numbers are routed using the interconnect model. It is vital that each CSP has its interconnection arrangements if place before seeking allocations of Freephone and Local Rate numbers from INMS so that calls can be routed appropriately to those numbers;

3. Validly execute the INMS SD contract; and

4. Establish connectivity with the INMS System via an XML Interface or the Web Browser Interface. Any subscriber wanting to access the INMS system via the XML Interface must first undertake and pass a series of tests conducted by INMS using a model / test environment to ensure that integration of a new subscriber will not affect the operation of the INMS or other subscriber systems. INMS has developed a number of documents which detail the steps required to achieve this connectivity including:

    - Interface Requirements;

    - Interworking Requirements;

    - Service Level Requirements.

All relevant documents (as may be varied by INMS from time to time) are available on the INMS web site (www.inms.com.au).

3   ROUTING TO FREEPHONE AND LOCAL RATE NUMBERS

All traffic (including call, fax and sms traffic) to Freephone and Local Rate numbers must be routed using the interconnect model of routing as specified in the Communications Alliance guideline: *ACIF G511:1998 1800/13/1300 Number Portability - Network Plan*.

3.1   SERVICE DELIVERERS

Figure 1 shows the relationships between the various possible parties in routing traffic to a Freephone/Local Rate number. Note that all parties may not necessarily be involved in any particular call.

Figure 1 - Generic Freephone/Local Rate Interconnect Arrangements
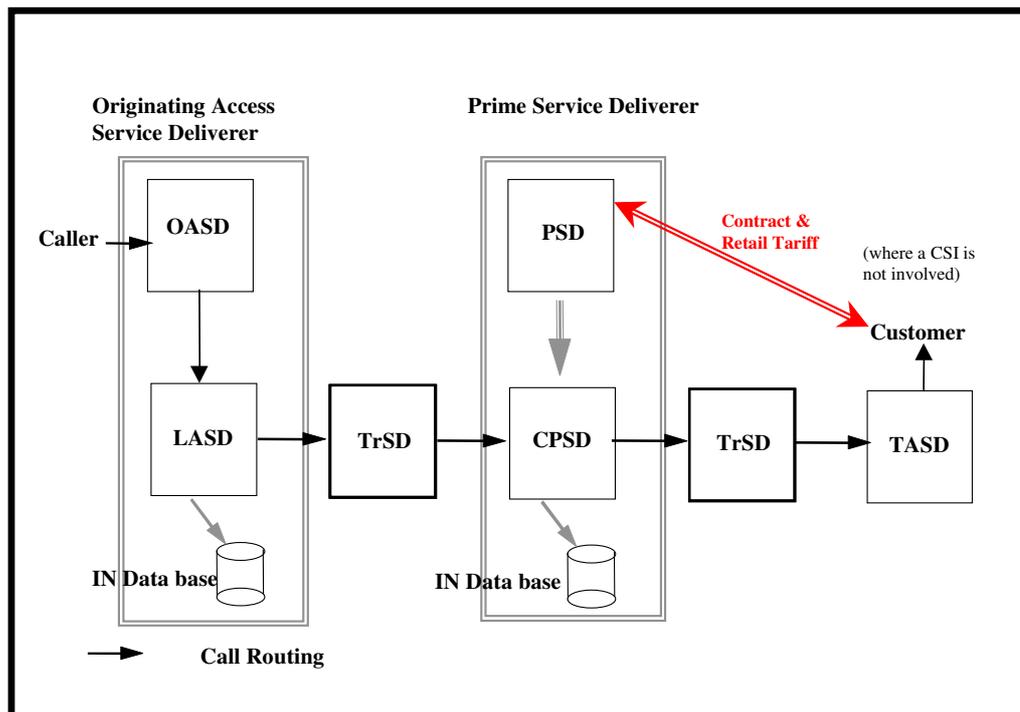
3.1.1 CSP - Carriage Service Provider
A carriage service provider has the meaning as defined in the Act.

3.1.2 Carrier
A carrier has the meaning as defined in the Act and includes a nominated carrier as defined in the Act.

3.1.3 SD - Service Deliverer
A Service Deliverer may be either or both of:

• 	A carriage service provider; or
• 	A carrier.

Note, however, that under section 455 of the Act, a number may only be allocated to a carriage service provider.

3.1.4 CPSD - Contracted Prime Service Deliverer
The CPSD in respect of a number is the entity contracted by a Prime Service Deliverer (PSD) to provide the necessary network and service functionality for that number (and possibly other ancillary services such as billing, service assurance and interconnect reconciliation and payment).

3.1.5 LASD- Listed Access Service Deliverer
LASDs are service deliverers that require information from INMS in order to appropriately route calls to freephone / local rate numbers.

3.1.6 OASD - Originating Access Service Deliverer
The OASD provides an access carriage service to connect a caller to the PSD. This may be undertaken directly through their interconnect agreement with the PSD or through an interconnect agreement with a LASD and/or TrSD.

3.1.7 PSD - Prime Service Deliverer
The PSD is a carriage service provider which contracts to provide a freephone / local rate service. For the purposes of these Business Rules, the PSD recorded in the INMS System in respect of a particular freephone / local rate number will be taken to be the PSD for that number unless and until the PSD is changed on the INMS System.

3.1.8 TASD- Terminating Access Service Deliverer
The TASD provides a terminating access service from the PSD (or CPSD) to the translated number. This may be undertaken directly through their interconnect agreement with the PSD or via a TrSD.

