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General Condition 18 – Resellers’ rights and obligations under GC 18

In the course of considering a complaint by a communications provider (in respect of which we did not proceed to an investigation), Ofcom has become aware that there may be some uncertainty among stakeholders regarding our approach to applying General Condition 18 of the General Conditions of Entitlement (“GC 18”) with regard to the rights of a communications provider (“CP”) to number portability, where it is reselling electronic communications services using numbers sub-allocated to it from another CP.¹

Accordingly, we wish to clarify that GC 18 does not give a “reseller” CP any entitlement to request number portability from another CP in respect of any number it resells, and therefore GC 18 imposes no corresponding obligation on that other CP to provide number portability.

In contrast, however, we should note that a reseller CP is obliged under GC 18 to provide number portability to its own subscribers who are end-users of the numbers in question.

We hope this clarification is useful to your members. A copy of this letter will be published on the Ofcom website.

Yours sincerely

A handwritten signature in black ink, appearing to be "D. Stewart".

David Stewart

¹ See: <http://stakeholders.ofcom.org.uk/telecoms/ga-scheme/general-conditions/>