

C7 Switching and number porting

This condition aims to protect end-users during the process of switching communications services they receive using a telephone number (e.g. their voice services) or their internet access services or bundles. Specific protections also apply where end-users request to bring their number(s) with them when they switch.

In this Condition:

- Conditions C7.3 to C7.17 and C7.47 to C7.49 relate to switching of all Internet Access Services and Number-based Interpersonal Communications Services;
- Conditions C7.18 to C7.27 relate to switching Fixed Communications Services using the process known as 'One Touch Switch';
- Conditions C7.28 and C7.29 relate to home moves within Openreach's and KCOM's access network;
- Conditions C7.30 to C7.46 relate to mobile switching of fewer than 25 mobile numbers using the process known as 'Auto-switch'.

Scope

C7.1 The provisions of this **Condition C7** apply as follows:

- (a) Unless specified otherwise, **Conditions C7.3 to C7.16 and Conditions C7.47 to C7.49** apply to all providers of **Internet Access Services** and/or **Number-based Interpersonal Communications Services** to **Switching Customers** when a **Communications Provider Migration** takes place involving such services;
- (b) **Conditions C7.3(a) and (b)(i), C7.4(a) and (d), C7.5(b), C7.7(a) and C7.10(a)** apply to providers of **Bundles** to **Switching Customers** when a **Communications Provider Migration** takes place, and in so far as the **Switching Customer** concerned is:
 - (i) a **Consumer**; or
 - (ii) a **Microenterprise or Small Enterprise Customer** or **Not-For-Profit Customer**,
 unless such **Microenterprise or Small Enterprise Customer** or **Not-For-Profit Customer** has expressly agreed otherwise;
- (c) **Condition C7.17** applies to providers of **Electronic Communications Networks**;
- (d) **Conditions C7.18 to C7.20** apply to providers of **Fixed Communications Services** to **Fixed Switching Customers** when a **Communications Provider Migration** takes place involving such services at the same location;
- (e) **Conditions C7.21 to C7.24** apply to **Gaining Providers** who provide **Fixed Communications Services** to **Fixed Switching Customers** when a **Communications Provider Migration** takes place involving such services at the same location;
- (f) **Conditions C7.25 to C7.27** apply to **Losing Providers** who provide **Fixed Communications Services** to **Fixed Switching Customers** when a **Communications Provider Migration** takes place involving such services at the same location;

- (g) **Condition C7.25(c)** applies to **Losing Providers** who provide **Bundles** to **Fixed Switching Customers** when a **Communications Provider Migration** takes place at the same location involving a **Fixed Communications Service** which forms part of that **Bundle**;
- (h) Condition C7.28 applies to any **Communications Provider** which provides **Fixed-line Telecommunications Services** and/or **DSL Broadband Services** to **Switching Customers** who are **Consumers, Microenterprise or Small Enterprise Customers** or **Not-For-Profit Customers** when a **Working Line Takeover** pursuant to a **Home-Move Request** is taking place within **Openreach's** or **KCOM's Access Network**;
- (i) Condition C7.29 applies to any **Communications Provider** which provides **Broadband Services** to **Switching Customers** or **Subscribers** (as applicable) who are **Consumers, Microenterprise or Small Enterprise Customers** or **Not-For-Profit Customers** when a **Migration** is taking place within **Openreach's** or **KCOM's Access Network**, where not covered by **Condition C7.28**;
- (j) **Conditions C7.30 to C7.46** apply to providers of **Mobile Communications Services** to **Mobile Switching Customers** when a **Communications Provider Migration** takes place involving fewer than 25 **Mobile Numbers**, and in particular:
 - (i) **Conditions C7.30(b)(ii), C7.31(c) and C7.35 to C7.37** apply in relation to **Mobile Switching Customers** that are on a residential tariff;
 - (ii) **Conditions C7.38 to C7.41** apply in relation to **Mobile Switching Customers** that are on a business tariff; and
 - (iii) **Condition C7.30(b)(ii)b.** applies to providers of **Bundles** to **Mobile Switching Customers** when a **Communications Provider Migration** takes place involving a **Mobile Communications Service** which forms part of the **Bundle**.

Each person to whom a provision applies is a '**Regulated Provider**' for the purposes of that provision.