3.1.9 TrSD - Transit Service Deliverer
A TrSD is contracted through an interconnect agreement to provide a transit carriage service between SDs.

4   NUMBER STATES AND TRANSITIONS

4.1   CATEGORIES OF NUMBER STATES

The state of a number will determine what transactions can be undertaken for that number. The INMS system will reject a transaction if the number is in a state that does not allow that particular transaction to occur.

There are various categories of states and these are outlined below. Each category and state is defined and explained in *Section 5.4*.

4.1.1 Available
The Available category has the following states:

*   Available by Auction
*   Available by administrative allocation
*   Withheld Restricted
*   Reserved Restricted

4.1.2 Conditionally Allocated
The Conditionally Allocated category has the following four states:

*   Withheld
*   Withheld- Extended
*   Reserved
*   Reserved - Extended

4.1.3 Allocated
The Allocated category has the following states:

*   Issued
    ⇒   Active

    ⇒   EROU Allocated without service

    ⇒   Allocated without service

    ⇒   Port Pending

    ⇒   Port in Progress

*   Suspended

4.1.4 EROU Unallocated Without Service

The EROU Unallocated Without Service state denotes a Smartnumber that may be activated by any Registered CSP but only for the ROU Holder of that number, or another entity who can demonstrate entitlement to use that number from the ROU holder. An example of this would be a lease agreement.

4.1.5 Quarantined

A Quarantined number is only available for re-allocation to the original CSP that cancelled/surrendered the number and only when requested by the customer who was the ROU holder immediately before cancellation. This only applies for Admin numbers. The process for releasing a number from quarantine must be managed through the ACMA or its delegate.

4.1.6 Quarantined without Service

This state denotes an Admin number that has been allocated directly through the ZOAK system (not via the INMS system proxy) and has then been cancelled directly through the ZOAK system.

4.2   VALID TRANSACTIONS

The INMS system supports the following changes of number state as valid transactions. Other changes will not be permitted.

EROU refers to Smartnumbers that have Enhanced Rights Of Use. Non-EROU refers to Admin numbers.

NB: An Admin number may be Withheld Restricted or Reserve Restricted to a certain CSP whilst being Available to other CSPs.

4.3   TABLE OF CONDITIONS AND STATE

4.3.1 Category: AVAILABLE

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Available by administrative allocation	This state denotes an Admin number that is available for administrative allocation from the Number Pool to a subscriber to issue (activate) to a customer or potential customer or to itself for its own use. Allocation is done by ZOAK and activation is done by INMS. Both allocation and activation can be done in one transaction via the INMS proxy service.	N/A	N/A	Withheld Reserved Active	Smartnumbers may go into this state as part of the top-up process.
Available by Auction	This state denotes a Smartnumber that is available for allocation via ZOAK.	N/A	N/A	Available by Administrative Allocation EROU Unallocated without Service	Only available by ZOAK allocation.

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Withheld Restricted	The Withheld Restricted state only applies to the Registered CSP who had the number in a Withheld or Withheld Extended state immediately prior to the number becoming Withheld Restricted. The Withheld Restricted period follows the expiry or surrender of the number by the restricted Registered CSP from Withheld or Withheld Extended states.	2 days	No	Reserved Active Available	During the period in which the state of a number is Withheld Restricted, the restricted Registered CSP could request the state change to Reserved or Active. The Withheld Restricted CSP will see the number as being 'Withheld Restricted', whereas other Registered CSPs will see the number as being 'Available'. This state only applies to Admin numbers. Smartnumbers cannot be Withheld.
Reserved Restricted	The Reserved Restricted state only applies to the Registered CSP who had the number in a Reserved or Reserved Extended state immediately prior to the number becoming Reserved Restricted. The Reserved Restricted period follows the expiry or surrender of the number by the restricted Registered CSP from Reserved or Reserved Extended states.	2 days	No	Active Available	During the period in which the state of a number is Reserved Restricted, the restricted Registered CSP could only request a state change to Active. The Reserved Restricted Registered CSP will see the number as not being available ie Reserve Restricted, where other Registered CSPs will see the number in its transition state eg 'Available'. This state only applies to Admin numbers. Smartnumbers cannot be Reserved.

4.3.2 Category: CONDITIONALLY ALLOCATED

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Withheld	Withheld is a temporary reservation of an Admin number for a short period. The purpose of this state is to allow a potential customer to consider the use of a small quantity of Admin number/s.	14 days	No	Withheld Extended Withheld Restricted Reserved Active Available	Following expiry of the withhold state, or the return of the number to the pool of available numbers, the Registered CSP surrendering the number is restricted from further withhold of the number for two (2) days. The Registered CSP holding the number may extend the reservation for a further 14 days prior to the expiry of the initial Withheld period ie the number moves to the Withheld Extended state. Numerical limits apply -see Section 8. This state only applies to Admin numbers. Smartnumbers cannot be Withheld.

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Withheld Extended	During the initial withheld period the Registered CSP may extend the period for a further 14 days.	14 days	No	Withheld Restricted Reserved Active Available	Following expiry of the withhold extended state, or the return of the number to the pool of available numbers, the Registered CSP surrendering the number is restricted from further withhold of the number for two (2) days. Numerical limits apply -see Attachment D. This state only applies to Admin numbers. Smartnumbers cannot be Withheld.
Reserved	Reserved is a longer term reservation of an Admin number on behalf of a contracted customer who intends to activate the service. A number cannot be reserved unless an order for activation of the number exists. If an activation order does not exist, Withheld must be used.	90 days	No	Reserved Restricted Reserved Extended Active Available Port Pending	Following the expiry of the Reserved period, or the return of the number to the pool of available numbers, the Registered CSP surrendering the number is restricted from withholding or reserving the number for two (2) days. i.e. move to reserve extended. The Registered CSP holding the number may extend the reservation for a further 30 days prior to the expiry of the initial Reserved period. This state only applies to Admin numbers.

