

# Regulations on Electronic Communications Networks and Services (Ecom Regulations)

**Statutory authority:** Laid down by the Norwegian Ministry of Transport and Communications on 16 February 2004 in pursuance of Sections 2-1 to 2-10, 2-14, 3-1, 4-1, 4-3, 4-5, 4-6, 4-11, 4-12, 5-1, 5-2, 7-1, 7-3, 7-4, 8-1 and 11-5 of Act No. 83 of 4 July 2003 relating to electronic communications (cf. Royal Decree No. 881 of 4 July 2003).

**EEA references:** Annex XIV, point 13 (Directive 2002/77/EC), and Annex XI, point 5c (Directive 2002/19/EC), (Directive 2002/20/EC), (Directive 2002/21/EC), (Directive 2002/22/EC) and (Directive 2002/58/EC), point 5cu (Regulation (EC) No. 717/2007) and point 5cp (Regulation (EC) No. 460/2004), of the EEA Agreement.

**Amendments:** Amended by Regulations No. 1136 of 22 July 2004 (entry into force), No. 40 of 14 January 2008

## Chapter 1. Introductory provisions

### Section 1-1. *Scope*

These regulations apply to the rights and obligations regarding access for providers and other users to electronic communications networks and the provision of electronic communications services.

### Section 1-2. *Duty to register*

The installation, operation and provision of access to electronic communications networks which are used for the provision of public electronic communications services, the provision of public telephone services and of leased lines shall be notified to the Norwegian Post and Telecommunications Authority. This also applies to such networks that are used for broadcasting purposes.

The notification shall provide written information on:

1. the provider's name and address, contact person and any co-operation/joint venture partners involved in the development and supply of public telephone services etc.
2. the electronic communication network's geographic extent and location, including international connections
3. specifications of the technical interfaces to electronic communications networks
4. whether access is being offered to electronic communications networks, fixed or mobile public telephone services or leased lines.

The Norwegian Post and Telecommunications Authority may draw up more detailed requirements concerning the information to be provided at the time of registration, including drawing up a standard form to be used for provision of services pursuant to the first paragraph. If necessary for the purpose of verification or control or for important statistical purposes, the Norwegian Post and Telecommunications Authority may make changes with regard to what information shall be provided at the time of registration.

Provision of services pursuant to the first paragraph may be actuated once registration has been sent to the Norwegian Post and Telecommunications Authority.

Changes regarding the information shall be notified to the Norwegian Post and Telecommunications Authority as soon as possible.

### Section 1-3. *Requirements with regard to the construction of networks*

Electronic communications networks shall be constructed in such a way that end-users will not be able to affect the electronic communications of other end-users with the result that there is a risk of reduced quality or possibility of interception. This requirement applies to the extent that it is applicable to electronic communications networks for the use of mobile communications.

When installing coaxial cable-based networks, the part of the network to which the end-user is connected shall be placed in a star structure. It is not permitted to insert receiver connections into the connection between

the star points.

Electronic communications networks that fail to meet the requirements pursuant to the first and second paragraphs cannot be used for the provision of two-way electronic communications services.

Network owners are obliged to document how the network is constructed and shall keep documentation prepared by the undertaking that installs or maintains the network, with the exception of networks that comprise a single household, cf. Regulations No. 200 of 4 March 2005 concerning authorisation for installers of electronic communications networks and radio equipment (Authorisation Regulations), so that it is available for inspection as long as the installation is in operation, cf. Section 10-4.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 1-4.** (Repealed 15 January 2008, cf. Regulations No. 40 of 14 January 2008).

**Section 1-5.** *Requirement to publish interface specifications*

Providers of access to electronic communications networks which are used for public electronic communications services and providers of such services shall publish the technical specifications of interfaces offered. The publication shall take place before the service, which is provided via the interface, is made publicly available. The publication requirement also applies to the updating and modification of interfaces.

The specifications pursuant to the first paragraph shall be sufficiently detailed to be used for the construction of terminal equipment so that the equipment can be used for all electronic communications services that are offered via the offered interface. The specifications shall include all information that is necessary for the manufacturer to voluntarily carry out relevant tests with regard to the requirements that follow from Section 8-1 of the Electronic Communications Act.

**Section 1-6.** *Quality*

Providers of public telephone services or leased lines shall measure and report on the quality in accordance with criteria, definitions and measurement methods contained in ETSI EG 201 769-1. The measurement of telephone services in the mobile network are exempted from points 5.2, 5.3 and 5.6 to 5.8 and the measurement of transmission capacity from points 5.4 to 5.8 of the standard. Providers under a universal service obligation pursuant to Section 5-1, first paragraph, of the Electronic Communications Act shall measure and report on the quality of the universal services insofar as the criteria in ETSI EG 201 769-1 apply.

Providers pursuant to the first paragraph may also be required to measure and report beyond the requirements which follow from ETSI EG 201 769-1.

Information on the measured quality shall be sent to the Norwegian Post and Telecommunications Authority on a prescribed form every half year on a specified date and shall be published by the provider. The Norwegian Post and Telecommunications Authority give instructions concerning the publication.