C7.2 The following services are '**Relevant Communications Services**':

- (a) for the purposes of **Conditions C7.3 to C7.16** and **Conditions C7.47 to C7.49**, any **Internet Access Services** and/or **Number-based Interpersonal Communications Services**;
- (b) for the purposes of **Condition C7.28**, any **Fixed-line Telecommunications Services** and/or **DSL Broadband Services** within **Openreach's** or **KCOM's Access Network**;
- (c) for the purposes of **Condition C7.29**, any **Broadband Services** within **Openreach's** or **KCOM's Access Network**; and
- (d) for the purposes of **Conditions C7.30 to C7.46**, any **Mobile Communications Services**.

Switching of all Internet Access Services and Number-based Interpersonal Communications Services

Migration Date

C7.3 For the purposes of this **Condition C7**, the **Migration Date** shall be:

- (a) where technically possible, the date requested by the **Switching Customer**;
- or

- (b) except where **Condition C7.3(a)** applies:
 - (i) as soon as possible; and
 - (ii) no later than:
 - a. in cases involving a **Communications Provider Migration of Mobile Communications Services**, one **Working Day** after:
 - i. **SIM Activation**, where the relevant **Switching Customer** has already submitted the **PAC** or **STAC** to the **Gaining Provider** at the time when they entered into the contract; or
 - ii. where **SIM Activation** has already taken place, submission of the **PAC** or the **STAC** to the **Gaining Provider**;
 - b. in all other cases, one **Working Day** after the date on which all necessary validation processes have been completed, the network connection is ready for use by the **Switching Customer**, and, where relevant, the porting of the relevant **Telephone Number(s)** is(are) ready for activation.

Communications Provider Migration process (including the Porting Process)

C7.4 All **Regulated Providers** shall ensure that:

- (a) they maintain simple and efficient processes:
 - (i) for **Communications Provider Migrations** involving **Relevant Communications Services** that they provide;
 - (ii) for the transfer of any services which are included in a **Bundle** with the **Relevant Communications Service(s)** being transferred; and
 - (iii) in relation to any **Terminal Equipment**, included as part of a **Bundle** with the **Relevant Communications Services(s)** being transferred, that the **Switching Customer** wishes to return or retain;
- (b) they cooperate in good faith and take all necessary steps within their control to complete the **Communications Provider Migration** process in accordance with this **Condition C7** and **Condition B3** and any applicable industry agreed processes;
- (c) they do not delay or abuse the **Communications Provider Migration** process;
- (d) there is continuity of service, unless not technically feasible, and any loss of service during the **Communications Provider Migration** does not exceed one **Working Day**; and
- (e) the **Communications Provider Migration** is completed on the **Migration Date**.

C7.5 The **Regulated Provider** that is the **Gaining Provider** must:

- (a) lead the **Communications Provider Migration**;
- (b) allow a **Switching Customer** who so requests to make use of the processes set out in **Condition C7.4(a)**.

Specific obligations relating to the Porting Process

C7.6 All **Regulated Providers** shall ensure that:

- (a) they provide **Number Portability** on reasonable terms and conditions to any **Switching Customer** who so requests;
- (b) they provide **Number Portability** for a minimum of one month after the date of termination by the **Switching Customer** of the contract for the provision of the **Relevant Communications Service(s)**, unless the **Switching Customer** expressly agrees otherwise at the point when they terminate the contract; and
- (c) no direct charges are applied to the **Switching Customer** for the provision of **Number Portability**.

Provision of services by Losing Provider

C7.7 The **Regulated Provider** that is the **Losing Provider** must:

- (a) where technically feasible, continue to provide the **Relevant Communications Service(s)** or **Bundle** on the same terms until the **Communications Provider Migration** is completed;
- (b) ensure that its contract with the **Switching Customer** is automatically terminated on the **Working Day** on which the **Communications Provider Migration** has been completed;
- (c) ensure that in the case of failure of the **Porting Process**, the number and **Relevant Communications Services** of the **Switching Customer** are reactivated until the **Porting Process** is completed successfully;
- (d) refund, upon request, any remaining credit to the **Switching Customer** using prepaid services, minus any fees provided for in their contract with the **Switching Customer**, in so long as such fees are proportionate to the actual costs incurred by the **Losing Provider** in offering the refund.

