



**DRAFT GUIDANCE ON UNUTILIZED AND
UNCLAIMED SUBSCRIBERS' RECHARGES IN THE
NIGERIAN COMMUNICATIONS SECTOR**

OCTOBER, 2024.

Document Control (Maintenance History)		
Date	Change Details	Version
1 September 2024	First Draft	1.0
15 October 2024	Second Draft	2.0

Draft

Guidance on Unutilized and Unclaimed Subscribers' Recharges in the Nigerian Communications Sector

1. Introduction

This Guidance is pursuant to the regulatory powers of the Nigerian Communications Commission (Commission) under Sections 4 (b) and (c) of the Nigerian Communications Act 2003 (Act) as well as relevant subsidiary legislations empowering the Commission in that regard. It is also in furtherance of the mandate of the Commission to regulate communications services and ensure consumer protection in the sector.

The Commission hereby issues this Guidance for the management of all unutilized and unclaimed recharges of subscribers who have been churned off the networks in line with the Quality of Service (QoS) Regulations 2024. The QoS Business Rules 2024 has provided that monies left in account on deactivation after the line churning requirements can be claimed by subscribers once proof of ownership can be established at any given time within 1 year (less any fee paid by the operator for the number within the 1-year of non-RGE).

2. Scope and Objectives

This Guidance apply to all licensees of the Commission that provide mobile network services that has prepaid characteristics as well as deposits for any postpaid service. Therefore, these rules apply to all retail products offered by Mobile Network Operators (MNOs).

3. Applicability

This Guidance is a regulatory directive and will be implemented alongside the provisions of the Act, regulatory instruments and relevant subsidiary legislations as may be issued by the Commission from time to time. In the event of any conflict between this Guidance and the Act or any subsidiary legislation, the provision of this Guidance shall be subordinated to the provisions of the Act and the relevant subsidiary legislation.

4. Glossary/Key Definitions

- **Service Options** – This is an option given to a subscriber to utilise his recharges through service offerings on the network of the primary Operator he/she recharged on.
- **Recharge** – It is the purchase of airtime by a subscribers through whatever means and it includes credit transfers from other subscribers.
- **Churn** – A subscriber line may be deactivated if it has not been used, within six (6) months, for a Revenue Generating Event (RGE). If the situation persists for another 6 months the subscriber may lose his/her number, except for Network related fault inhibiting an RGE.
- **Port** – Refer to a subscriber moving to another network Operator in line with the Mobile Number Portability Regulations 2014.
- **Tariff Plan** - A structured pricing scheme that outlines the charges and conditions under which telecommunications services are provided to subscribers. Every subscriber must be on a tariff plan and no subscriber can be on more than one tariff plan at a time.
- **Revenue Generating Event (RGE)** - - Revenue Generating Event (RGE) is any action by one or more subscribers that leads to Revenue being derived directly or indirectly by one or more operators. **RGE are the following actions:**
 - I. Outgoing and Incoming voice Calls;
 - II. Subscription to any voice plan or any plan that gives voice access to a subscriber for a specific time period;
 - III. Outgoing and Incoming SMS and MMS;
 - IV. USSD transactions;
 - V. Value Added Service (VAS) transactions;
 - VI. Mobile Data Usage;
 - VII. Data subscription or subscription to any plan that includes data access for a specific time period;
 - VIII. Line Rental Payment or any payment incidental to a subsisting subscription for service or access to service;

IX. Parked Numbers;

X. Subscriber who utilizes/shares of another Subscriber's data services.

It shall be noted that RGE excludes:

I. Recharge by any means that is not followed up by any of the defined activities above;

II. Receipt of transferred recharge from any subscriber or the network provider without any follow up activity as listed above;

III. Failed attempts to make calls or download/upload data that has not been charged by the network provider;

IV. Transactions from barred Subscribers (Full Network barring) due to non-compliance to the Registration of Communication Subscribers Regulations during the reporting period;

V. Subscribers who have ported out of MNO's network during the reporting period.

5. Guidance

1. This Guidance applies to churned numbers and the affected subscribers can only claim such unutilized recharges if they initiate the process of claim within 12 months of the churn.

2. Operators should conduct an audit of all churned numbers and submit a detailed breakdown of all unclaimed and utilised recharges on churned lines. Submissions must include detailed documentation, such as history of each affected MSSIDN, date of churn, details of all recharges and current status of the lines.

3. All unclaimed and unutilized recharges cannot be monetized but affected subscribers may be given service options.

4. Subscribers can choose service options that are not restricted to any format, which includes voice offerings, data plans and value added services using the unutilized recharges after churning. Provided that these service options are restricted to the primary network they recharge on and cannot be transferred across networks.

5. This Guidance does not apply to porting of numbers as that is currently regulated by the Mobile Number Portability Regulations 2014.

6. Timelines and Deadlines

- **Compliance Deadlines:** Operators must meet all prescriptions of this Guidance within ninety (90) days from the date of issuance.
- **Approval Timeframes:** The Commission will review all audit reports of unclaimed and unutilized recharges within ten (10) working days.

7. Feedback and Support Mechanisms

- **Regular Updates:** The Commission will hold follow-up webinars or meetings with relevant licensees to discuss the implementation progress, address challenges, and provide feedback.
- **Support Resources:** A dedicated support team within the Commission will be available to assist operators with compliance and provide clarification on this Guidance.

8. Additional Directives

8.1 Subscriber Notification

- Operators must notify subscribers of the plan to allow service options for churned subscribers.
- Notifications must be clear, stating the requirements, the service options and possible utilisation of the service options across other networks.

8.2 Consumer Education

- Operators must implement consumer education campaigns to inform subscribers about the new approach to managing unclaimed and unutilized recharges.
- Educational materials should be made available in multiple formats and languages to ensure broad accessibility.

9. Compliance and Enforcement

- The Commission will conduct periodic audits and inspections to ensure compliance with this Guidance.
- Non-compliance will result in penalties, including fines, other regulatory actions as set out in the Act, related regulatory instruments and the subsisting Enforcement Process Regulations.

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