



02 NOVEMBER 2023

**Vodacom's Submission on ICASA Draft Amendments to Numbering Plan Regulations of 2016,
Gazette 49329 of 21 September 2023**



1. Confidentiality

This document may contain information and imagery that refers to trade secrets of Vodacom, alternatively to information of a financial, commercial or technical nature, the disclosure of which is likely to cause harm to the commercial or financial interests of Vodacom, further alternatively, to information which, if disclosed, could reasonably be expected to prejudice Vodacom in commercial competition.

Vodacom hereby requests that the information covered in this document be treated as confidential in terms of section 4D of the ICASA Act.



2. INTRODUCTION & GENERAL COMMENTS

Vodacom Pty Ltd (“Vodacom”) wishes to thank the Authority for the opportunity to make submissions in regard to its Draft Amendments to the Numbering Plan Regulations of 2016 (the “Draft Regulations”), as per Notice 2039 in Government Gazette 49329.

In striving for efficiency in South Africa’s numbering regime, it is important to always review regulations in a manner that derives optimal outcomes in the market. Most importantly, the approach of the regulations ought to balance the goal of efficiency and forward-looking regulations, against market and consumer outcomes.

Therefore, Vodacom’s comments and recommendations are offered in the spirit of taking a balanced approach that limits the negative impact to customers, [REDACTED] still ensuring that licensees are able to manage their allocated numbers efficiently.

3. VODACOM RESPONSES AND RECOMMENDATIONS

3.1. **“(1) Churn rate must be calculated by taking the quantity of numbers that have not initiated a revenue generating activity from the services of a licensee for sixty (60) consecutive calendar days and divide this quantity by the quantity of active numbers at the beginning of the defined timeframe.”**

Vodacom has no comment at this stage.

3.2. **“(2) Churned mobile numbers must be quarantined for a period one (1) month before being placed into the pool of available numbers.”**

Given the proposed changes to increase the period of consultation with affected customers, Vodacom recommends that the quarantine period be kept to a minimum.

In Vodacom’s submissions to the Authority in May 2022, Vodacom recommended a combined customer consultation and quarantine period of 31 days. In its latest draft regulations, the Authority has proposed that the customer consultation period be separated from the quarantine period. In light of the customer consultation period being recommended as 30 consecutive calendar days, there appears to be little requirement currently for an extended quarantine period. In this regard, Vodacom proposes a quarantine period of 7 calendar days before the number is recycled, which, when combined with permissible inactivity of 90 or 120-days, would balance the prerogative for efficient use of numbers, against consumer needs.

3.3. **“(2A) Licensees must, on request and at a cost, provide a list of numbers that have been placed into quarantine as per sub regulation (2).”**

It is unfortunately not clear as to whom the licensee would have to provide a list of quarantined numbers to, and how that would impact customers’ right to privacy. Even though the licensee may have disconnected their mobile network services, the ‘legacy’ number remains associated with a number of ICT services, which contain further information on the customer, potentially including identity-related information.

We recommend that the Authority carefully consider the implications of making such data available to 3rd parties, especially in regard to the risk of fraud and other cyber-crimes, such as identity theft. It also needs to consider the POPIA implication, and whether subscriber consent is required.

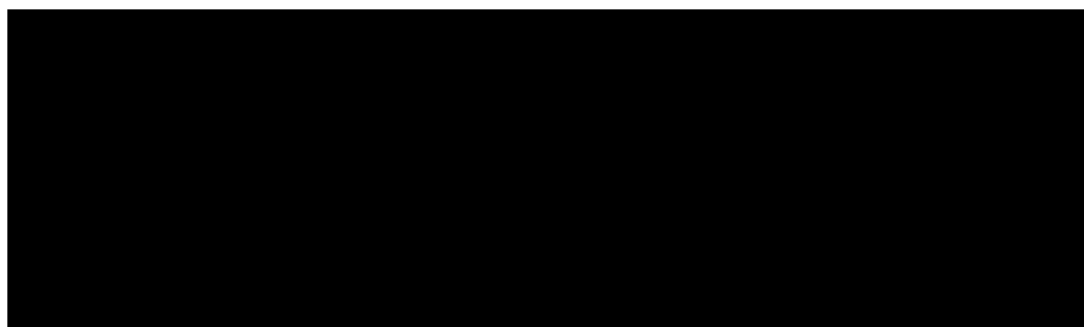


In general, Vodacom recommends that the Authority consult further in regard to making available details of quarantined numbers to 3rd-parties. In principle, Vodacom would be supportive of sharing of such information with registered financial institutions which comply with an agreed framework that protects customers.

- 3.4. ***“(3) Upon thirty (30) consecutive calendar days in which a subscriber has not initiated a revenue generating activity, a licensee must notify the subscriber of the intended withdrawal. The subscriber must be afforded a grace period of thirty (30) consecutive calendar days to object to the withdrawal notice by means of a revenue generating activity.”***

Vodacom encourages the Authority to balance the efficiency of number use (and hence recycling) against the impact on the customers that are most impacted by a change in the activity rules.

While a significant improvement to the Authority’s regulations gazetted in March 2023, the currently proposed activity rules allowing for a maximum inactivity of 60 days before numbers are recycled are expected to impact




alone. We would expect that when the Authority considers similar data points from other operators, it will find that the impact on the South African population will be much greater.

Forcing customers that show inactivity for more than 60 days, to acquire new SIM cards, and to go through the process of activating those numbers, is burdensome. Given that the majority of these



In light of the above, Vodacom recommends that the Authority update the Numbering Plan Regulations to allow a minimum of 90 calendar days of inactivity before numbers are quarantined.

 we recommend that the Authority also consider extending the permissible inactivity duration to 120 calendar days, which would benefit the



- 3.5. ***“(3A) In the event a subscriber anticipates that their assigned mobile number may be inactive for more than sixty (60) consecutive calendar days, licensees must provide an option, at a cost, for the subscriber to apply for an exemption from sub regulation (3) and retain use of the mobile number.”***

Vodacom welcomes the Authority’s recognition that some prepaid customers may wish to retain their numbers for longer periods without showing activity.

In line with our recommendations for Regulation 6A (3) above, we recommend that the Authority update Regulation 3 (A) to reflect the default inactivity period as being a minimum of 90 or 120 days (advised). We also recommend that the customer can request a paid exemption from the activity rules at any time.



- 3.6. ***“(3B) The option for an exemption and retention of a mobile number, as per sub regulation (3A) must be valid for 183 consecutive days, from its date of activation.”***

Vodacom recommends that the Authority allow licensees to offer customers multiple options for extension of their number validity, at various price-points, based on their individual needs. We expect that customers may find extensions of 90, 180 and 365 days helpful.

- 3.7. ***“(3C) Sub regulation (3) does not apply to subscribers on a postpaid service plan.”***

Vodacom has no comment on this at this stage.

- 3.8. ***“(4) Should a subscriber object to the withdrawal as per sub regulation (3), the licensee must abandon the withdrawal and subsequent deactivation of the number\.”***

This is Vodacom’s current practice. The customer merely needs to comply with the activity rules ahead of the number being quarantined.

THE END.