C7.8 The **Regulated Provider** that is the **Losing Provider** shall ensure that:

- (a) when a **Communications Provider Migration** takes place involving fewer than 25 **Mobile Numbers**, any **Switching Customer**;
- (b) in all other cases, a **Switching Customer** that is a **Consumer**;

is only required to pay charges, other than any **Early Termination Charge**, which are incurred as a result of the provision of the **Relevant Communications Services** being transferred up to, and including, the date on which the contract is automatically terminated, and do not include any charges in respect of any remaining notice period that the relevant **Switching Customer** is required to provide in order to exit the contract with the **Losing Provider**.

Express Consent

C7.9 The **Regulated Provider** that is the **Gaining Provider** must take all reasonable steps to ensure that:

- (a) it does not transfer a **Relevant Communications Service** without the **Switching Customer's Express Consent**, and in particular, that it does not engage in **Slamming**; and
- (b) any **Switching Customer** who is requesting a **Communications Provider Migration** is authorised to do so and intends to enter into the contract.

Provision of information

C7.10 **Regulated Providers** must take all reasonable steps to ensure that:

- (a) **Switching Customers** are adequately informed before and during the **Communications Provider Migration** process, including in relation to their right to compensation in accordance with **Condition C7.47**;

- (b) they provide guidance on the **Communications Provider Migration** process, including the right to compensation in accordance with Condition C7.47, that:
 - (i) is concise and easy to understand;
 - (ii) only contains relevant information about the process, including any steps that **Switching Customers** may need to take in order to continue using any services and/or facilities they may have access to pursuant to **Condition C5**; and
 - (iii) is well publicised and readily available on their websites.

C7.11 The **Regulated Provider** that is the **Gaining Provider** must include the following information as part of the information provided in accordance with **Condition C1.3**, when such information is provided to a **Switching Customer** that is a **Consumer**:

- (a) the **Relevant Communications Services** that will be transferred, including, where relevant, the **Calling Line Identification** of all **Relevant Communications Services** that will be transferred;
- (b) an explanation that the **Switching Customer** is transferring their services; and
- (c) the location of the **Regulated Provider's** guidance in accordance with **Condition C7.10**.

C7.12 The **Regulated Provider** that is the **Losing Provider** must take all reasonable steps to ensure that **Switching Customers** who are **Consumers** are provided with the following information, in the manner and form set out in **Condition C7.13**:

- (a) an explanation that the **Switching Customer** is transferring their **Relevant Communications Services**;
- (b) the **Migration Date**, where known to the **Losing Provider**;
- (c) a clear identification of all **Relevant Communications Services** that will be transferred, including, where relevant, the **Calling Line Identification** of all **Relevant Communications Services** that will be transferred;
- (d) the impact, whether direct or indirect, financial or otherwise, that the **Losing Provider** reasonably expects the **Communications Provider Migration** to have on any **Relevant Communications Services** or other types of services provided by the **Losing Provider**, including any services and/or facilities that the **Switching Customer** may have access to pursuant to **Condition C5**;
- (e) all **Relevant Communications Services** provided by the **Losing Provider** that the **Losing Provider** reasonably expects to remain unaffected by the transfer;
- (f) the total charge payable by the **Switching Customer** on the **Migration Date**, or where that date is not known to the **Losing Provider**, on the day on which the information is provided, presented as a single (where applicable, aggregated) charge;
- (g) an explanation of the following:
 - (i) the cost and any process or conditions for retaining or returning **Terminal Equipment**;
 - (ii) in relation to **Mobile Communications Services**, as part of the information provided under (i), whether the handset is provided on a separate contractual basis than the SIM, and if it is, the amount still payable under the contract after transfer to another **Communications**

Provider and/or the date on which the **Switching Customer** will cease to pay for the handset; and

- (iii) any credit balance in respect of prepaid services and, if applicable, the right to a refund of this balance in accordance with **Condition C7.7(d)**, including the process for claiming such a refund and any conditions applying to this refund;
- (h) the location of the **Regulated Provider's** guidance in accordance with **Condition C7.10**;
- (i) the right to compensation in accordance with **Condition C7.47**;
- (j) where the information is provided in a letter, the date of the letter and the relevant contact details of the **Losing Provider**; and
- (k) where the information is provided in an electronic format, a web link to the log-in page for the **Switching Customer's** account with the **Losing Provider**.

C7.13 The information set out in **Condition C7.12** must be:

- (a) accurate; and
- (b) provided in clear, comprehensible and neutral terms and on a **Durable Medium**.