The Norwegian Post and Telecommunications Authority may grant dispensation from the obligation under the first paragraph to providers with a low market share for the services concerned.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 1-7.** *Terms of supply*

Providers of public telephone services shall publish clearly set out and updated information on terms of supply.

The information shall include information on *inter alia*:

1. the provider's name and address
2. what the public telephone services comprise, including additional services
3. prices for access, use and maintenance, including fixed and variable charges, discounts and special price

- plans
4. compensation and refund arrangements
  5. maintenance services
  6. standard terms of supply, including any terms relating to duration
  7. complaints procedures.

If a provider provides services under a universal services obligation the information shall also contain information on the universal services obligation and the rights such services give to end-users.

Providers of public telephone services shall have procedures for dealing with non-payment by end-users. The procedures shall be proportionate, non-discriminatory and published. The procedures shall include information on prior warning of restrictions on use or disconnection. Insofar as it is technically feasible, only the services concerned shall be blocked. End-users shall be able to call emergency call services even if the line is blocked for outgoing calls, cf. Section 2-6 of the Electronic Communications Act.

#### **Section 1-8. Contracts**

Providers of electronic communications networks used for public electronic communications services and providers of such services shall offer end-users contracts for the subscription services, including pre-paid card services. The contract shall include information on *inter alia*:

1. the provider's name and address
2. the scope of the contract, including relevant information on the network and services quality parameters, maintenance terms and date of connection
3. prices, including where to access updated information on prices
4. the duration of the contract and terms for renewal and termination
5. compensation and refund arrangements in the event of discrepancy concerning quality or non-delivery
6. complaints procedures.

Pursuant to Section 2-4, second paragraph, of the Electronic Communications Act, providers of electronic communications networks used for public electronic communications services or providers of such services shall give notice of changes in the contract at least one month before the changes are implemented. The duty to give notice applies to changes that must be assumed to have some significance for users. If the change is to the disadvantage of users, users shall at the same time be informed of the right to cancel the contract free of charge.

The second paragraph may be departed from in the case of non-consumer contracts.

#### **Section 1-9. Billing**

Unless otherwise agreed, providers of electronic communications services shall offer subscribers non-itemised billing.

Providers shall at the request of subscribers itemise billing so that the billing can be verified against actual use. Providers may claim a cost-oriented charge for such itemisation.

The Norwegian Post and Telecommunications Authority may lay down more detailed guidelines on the itemisation of billing, including a minimum level to be offered without extra charge.

#### **Section 1-10. Requirement for written authorisation**

In connection with the resale of subscriptions for electronic communications (e.g. Wholesale Line Rental) or when an agreement to provide telephone service or Internet access is concluded, the provider that receives an end-user shall obtain written authorisation from the end-user before switching providers.

The selected provider shall obtain written authorisation from the end-user before establishing carrier pre-selection. The obligation to obtain written authorisation applies correspondingly in the event of a change of pre-selected carrier or cessation of carrier pre-selection.

In connection with the use of provider portability, cf. Section 3-5, a provider that receives an end-user shall

obtain written authorisation from the end-user prior to migration.

Authorisation given by electronic mail (e-mail), short messaging service (SMS) or fax shall also be regarded as written authorisation. The authorisation shall contain affirmative consent and clear identification of the end-user. The authorisation shall be documented upon request.

The Norwegian Post and Telecommunications Authority may lay down more detailed requirements concerning the authorisation, including conditions for the use of e-mail and SMS.

Inserted by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

## **Chapter 2. Access, interconnection etc.**

### **Section 2-1. Product and services market**

The Norwegian Post and Telecommunications Authority shall publish on its website an updated list of relevant product and services markets pursuant to Section 3-2, cf. Section 3-1, of the Electronic Communications Act.

### **Section 2-2. Access**

Orders issued pursuant to Section 4-1 of the Electronic Communications Act to meet any reasonable request to provide access to electronic communications networks and services may include *inter alia*:

1. access to the fixed access network, including bitstream access
2. access to mobile networks for virtual providers
3. access to mobile networks in areas where the requesting providers do not have coverage
4. Wholesale Line Rental.

The interconnection obligation derives from Section 4-2 of the Electronic Communications Act. Other access obligations derive from Sections 4-3, 4-4 and 4-5 of the Electronic Communications Act.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

### **Section 2-3. Minimum set of leased lines**

The minimum set of leased lines pursuant to Section 4-12 of the Electronic Communications Act) is:

1. ordinary quality voice bandwidth based on EN 300 448 and EN 300 451,
2. special quality voice bandwidth based on EN 300 451, EN 300 449 and EN 300 452,
3. 64 kbit/s digital based on EN 300 288 and EN 300 289,
4. 2048 kbit/s digital unstructured based on EN 300 418 and EN 300 247, and
5. 2048 kbit/s digital structured based on EN 300 418 and EN 300 419.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

### **Section 2-4. Access to information and support systems**

The obligation pursuant to Section 4-5, first paragraph, of the Electronic Communications Act to meet any reasonable request to provide access to information and support systems if such access is necessary for the requester to be able to supply competing services may include access to systems for *inter alia*:

1. operational support
2. databases for obtaining information before ordering
3. delivery
4. orders
5. maintenance
6. fault handling
7. billing.