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Reserved Extended	Reserved Extended is the allowed extension period to the Reserved State.	30 days	No	Reserved Restricted Active Available Port Pending	Following the expiry of the Reserved Extended period, or the return of the number to the pool of available numbers, the Registered CSP surrendering the number is restricted from withholding or reserving the number for two (2) days. This state only applies to Admin numbers. Smartnumbers cannot be Reserved.

4.3.3 Category - ALLOCATED

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
EROU Allocated Without Service	This state denotes a Smartnumber that has been allocated to a Subscriber by the ZOAK allocation system.	Automatic	No	EROU Unallocated without service	This state is transitory and the number will proceed automatically to EROU Unallocated Without Service.
Allocated without service	A non-EROU (admin) number has been allocated directly in the ZOAK system, bypassing the INMS system altogether. In this scenario the number is allocated, but not activated.	N/A	No	Active Quarantined without service	This number may be activated in the INMS system by the CSP to whom it was allocated.
Active	The number has been allocated by ZOAK and has also been issued to a customer (activated) in the INMS system. The INMS proxy interface service can be used to carry out allocation and activation of a number in one transaction (Activate transaction). The allocation component of the Activate transaction would be performed and billed by ZOAK and the activation component would be performed and billed by INMS.	N/A	Yes	Port Pending Quarantined Suspended EROU Unallocated without Service	Numbers may only be activated via the INMS system, not the ZOAK system which only provides allocation services. A Smartnumber may only be activated for the EROU holder.

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Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Port Pending	A state which indicates that INMS has received a valid port request (other than a Change CPSD).	90 days from the PAF date.	No	Port in Progress Active (with Donor PSD)	The commencement date for the Port Pending period will be the date the customer or CSI or the customer's agent authorised in writing (on behalf of the customer) signed the PAF (the PAF Date). The PAF Date will be included on the Porting Request by the Recipient . This sub-state prevents INMS accepting advice of a subsequent request to port a number (e.g. if a recipient accidentally resubmits a port request) when a valid port request exists
Port in Progress	Indicates INMS has received advice from the Recipient to proceed with the port (other than a Change CPSD).	N/A	No	Active (with Recipient)	This sub-state prevents INMS from accepting advice of a subsequent request to port a number via any Donor PSD when a valid port is in progress.

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Suspended	Indicates that a service has been temporarily disconnected by the PSD, e.g. where a customer requests the disconnection for event or seasonal services such as a snow information line.	14 Months	Yes	Active Quarantine EROU unallocated without service	During the suspended period porting would be permitted. Porting does not extend the 'Duration till expiry of this state'. Upon request from PSD to cancel or automatically on expiry of 14 month period.

4.3.4 Category - EROU Unallocated Without Service

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
EROU Unallocated Without Service	This state denotes a Smartnumber that is not allocated to a CSP anymore.	3 years	No	Active Available by Auction	This number may only be activated for the ROU Holder.

4.3.5 Category - QUARANTINED

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Quarantine	This state denotes a cancelled Admin number which is unavailable for allocation, except to the CSP that cancelled the number and for use by the customer who was using the number immediately prior to cancellation.	6 months default and 12 months where the service is cancelled for nuisance calls.	No	Available by Auction (when quarantine expires) Active (when quarantine Release granted by ACMA or its delegate)	Following the cancellation of an Active service by the customer in relation to a non-EROU number, the PSD will advise INMS using the cancellation process and the state of the number will be changed from Active to Quarantined. In the case of cancellation due to nuisance calls, the PSD must advise INMS when the service is cancelled. This state only applies to Admin numbers.

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4.3.6 Category – QUARANTINED WITHOUT SERVICE

Current State	Definition/Description	Duration till expiry of this state	Porting Allowed	Valid State Transition	Condition
Quarantined without service	This state denotes an Admin (non-EROU) number that had been allocated directly through the ZOAK system (not via INMS system) and then cancelled directly through the ZOAK system (not via the INMS system).	6 months default and 12 months where the service is cancelled for nuisance calls.	No	Available by Auction (when quarantine expires) Active (when quarantine Release granted by ACMA or its delegate)	This state only applies to Admin numbers.

5   PRINCIPLES AND OBLIGATIONS

These Business Rules have been developed applying the following principles and obligations:

1.   Each Subscriber will provide INMS with a single point of contact for operational issues including fault management and queries.

2.   Portability should not adversely affect the service levels Subscribers offer their customers and assumes "real time" advice on number availability from INMS.

3.   An equitable approach to all processes associated with numbers from the number pool is the prime objective of the regime. No Subscriber holds special rights to numbers once assigned to the number pool.

4.   For efficient cost and performance operations there should be minimum interaction between INMS and Subscribers.

5.   One service equates to one number.

6.   If a request to INMS is rejected by INMS, the number retains its original status.

7.   Where a Subscriber makes a mistake in relation to requesting or rejecting a port, that Subscriber shall pay the INMS fees associated with any System transaction that occurs as a result of that mistake (including in circumstances where a PAF has expired or is not correctly completed prior to porting). Prior to requesting to port a customer or CSI, a Subscriber should endeavour to sight that customer's bill or CSI's account details to verify the customer/CSI information that should be inserted in the PAF.