C7.14 **Conditions C7.12 and C7.13** shall not apply to providers of **Mobile Communications Services** where a **Communications Provider Migration** is taking place involving less than 25 **Mobile Numbers** (except to the extent set out in **Conditions C7.30 to C7.46**).

Records retention

C7.15 For each contract entered into with a **Switching Customer** who is a **Consumer**, in relation to all **Relevant Communications Services**, the **Regulated Provider** that is the **Gaining Provider** must create and keep individually retrievable records of the following, for a period of no less than twelve months:

- (a) a direct record of consent, as provided by the **Switching Customer**, to migrate from the **Relevant Communications Services** supplied by the **Losing Provider** to the **Relevant Communications Services** supplied by the **Gaining Provider**;
- (b) a record of the explanation from the **Gaining Provider** that they are required to create a record of the **Switching Customer's** consent;
- (c) the name and address of the **Switching Customer**;
- (d) the time, date and means by which the consent in sub-section (a) above was given;
- (e) where appropriate, the place where the consent in sub-section (a) above was given and the salesperson(s) involved;
- (f) where relevant, a direct record of consent to begin acquiring the **Relevant Communications Services** over the **Target Line**, the **Target Address**; and where appropriate, the **Calling Line Identification** of the **Target Line**; and
- (g) all available records regarding the sale of its **Relevant Communications Services**, including the date and approximate time of the contact with the **Switching Customer**, the means through which the contract was entered into, the place where the contract was entered into, where relevant, and

sufficient information to allow subsequent identification of the salesperson(s) involved and to assist in dealing with any complaint or query.

- C7.16 The **Regulated Provider** that is the **Gaining Provider** shall keep the records in accordance with **Condition C7.15** irrespective of whether the contract for the provision of the **Relevant Communications Service** is cancelled or terminated within the minimum twelve-month period specified in that **Condition**.

Obligations on providers of Electronic Communications Networks

- C7.17 **Communications Providers** whose **Electronic Communications Networks** are used by either the **Gaining Provider** or the **Losing Provider**, or both, shall ensure that there is no loss of service that would delay the **Communications Provider Migration**.

Switching of Fixed Communications Services

In this section, Conditions C7.18 to C7.27 apply to residential customers who are switching Fixed Communications Services at the same location. It requires providers to implement and operate the fixed switching process known as 'One Touch Switch'.

Obligation to maintain a single fixed switching process

- C7.18 In complying with **Conditions C7.3 to C7.16**, **Regulated Providers** must ensure that they maintain a single process for **Communications Provider Migrations** of **Fixed Communications Services** for use by **Fixed Switching Customers** in accordance with:
- (a) these **Conditions C7.18 to C7.27**; and
 - (b) any applicable industry processes as agreed by the relevant industry forum.
- C7.19 **Regulated Providers** must ensure that the process referred to at **Condition C7.18** does not require the **Fixed Switching Customer** to:
- (a) initiate the process by contacting the **Losing Provider**;
 - (b) obtain consent from the **Losing Provider**; and/or
 - (c) take any other steps required by the **Losing Provider**;
- in order for a **Communications Provider Migration** to be put into effect.
- C7.20 **Regulated Providers** must ensure that **Fixed Switching Customers** can use the process referred to at **Condition C7.18** free of charge.

Gaining Provider's obligations

- C7.21 Upon receiving a request for a **Communications Provider Migration** from a **Fixed Switching Customer**, the **Regulated Provider** must request that the **Losing Provider** makes available the information referred to at **Condition C7.25** to the **Fixed Switching Customer**.
- C7.22 The **Regulated Provider** must provide the information listed at **Condition C7.11** to the **Fixed Switching Customer** as part of the information provided in accordance with **Condition C1.3**.
- C7.23 The **Regulated Provider** must also notify the **Fixed Switching Customer** that:
- (a) the information referred to at **Condition C7.25** has been made available to them; and
 - (b) specify the means by which such information has been made available.

The **Regulated Provider** must expressly draw the attention of the **Fixed Switching Customer** to the availability and importance of such information.

C7.24 The **Regulated Provider** must co-operate with the **Losing Provider** to ensure that the information referred to at **Condition C7.23** is provided to the **Fixed Switching Customer** promptly in accordance with any applicable industry agreed processes.

Losing Provider's obligations

C7.25 The **Regulated Provider** must, upon request from the **Gaining Provider**, make available to the **Fixed Switching Customer** that is identified by the **Gaining Provider** the following information:

- (a) the information listed at **Condition C7.12**;
- (b) confirmation of the identity of the **Gaining Provider**; and
- (c) where the **Fixed Switching Customer** requests to transfer a **Bundle**, an explanation of any steps the **Fixed Switching Customer** needs to take in order to transfer any services forming part of the **Bundle**, including where relevant the steps for transferring **Mobile Communications Services** in accordance with the process set out in **Conditions C7.30 to C7.46**.

C7.26 The **Regulated Provider** must make available to the **Fixed Switching Customer** the information referred to at **Condition C7.25** in the manner and form set out at **Condition C7.13**.

C7.27 The **Regulated Provider** must:

- (a) ensure that the information referred to at **Condition C7.25** is made available to the **Fixed Switching Customer** promptly in accordance with any applicable industry agreed processes and via the quickest communications method, unless the **Fixed Switching Customer** requests an alternative communications method; and
- (b) inform the **Gaining Provider** of the means by which this information has been made available to the **Fixed Switching Customer**.

Home-Moves within Openreach's or KCOM's Access Network

This section applies when residential or small business customers are moving home.

Condition C7.28 applies in the case of customers who are changing the provider of their Fixed-line Telecommunications Services and DSL Broadband Services when moving home.

Condition C7.29 applies in the case of customers who are either: (i) changing provider of Broadband Services that are outside the scope of C7.28; or (ii) keeping their DSL Broadband Service with the same provider, when moving home.

C7.28 Where the **Regulated Provider** is a **Gaining Provider** which elects to carry out a **Working Line Takeover** within **Openreach's or KCOM's Access Network** (as applicable) pursuant to a **Home-Move Request**, it shall comply with the provisions of Annex 1 to this **Condition**.

C7.29 In relation to **Migrations of Broadband Services** not falling within the scope of **Condition C7.28**, **Regulated Providers** shall:

- (a) facilitate the **Migration** (or where applicable, connection) of the **Broadband Service** in a manner that is fair and reasonable;
- (b) ensure that the **Migration** (or where applicable, connection) of the **Broadband Service** is carried out within a reasonable period; and
- (c) ensure that the **Migration** (or where applicable, connection) of the **Broadband Service** is carried out with minimal loss of the **Broadband Service**.

Mobile switching (fewer than 25 mobile numbers)

The following Conditions relate to the mobile switching process known as 'Auto-switch':

- Conditions C7.30(a), C7.30(b)(i), C7.31(a) and (b), C7.32 to C7.34 and C7.42 to C7.46 apply to all mobile switches of fewer than 25 mobile numbers.
- Conditions C7.30(b)(ii), C7.31(c) and C7.35 to C7.37 apply only to residential customers switching fewer than 25 mobile numbers.
- Conditions C7.38 to C7.41 apply only to business customers switching fewer than 25 mobile numbers.

Providing the PAC or the STAC, and Mobile Switching Information on request

C7.30 The **Regulated Provider** that is the **Losing Provider** must provide to their **Mobile Switching Customers** the following upon request, in the manner and form set out in **Conditions** C7.30 to C7.46:

- (a) a **PAC** or a **STAC** (as applicable);
- (b) the **Mobile Switching Information**, comprising of:
 - i) the information listed in **Condition** C7.12(f) to (k); and
 - ii) in relation to **Mobile Switching Customers** who are on a residential tariff:
 - a. the information set out at **Condition** C7.12(c) to (e); and
 - b. where the **Losing Provider** provides a **Bundle** to a **Mobile Switching Customer**, an explanation of any steps the **Mobile Switching Customer** needs to take in order to transfer any services forming part of the **Bundle**, including where relevant the steps for transferring **Fixed Communications Services** in accordance with the process set out in **Conditions** C7.18 to C7.27.

C7.31 The **Regulated Provider** that is the **Losing Provider** must ensure that the **Mobile Switching Information** is:

- (a) accurate;
- (b) provided in clear, comprehensible and neutral terms; and
- (c) in relation to **Mobile Switching Customers** who are on a residential tariff, provided on a **Durable Medium**.