8.   The relationship between a PSD and a CPSD is bilateral and does not involve INMS ie: the PSD is responsible for ensuring that agreement has been reached with a CPSD and that INMS has been informed of the CPSD contracted for particular number/s or a change in the CPSD.

9.   It is the responsibility of Subscribers to arrange network inter-connection separately to the initiation of services from INMS.

10.   INMS may maintain an audit trail of the states and state transitions of each number in the INMS system, including the PSDs to whom each number has been allocated or ported since the launch of the INMS system.

11.   While an Admin number may progress through all the states from 'available by administrative allocation', 'withheld', 'reserved' to 'active' this is not a requirement, ie: these numbers may be advanced directly from 'available' to 'active'.

12.   A change of customer or CSI does not involve INMS.

13.   CSPs will be required to implement processes which support portability for their resellers.

14.   Where the ZOAK system is experiencing an outage, the INMS system will not be able to complete activation, withheld/withheld extend, reserve/reserve extend or cancel transactions via the proxy interface.

6   GENERAL BUSINESS RULES

1.   The operation of INMS and the management of the number pool are governed by these Business Rules.

2.   All Subscribers involved in the provision of freephone / local rate services and utilising numbers from the pool of portable numbers will be required to abide by these Business Rules including provisions associated with each state eg Withheld, Reserved, as well as Dispute Resolution Procedures and action arising following breaches of the rules.

3.   A Subscriber will initiate the changes to their network as specified in *Section 13 Response Times*.

4. These Business Rules may require amendment from time to time by the Main Industry Committee of INMS notifying changes to INMS Subscribers, subject to the following procedures:

    (a)   amendments to rules relating to technical matters will require a three quarters majority vote of the Main Industry Committee or, if the MIC is not operative, the directors of INMS;

    (b)   amendments to rules relating to fees payable for the provision of services will require a unanimous vote of the directors of INMS;

    (c)   other amendments to rules may be made by majority decision of the MIC, or if the MIC is not operative, the directors of INMS.

5. Unless otherwise indicated:

- Days are calendar days;
- Months are calendar months;
- Time of day will mean the time of day in Sydney, NSW;
- 24 hour time will be used;
- When calculating a period of time the first day is counted as that day on which INMS updates the database;
- All periods defined in day(s) are deemed to end at midnight on the date of expiry.

6. The INMS database can only be altered by Subscribers if they submit a transaction via the computerised INMS interface or where the ACMA or its delegate notifies INMS of a required alteration.

7. Service Assurance process principles have been agreed. Refer to Attachment C.

8. The Numbering Plan requires that if more than one Subscriber requests the allocation of the same number, the number must be allocated to the Subscriber that made the first request. INMS through the implementation of its technical solution will allocate the number to the Subscriber which made the first valid request.

    For the purposes of this clause, a request for an allocation is valid if:

- the request contains valid data;
- the CSP is not the subject of a direction given to INMS as noted in clause 5.1(13).

    If INMS is unable to determine which request for allocation was received first, or in the event that two requests from Subscribers are received at exactly the same time, INMS will conduct a ballot to determine which Subscriber will receive the allocation.

9. Any transaction rejected by INMS or a Subscriber must include an appropriate reject reason code in the response.

7   WITHHOLD STATE QUOTAS

1. To provide an adequate choice for customers during a "pre-sale" period, and to maintain a reasonable size number pool, the quantity of Admin numbers that may be withheld by Subscribers will be restricted.

2. INMS may adjust the size of the Withhold quotas to balance the needs of Subscribers against the quantity of numbers in the pool of portable numbers. INMS will inform Subscribers of any changes to the withhold state quota 90 days prior to the introduction of the new quota.

3. The maximum quantity of numbers which may be withheld by any Subscriber will be governed by the quantity of numbers reserved and issued by that Subscriber as outlined in *Table 1 Withhold Quotas* below:

Number Type	Number Length	Quantity Reserved and Issued (N)	Quota
13 (except 1345)	6	≤ 250	50
		> 250	20% N, rounded up
1345	8	≤ 250	50
		> 250	20% N, rounded up
1300	10	≤ 5,000	1,000
		> 5,000	20% N, rounded up
1802	7	≤ 100	20
		> 100	20% N, rounded up
1800	10	≤ 5,000	1,000
		> 5,000	20% N, rounded up

Table1 Withhold Quotas

4. If a PSD surrenders or cancels a number or a reservation expires and, consequently, the PSD exceeds the withhold quota, the PSD will not be required to surrender any withheld numbers. However, the PSD will not be allowed to withhold any more numbers until the quantity of numbers that it has withheld is less than the quota.

8   PORTING

1. A port transaction is required when there is a change of the Prime Service Deliverer (PSD) for a given freephone or local rate number. The PSD for each freephone or local rate number is recorded in the INMS system.

2. Only Active and Suspended numbers can be ported. Porting of Reserved or Withheld numbers is not allowed.

3. A port does not include a change of customer, Carriage Service Intermediary (also known as a "Reseller") or a change of the Contracted Prime Service Deliverer (CPSD).

4. A change of customer does not involve INMS. Similarly, a change of reseller does not involve INMS. This is because the customers and resellers of freephone and local rate numbers are not recorded on the INMS system and therefore there is no need to notify INMS when a change is made to these entities.