How the PAC, STAC and/or Mobile Switching Information can be requested and received

C7.32 The **Regulated Provider** that is the **Losing Provider** must ensure their **Mobile Switching Customers** can request free of charge, a **PAC**, or a **STAC** and/or (as applicable) **Mobile Switching Information** via, at least, the following three means:

- (a) **SMS**, but only where the request for a **PAC** or **STAC** is in respect of no more than one **Mobile Number**;
- (b) online, via an account which must be provided by the **Regulated Provider** to its **Subscribers**; and
- (c) by phone.

C7.33 In respect of the obligation under **Condition** C7.32(a), the **Regulated Provider** that is the **Losing Provider** must ensure that all their **Mobile Switching Customers** can request a **PAC**, or a **STAC** and/or (as applicable) **Mobile Switching Information** by using the respective unique numbers for each type of request as agreed by the relevant industry forum and approved by **Ofcom**.

When the PAC, STAC and/or Mobile Switching Information can be requested

C7.34 The **Regulated Provider** that is the **Losing Provider** must ensure that **Mobile Switching Customers** are able to request a **PAC**, a **STAC** and/or (as applicable) **Mobile Switching Information**:

- (a) by **SMS** and/or online in accordance with **Condition** C7.32(a) and (b) at all times; or
- (b) by phone in accordance with **Condition** C7.32(c) during at least any **Working Day**.

How and when the PAC, STAC and /or Mobile Switching Information must be provided to residential tariff customers

C7.35 The **Regulated Provider** that is the **Losing Provider** must ensure that they always provide, free of charge, the **PAC**, **STAC** and /or **Mobile Switching Information** to a **Mobile Switching Customer** who has requested it:

- (a) via the same means through which the request was made; and
- (b) if the request was not made by **SMS** and does not relate to more than one **Mobile Number**, in addition via **SMS**.

C7.36 The **Regulated Provider** that is the **Losing Provider** must ensure that when they provide the **PAC** or **STAC** and/or (as applicable) the **Mobile Switching Information** in accordance with **Condition** C7.35(a) and (b) to a **Mobile Switching Customer**, they do so no later than one minute from receipt of the request, save that, in the case of a request made by phone, the **SMS** required under **Condition** C7.35(b) may be sent at the latest up to one minute from the end of the phone call.

C7.37 When the **Regulated Provider** that is the **Losing Provider** provides a **PAC** or **STAC** to a **Mobile Switching Customer** they must at the same time also provide **Mobile Switching Information**.

How and when the PAC, STAC and/or Mobile Switching Information must be provided to business tariff customers

C7.38 The **Regulated Provider** that is the **Losing Provider** must ensure that they always provide, free of charge, a **PAC** or **STAC**, to a **Mobile Switching Customer** who has requested it in relation to a single mobile number:

- (a) where the request was made by phone, immediately over the phone, or if this is not possible by **SMS** within two hours from the end of the phone call;
- (b) where the request was made by **SMS**, by **SMS** within no more than two **Working Days** from the request;
- (c) where the request was made online, via the account online and in addition via **SMS** within no more than two **Working Days** from the request.

C7.39 The **Regulated Provider** that is the **Losing Provider** must ensure that they always provide, free of charge, a **PAC** or **STAC**, to a **Mobile Switching Customer** whose request relates to more than one mobile number:

- (a) where the request was made by phone, over the phone within two hours from the end of the phone call; or
- (b) where the request was made online, via the account online within no more than two **Working Days** from the request.

C7.40 When the **Regulated Provider** that is the **Losing Provider** provides a **PAC** or **STAC**, in response to a request made by **SMS** or online from a **Mobile Switching Customer** they must at the same time also provide **Mobile Switching Information**.

- C7.41 **Regulated Providers** must ensure that they always provide, free of charge, **Mobile Switching Information** to a **Mobile Switching Customer** who has requested it (whether the request is made by phone, **SMS** or online) by **SMS** (unless the request relates to more than one mobile number), or via the account online, within no more than two **Working Days** from the request.

Duration of validity of PAC and STAC

- C7.42 A **PAC** and a **STAC** shall be valid from the day it is provided for a period of thirty calendar days.

Obligation to ensure Regulated Providers provide information where request for a PAC, STAC and/or Mobile Switching Information is rejected

- C7.43 Where the **Regulated Provider** that is the **Losing Provider** receives a request for a **PAC**, **STAC** and/or **Mobile Switching Information**, the **Regulated Provider** is only entitled to reject the request in accordance with the circumstances as agreed by the relevant industry forum and approved by **Ofcom**.
- C7.44 Where the **Regulated Provider** rejects a request, it must immediately send confirmation of the rejection via **SMS** to the **Mobile Number** of the **Mobile Switching Customer**.

Submission of PAC or STAC at point of sale

- C7.45 Before entering into a contract for a **Mobile Communications Service** with an **End-user**, a **Regulated Provider** that is the **Gaining Provider** must ensure that the relevant **Mobile Switching Customer** is provided with the option of submitting the **PAC** or **STAC** that they have received or will receive from their **Losing Provider** at the same time that they enter into the contract.

Obligation to advertise means by which PAC or STAC or Mobile Switching Information can be requested

- C7.46 **Regulated Providers** must ensure that the three means by which a **Mobile Switching Customer** must be able to request and receive a **PAC** or **STAC** and **Mobile Switching Information** as set out in **Condition C7.32**, are well publicised and readily available, including ensuring that they are all easily accessible on **Regulated Providers'** websites, with either:
- (a) a weblink being clearly visible on a **Regulated Provider's** primary webpage for all **Mobile Switching Customers** (i.e. '1 click' access); or
 - (b) a weblink being clearly visible on a webpage that is directly accessible from a primary webpage for all **Mobile Switching Customers** (i.e. '2 click' access).

Obligation to provide compensation

- C7.47 **Regulated Providers** shall provide **Switching Customers** with compensation in an easy and timely manner in the case of failure to comply with the obligations laid down in this **Condition C7**, as well as any missed service and installation appointments.
- C7.48 Where compensation is payable in accordance with **Condition C7.47** to a **Switching Customer** that is a **Consumer**, compensation must be paid no later than:
- (a) where compensation is due for delays in completing the **Communications Provider Migration**, 30 calendar days after the date on which the delayed **Communications Provider Migration** is completed or the **Switching Customer** or **Regulated Provider** terminates or cancels the **Relevant Communications Service(s)** intended to be transferred; or
 - (b) where compensation is due for a missed service or installation appointment, 30 calendar days after the date of the missed appointment.

Condition C7.48(a) shall not apply to delays in completing the **Porting Process**.

C7.49 No compensation shall be payable in accordance with **Condition C7.47** where the **Regulated Provider** has given notice of a change or cancellation of a service or installation appointment at least 24 hours in advance of the original appointment time or if the **Switching Customer** has otherwise agreed to a change in the appointment time slot for the same day. Any such agreement by the **Switching Customer** must be recorded by the **Regulated Provider**.

Annex 1 to Condition C7

[See Condition C7.28]

Working line takeovers

- 1 Subject to paragraphs 2 and 3 of this Annex, where a **Regulated Provider** that is a **Gaining Provider** elects to carry out a **Working Line Takeover** pursuant to a **Home-Move Request** that **Gaining Provider** shall ensure a **Working Line Takeover Order** is placed.

Asset identification

- 2 Before a **Working Line Takeover Order** is placed, a **Gaining Provider** shall take reasonable steps, having regard to industry best practice, to identify the **Target Line**.
- 3 A **Gaining Provider** may only place a **Working Line Takeover Order** if it has identified an exact match for the **Target Line**.

Notification letter

- 4 After being notified of the **Working Line Takeover Order**, the **Incumbent Communications Provider** shall send the **Incumbent Switching Customer** a letter, in accordance with the industry agreed process, in paper or another **Durable Medium**, which clearly sets out:
 - (a) the date of the letter;
 - (b) a notification that an **Inbound Switching Customer** wants to take over the **Target Line**;
 - (c) all **Relevant Communications Services** directly affected by the **Working Line Takeover**;
 - (d) where relevant, the **Calling Line Identification** of all **Relevant Communications Services** that are directly affected;
 - (e) the expected **Migration Date**;
 - (f) that the **Incumbent Switching Customer** should notify the **Incumbent Communications Provider** if that **Incumbent Switching Customer** is not moving out of the **Target Address** or expects to move at a later date than the expected **Migration Date**; and
 - (g) the relevant contact details.
- 5 The letter must be sent by post, unless the **Switching Customer** has explicitly agreed to receive correspondence electronically, such as through verbal consent in a call or through electronic confirmation when ordering online.