5. Changing the CPSD for a number must be done via the INMS system using the "Change CPSD" transaction. A "Change CPSD" transaction also attracts a different fee to a port transaction.

8.1   WHICH PARTIES ARE INVOLVED IN A PORT?

1. The following parties are involved when a port is carried out on the INMS system:

    • **Donor PSD** - The Donor PSD is the Subscriber who is recorded on the INMS System as holding the allocated number when a customer or CSI requests the porting of that number to another Subscriber. The Donor PSD is the Subscriber losing the customer and the number.

- **Recipient** - The Recipient is the Subscriber to which a customer, CSI or the customer's agent (authorised in writing) requests that a pooled freephone or local rate number be ported. To simplify, the Recipient is the Subscriber gaining the customer and the number.

- **LASD subscribers** – LASD subscribers are those INMS subscribers who need call routing information from INMS to enable them to route calls appropriately. Before a port transaction can be completed, each LASD subscriber receives a message from INMS notifying them of the need to update their switches. LASD subscribers must respond to these messages otherwise the port transaction cannot be completed. LASD subscribers must respond to 95% of these messages in 1 hour and 99.9% in 8 hours.

  If any LASD fails to respond, INMS may, after consulting the Donor PSD and Recipient, instruct the Donor PSD to proceed with the port. This process is to be initiated by the Recipient. If a port has been in the Port In Progress state for 2 hours or more, the Recipient may contact the LASD who has failed to advise INMS that its network has been provisioned. After consulting with the LASD, the Recipient may then contact the Donor PSD and INMS. After consulting with the Recipient and Donor PSD, INMS must decide whether or not the port should proceed. If INMS decides that the port will proceed, INMS will take the appropriate steps to ensure that the INMS system completes the port and shall contact the LASD in question and advise that the port has gone ahead.

8.2   PORTING AUTHORISATION FORM

1. Porting transactions are done electronically via the INMS system. However, before commencing a port transaction, a Porting Authorisation Form (PAF) must be fully completed by the customer or CSI. A specimen PAF, which sets out the minimum information requirements, is attached (Attachment A).

2. The port request is based on information extracted from the PAF and is conveyed between the Recipient and the Donor PSD using the INMS system. The Donor PSD can only use the porting request information for the purposes of porting that number and cannot use the information for any other purpose (such as winning back the customer).

3. The following rules apply to the use of PAFs:

   - In order for a PAF to be valid, it must be signed by the customer, the customer's agent or the CSI who has a contract with the customer in respect of the relevant number.

   - All PAFs become invalid after 90 days and cannot be used to initiate a port after that period.

   - PAFs must be held by the Recipient for 2 years.

   - For the purpose of initiating a porting request, where a customer does not have an ACN or ABN, the Recipient is to provide the customer name to the Donor PSD as its equivalent.

   - Where a Donor PSD has reason to believe that a PAF is invalid, the Donor PSD may request a copy of the PAF. All requests by the Donor PSD for copies of the PAFs held by the Recipient shall be collated and submitted not more than once each business day. The Recipient is required to provide a copy of a requested PAF within 2 business days of the request. The Donor PSD will advise the Recipient by facsimile of all PAF requests. The Recipient shall provide all PAFs (as originally requested) by facsimile.

8.3   PORTING RESPONSE TIMES

1.   After receiving a port request via the INMS system, the Donor PSD must accept or reject that request within one Business Day. If a request is received after 4:00pm on a Business Day, or on a non-Business Day, the request will be deemed to have been received at 8:00am on the following Business Day.

2.   Before the port is completed, the INMS system sends the Donor PSD one last message to tell the Donor PSD to update its switch. The Donor PSD must respond to 95% of these messages within 2 hours and 99.9% of the messages within 16 hours. Port complete messages received after 5:00pm on a business day, or on a non-business day, are considered to have been received at 8:00am on the next business day.

3.   INMS may take steps to enforce these response times, including rejecting all port requests from a Subscriber while that Subscriber has an outstanding port request or port complete message to which it has not responded within the required timeframes.

8.4   WHAT HAPPENS TO THE NUMBER DURING A PORT?

1.   When an Active number is ported, it goes through the following states:

Active > Port Pending > Port in Progress > Active.

2.   When a Suspended number is ported, it goes through the following states:

Suspended > Port Pending > Port in Progress > Suspended.

8.5   WHEN CAN A PORT BE REJECTED BY THE DONOR PSD?

1.   Ports can only be rejected in the following instances:

   a. the date of the PAF is more than 90 days before the porting request is sent by the Recipient PSD via INMS to the Donor PSD;

   b. the account number information set out in the PAF does not agree with the information held by the Donor PSD, except where this information has been provided by the Donor PSD or the CPSD to the Recipient PSD, the customer or the CSI who has the contract with the customer for the relevant number, in which case the information is deemed to agree with the information held by the Donor PSD;

   c. the PAF is not signed by an authorised person;

   d. the PAF is not dated; or

   e. mandatory information in the PAF is illegible, inaccurate or missing.

2.   If a Recipient disputes a port reject advice received from a Donor PSD, the Recipient's operational contact may, as a first step before applying to INMS directly, forward a disputed reject request to the nominated Donor PSD's representative detailing the number and a short explanation of the actual dispute. The Donor PSD will investigate the disputed reject and provide a response by facsimile or email within 2 Business Days. In the case that it is identified the port was incorrectly rejected, the Recipient will resubmit the port request via the normal processes.

3.   Where an INMS subscriber makes a mistake in relation to requesting or rejecting a port, that subscriber shall pay the INMS fees associated with any system transaction that occurs as a result of that mistake (including in circumstances where a PAF has expired or is not correctly completed prior to porting).

8.6   WHAT IS THE PROCESS FOR HANDLING UNAUTHORISED PORTS?

8.6.1 Class 1 Unauthorised Ports

1. Class 1 Unauthorised Ports are those ports not in accordance with a request or desire of a customer. These occur as a result of an error on the part of a carrier or customer and may result from human or system error. Incorrect ports typically involve a customer/carrier incorrectly listing a service number on a PAF (a number may or may not be the service of that customer) or an incorrectly ported number (number is different to that listed on the PAF).

2. The occurrence of Class 1 unauthorised ports must be resolved by the immediate port back to the original Donor PSD. The process for handling Class 1 unauthorised ports requires negotiation between respective PSDs to facilitate a port reversal to the original donor PSD as soon as technically feasible. This must be undertaken as the customer intent was not to port their service in the first place. The following actions must be taken:

    a. The Recipient PSD or Donor PSD, upon realisation of a Class 1 unauthorised port, should contact the other PSD to arrange an immediate reversal of the port. The Port Reversal form set out in *Attachment D* must be completed and signed by both parties and forwarded to INMS for its records.

    b. The port reversal should occur as soon as possible after completion and signing of the Port Reversal Form.

    c. Any charges struck by the recipient carrier for the incorrectly ported service should be waived for the customer.

8.6.2 Class 2 Unauthorised Ports

1. Class 2 Unauthorised Ports are those ports that are in accordance with a request or desire of a customer but have occurred without all requirements of the porting process being met. Class 2 Unauthorised Ports will typically involve porting occurring without a valid PAF (no PAF exists or has expired).

2. The occurrence of a Class 2 Unauthorised Port requires the immediate action of the Donor and Recipient PSDs to resolve the matter. The prime driver in the resolution of the Class 2 Unauthorised Port is the customer intent.

3. The resolution process to apply is as follows:

    a. If the Class 2 Unauthorised Port is identified by the Donor PSD, the Donor PSD should contact the Recipient PSD to initiate resolution action as outlined below. If the Recipient PSD identifies the problem, the Recipient PSD should contact the Donor PSD to advise of the Class 2 Unauthorised Port and undertake action outlined below.

    b. Recipient PSD must contact the customer to determine the customer's intention.

    c. If the customer wishes to remain with the Recipient PSD, a new PAF should be arranged and signed by the customer. A copy of the PAF should then be held by the Recipient PSD and a copy provided to the Donor PSD.

    d. If the customer wishes to have the service moved back to the Donor PSD, the Port Reversal Form set out at *Attachment D* must be completed and signed by both parties and forwarded to INMS for its records. The Port Reversal should take place as soon as possible after the completion of the Port Reversal Form.

e. Any charges struck by the Recipient PSD for the illegally ported service, if the service is ported back to the Donor PSD, should be waived for the customer. If the service is to remain with the Recipient PSD, charges should stand at the discretion of the carrier.

8.7 HANDLING PORTS WHEN A SUBSCRIBER CEASES TO BE A SUBSCRIBER

1. Where an INMS subscriber ceases to be a subscriber for whatever reason, it is imperative that porting is able to be carried out on all numbers allocated to that subscriber.

2. Where a port request is generated for a number allocated to a former INMS subscriber, INMS may accept or reject the port request on behalf of the former subscriber if the customer can verify that they are the Rights of Use holder for that number. This can be shown by the gaining provider providing INMS will a recent bill/tax invoice containing the customer's name and the relevant FLRN number being ported. If INMS is not satisfied that the customer is the Rights of use holder for that number, INMS may reject the port request.

9 SPECIAL RULES FOR SMARTNUMBERS

9.1 PORTING SMARTNUMBERS

Smartnumbers may only be ported with the permission of the ROU Holder. To ensure this occurs a Recipient CSP must, prior to porting a Smartnumber, satisfy itself that the party making the port request is the current ROU Holder or is acting with the permission of the current ROU Holder. If the customer making the port request is not the current ROU Holder and is not acting with the permission of the ROU Holder, the Subscriber must refuse to port the number.

10 USE OF 1345 XXXX NUMBERS

INMS subscribers should take reasonable measures to ensure that 8-digit local rate numbers from the '1345' range are issued exclusively for use by a customer in conjunction with security alarms receiving equipment.

11 SENDING SMS TO FREEPHONE & LOCAL RATE NUMBERS

1. Subscribers must not allow a Freephone or Local Rate number to be used to receive SMS unless:

    a. the number is allocated to that subscriber in the INMS database;

    b. the number is in the Active, Port Pending or Port in Progress states;

    c. the Subscriber has in place bilateral arrangements for the carriage of sms to its Freephone and Local Rate numbers; and

    d. the number is capable of receiving voice calls.

2. There can only be one PSD and one CPSD for each Freephone and Local Rate number allocated by INMS. As such, there cannot be any dual allocation for the purposes of having one PSDS/CPSD for voice and another for sms. Voice and sms services must be provided by the same PSD/CPSD on each number.

3.   Where a subscriber wants to sms-enable some but not all of its numbers, it must set up a new INMS subscriber account with new PSD/CPSD details and port the relevant numbers to that new subscriber account. Bilateral arrangements must be in place for the new subscriber account prior to the offering of any voice or sms services on that number. The number must be capable of receiving voice calls.

4.   Mobile originated sms messages are sent to the home network for processing. As a result, Australian mobile phone users roaming overseas can still send sms to Australian Freephone or Local Rate numbers. Conversely, foreign mobile phone users roaming in Australia will not be able to send sms to Australian Freephone or Local Rate numbers. Subscribers should ensure that their customers are aware of this prior to offering a sms service on a Freephone or Local Rate number.

12   RIGHTS OF ANSWER POINT LESSEES

1.   As well as the management of FLRN's, INMS subscribers have an obligation to all Rights of Use holders for numbers that are in the service configurations of FLRN's. These include:

a.   Services can be provisioned in good faith, however where a ROU holder of an answer point makes a request based on an FLRN impacting them, the subscriber must try to meet the needs of the answer point ROU holder after verifying that they are the ROU holder for that answer point.

b.   The ROU holder of an answer point of a FLRN has the right to request that the PSD/CPSD of the FLRN remove their answer point from the service design of any FLRN. The INMS subscriber should ensure the request to remove the answer point from a FLRN allocated to that subscriber is managed in a timely manner with the FLRN customer.

c.   Where a FLRN customer refuses to remove the answer point, the INMS subscriber has the right to remove the answer point on behalf of the FLRN customer.

13 RESPONSE TIMES

The required response times for the various Subscriber-INMS interactions are summarised in *Table 2* below:

Time for LASD Subscriber to implement LASD advice (note 1)	95% in 1 Hour & 99.9% in 8 Hours.
Time for Donor PSD to respond to initial port request	100% within one Business Day. (e.g. If a port request is received at 8am Monday, the Donor PSD must respond by 8am Tuesday). If a port request is received after 4:00pm on a Business Day, or on a non-Business Day, the request is deemed to have been received at 8:00am on the following Business Day.
Time for Donor PSD to respond to port complete message	95% in 2 Hours & 99.9% in 16 Hours. Port complete messages received after 5:00pm on a business day, or on a non-business day, are considered to have been received at 8:00am on the next business day.
INMS Response to a transaction submitted by a Subscriber via the computerised INMS interface.	95% in 2 seconds and 99.9% in 5 seconds.
Note: 1. Where a Subscriber receives an LASD advice to change the routing information for a number and the Subscriber is also the CPSD for that number, the Subscriber is not required to act on the LASD advice and may advise INMS that network conditioning is completed, provided that the Subscriber has in place arrangements with the Donor PSD for the number which will enable the Subscriber to respond to the Donor complete port message within the response time.	

Table 2 Response Times

1. INMS will send a "reminder" message to any LASD Subscriber who has not responded to an INMS LASD advice within 1 hour or who has not advised INMS that a problem has been rectified within the agreed time. INMS may charge the Subscriber for each LASD reminder message.

2. INMS may take steps to enforce the porting response times, including rejecting all port requests from a Subscriber while that Subscriber has an outstanding port request or port complete message to which it has not responded within the required timeframes.

14   INMS FEES

1.   INMS will set a charge for its services.

2.   The fee structure will be defined in a schedule of fees which, subject to these Business Rules, may be varied from time to time.

3.   INMS will inform INMS subscribers of any changes to the schedule of fees 30 days prior to introduction of the new fees.

4.   The schedule of fees will be available on the INMS web site at www.inms.com.au .

15   DEFINITIONS

For the purposes of these rules, the following definitions shall apply.

15.1   ACTIVE NUMBER

A number is deemed active if it has been configured in the PSD/CPSD's network to allow routing of calls as specified by a customer.

15.2   BUSINESS DAY

Business Day means any day from Monday to Friday (inclusive) other than a day which is gazetted or otherwise declared or made a public holiday in NSW.

15.3   BUSINESS HOUR

Business Hour means 8:00am to 5:00pm in NSW on a Business Day.

15.4   CANCELLATION/SURRENDER

A number is cancelled when a customer or CSI advises its PSD that the service is no longer required and the call routing configuration for the service is removed from the PSD/CPSD's network. The number is then returned as cancelled to INMS and the state of the number is changed to Quarantined (for numbers allocated administratively) and EROU Unallocated Without Service (for numbers allocated via auction).

15.5   CHANGE OF LESSEE

A *change of lessee* occurs when a number is moved between customers of a PSD or CSI. It does not involve INMS.

15.6   CHANGE CPSD

A *Change CPSD* occurs in relation to a number if the carrier network involved in providing the relevant service is changed by the PSD via the INMS System while the customer continues to receive a service of that kind using the number. Only the PSD of a number as noted in the INMS system may change the CPSD for that number.

15.7   CUSTOMER

A *customer* is the end acquirer of the freephone/local rate service in respect of a number.

15.8   DONOR PSD

The *Donor PSD* is the PSD who is recorded on the System as holding the allocated number when a customer or CSI requests the porting of that number to another Registered CSP.

15.9   EROU

EROU means the Rights of Use set out in the Numbering Plan in relation to Freephone and Local Rate Smartnumbers.

15.10   SUBSCRIBER

A CSP that has validly subscribed to INMS in accordance with the INMS subscription procedure outlined in these Business Rules. Subscribers are also known as *Registered CSPs*.

15.11   NUMBER POOL

The Freephone and Local Rate numbers declared by the ACMA under s.3.39 of the Numbering Plan.

15.12   POOLED NUMBER

A Freephone or Local Rate number that forms part of the number pool.

15.13   PORTING AUTHORISATION FORM

The Porting Authorisation Form (PAF) is completed by the customer or CSI in writing, or by the customer's agent (if the customer has authorised an agent in writing), and authorises the Recipient to request the porting of the relevant freephone or local rate number from the Donor PSD.

In order for a PAF to be valid, it must be signed by the customer, the customer's agent or the CSI who has a contract with the customer in respect of the relevant number.

15.14   PORTING

Porting has the meaning corresponding to the meaning of "ported" in s.11.3 of the Numbering Plan. Where a PSD carries out porting by effecting a 'Change CPSD' transaction this may be treated differently by INMS to where the PSD carries out porting by effecting a transaction changing the details of the PSD and, in particular, may be treated differently for the purposes of the service fee payable.

Note: A port does not include a change of customer.

15.15   QUARANTINE (EXCLUDING EROU UNALLOCATED WITHOUT SERVICE)

Following the surrender of a number, the number is quarantined and is unavailable until the quarantine period expires, with the exception that the original customer can initiate the Quarantine Release process through the original PSD to release the number prior to the quarantine period expiring.

15.16   RECIPIENT

The Recipient is the Registered CSP to which a customer or CSI or the customer's agent authorised in writing requests that a pooled freephone or local rate number be ported. Before becoming recorded on the System as a PSD in respect of a number a Recipient must be a Registered CSP.

15.17   REGISTERED CSP

A CSP that has validly subscribed to INMS in accordance with the INMS subscription procedure outlined in these Business Rules. A Registered CSP is an INMS subscriber.

15.18   REGISTERED PERSON

Means a person registered under section 2.2 of the Auction Determinations.

15.19 ROU HOLDER

ROU Holder means the holder of the rights of use for a Freephone and Local Rate Smartnumber.

15.20 SMS

SMS means a short message service which allows the exchange of messages up to 140 bytes (160 characters) between mobile phones and other short message entities.

15.21 TELECOMMUNICATIONS ACT

A number of expressions used in this document are defined in the Act (see section 7), including:

- Australia
- carriage service
- carriage service intermediary
- carriage service provider
- carrier
- public mobile telecommunications service
- service provider.

15.22 NUMBERING PLAN

A number of expressions used in this document are defined in the Numbering Plan, including:

- freephone number / service
- implementation date
- local rate number / service (also known as '13 Service')
- number portability
- portable number.

ATTACHMENT A   - PORTING AUTHORISATION FORM

FREEPHONE & LOCAL RATE SERVICE NUMBER PORTING (OTHER THAN CHANGE CPSD) AUTHORISATION FORM (SAMPLE)

Pursuant to the agreement dated ... (insert date) between "ABC Pty Ltd" (ACN/ARBN) and "Old SD", "ABC Pty Ltd" is the legal lessee or CSI of service number ... ("the service") which has an existing account number ...

I "Mr X", being authorised to act on behalf of "ABC Pty Ltd" in my position as ...(insert position eg. Communications Manager) hereby engage and authorise "New SD" to facilitate the porting of the service number from "Old SD" to "New SD" including the cancellation of the service with "Old SD".

....

signature   date

What is shown above is mandatory information to be signed by the porting customer or by the customer's authorised agent or CSI.

This is to be developed into a form that can be customised in its appearance but the content must remain as presented above.

PAFs will be deemed invalid in the following circumstances:

- *Mandatory information supplied is illegible, inaccurate or missing,*

- *The PAF is not signed by an authorised person,*

- *The PAF is not dated, or*

- *The date of the PAF is more than 90 days before the porting request is sent by the Recipient via INMS to the Donor PSD.*

ATTACHMENT B   - SERVICE ASSURANCE PRINCIPLES

This attachment outlines the agreed process principles to be established to manage service assurance for freephone and local rate numbers in a portable environment.

Service Assurance Processes

1.   The PSD is responsible for service assurance and should arrange for their freephone and local rate Customers to direct service assurance inquiries to themselves for resolution.

2.   Access Subscribers should arrange for Callers to direct service assurance inquiries to the Caller's Access SD.

    •   If this does not occur, the customer or caller should be referred by the SD contacted to call the appropriate SD. This may result in the customer or caller initiating a maximum of 2 calls seeking assistance with a service assurance matter.
    •   When the correct SD has been contacted, that SD is responsible for the management of the service assurance request including inter-SD hand-offs.
    •   If a fault affects a significant number of callers to a freephone or local rate service/s, (eg, in the case of a network outage) and the problem is in the OASD's network, the PSD should be notified by the OASD.

3.   PSDs receiving calls for another PSD's customer should direct that customer to call their own PSD.

ATTACHMENT C - PORT REVERSAL FORM

THIS FORM MUST BE COMPLETED BY BOTH PARTIES.

FREEPHONE & LOCAL RATE SERVICE NUMBER PORT REVERSAL FORM

The following service number …………………………………..(insert number) has been ported from …………………….. …………(insert PSD name) to …………..……………
……………………….(insert PSD name) without the proper authorisation from the customer, the customer's authorised representative or CSI.

The parties agree that the above port should be reversed as soon as possible.

Both parties agree that the port costs relating to the unauthorised port will be paid by the offending PSD.

PSD1   PSD2

…………………………….   …………………………………

Print Name   Print Name

……………………………..   …………………………………

Signed   Signed

…………………………….   …………………………………..

Telephone   Telephone

…………………………….   …………………………………...

Facsimile   Facsimile

…………………………….   …………………………………..

email address   email address

………………………   …………………………………

Date   Date