### **Section 2-5. Publication and reference offers for access to the fixed access network**

Providers with significant market power in the markets for full and shared access to the fixed access network pursuant to Section 4-6, third paragraph, of the Electronic Communications Act shall publish a reference offer that shall include:

1. information on the infrastructure to which access is offered
2. information on the location of areas where access can be offered
3. technical conditions for access to and use of the fixed access network,
4. procedures for orders and delivery
5. information on usage restrictions
6. supply conditions for full and shared access, including:
  - a) delivery time
  - b) compensation for failure to meet agreed delivery time
  - c) service level
  - d) fault handling procedures
  - e) procedures for recovering agreed service
  - f) quality parameters
  - g) standard terms and conditions of contract
  - h) prices for each service, function, infrastructure or other item covered by the offer.

Providers with significant market power in the markets for full and shared access to the fixed access network pursuant to Section 4-5, second paragraph, of the Electronic Communications Act shall publish information on access conditions pursuant to Section 2-4.

#### **Section 2-6. *Co-location and publication***

Providers with significant market power in the markets for full and shared access to the fixed access network pursuant to Section 4-4, fourth paragraph, of the Electronic Communications Act or pursuant to directions issued under Section 4-4, third paragraph, of the Electronic Communications Act shall also publish the following information in relation to offers of co-location:

1. information about where co-location can be provided
2. information about what form of co-location that can be provided; physical co-location, co-location in adjacent buildings or virtual co-location.
3. restrictions, if any, on equipment which can be co-located
4. security procedures
5. access control procedures for representatives from competing providers
6. safety standards
7. guidelines for the allocation of space if space is limited
8. if co-location has been requested, conditions for the contracting party's right to inspect premises.

Information in accordance with number 1 may be limited to the affected parties taking into consideration the need for public security.

#### **Section 2-7. *International roaming on mobile networks***

Annex XI point 5cu of the EEA Agreement (Regulation (EC) No. 717/2007 of the European Parliament and of the Council of 27 June 2007 on roaming on public mobile networks within the Community etc.) shall be applicable as regulations with the adaptations that follow from Annex XI, Protocol 1, to the Agreement and the Agreement in other respects.

Inserted by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

## **Chapter 3. Carrier selection and provider portability**

#### **Section 3-1. *Selection of alternative providers of public telephone services***

Providers of access to public telephone services on fixed networks with significant market power for such services shall offer carrier selection using a prefix for individual calls. "Carrier selection" means a technical solution where an end-user who has entered into an agreement with another provider of public telephone services

can select that provider to carry calls by dialling a prefix before the desired number. "Prefix" means a four-digit number in the number series 15xx.

Providers of access to public telephone services on fixed networks with significant market power for such services shall offer carrier pre-selection. "Carrier pre-selection" means carrier selection where the end-user has entered into an agreement with another provider of public telephone services to automatically carry calls without using a prefix for each call. When such a service is available to the end-user, the use of a prefix for individual calls shall override carrier pre-selection.

**Section 3-2. Requirements relating to carrier pre-selection service**

Providers pursuant to Section 3-1, second paragraph, shall offer:

1. Carrier pre-selection which includes all traffic to all numbers in the national numbering plan with the exception of traffic to standardised special numbers. The exemption for standardised special numbers does not apply to directory enquiry services in the number series 18xx and national information services in the number series 17x
2. Carrier pre-selection covering international traffic.

The provision of other electronic communications services shall not entail unnecessary limitations on the right to carrier pre-selection.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 3-3. Implementation of carrier pre-selection**

Carrier pre-selection shall be in place or changed within five working days after a correct request has been received. The original provider shall inform the selected provider that the migration has been carried out no later than the first working day after implementation. The providers may agree on a longer implementation period.

Information on customer relations which is exchanged between providers in connection with carrier pre-selection shall not be disclosed to persons other than those who need the information or be used for sales and marketing purposes unless the end-user has given consent to this pursuant to the Norwegian Personal Data Act (personopplysningsloven).

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 3-4. Liability for the costs of carrier pre-selection**

Providers of public telephone services shall cover their own costs for the upgrading of exchanges and support systems and for the testing and training of staff in connection with carrier pre-selection.

Providers pursuant to Section 3-1, second paragraph, may claim costs in connection with the establishing or alteration of carrier pre-selection from the selected provider. End-users shall not be billed separately for this, cf. Section 4-11 of the Electronic Communications Act.

**Section 3-5. Obligation of service provider portability**

"Service provider portability" means the end-user's right to keep the same number, name or address when switching provider of electronic communications services. Providers who use five or eight digit numbers or standardised special numbers pursuant to Section 16 of the Numbering Regulation (nummerforskriften) shall release the number to the other provider to which the end-user requests the number to be migrated.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 3-6. Implementation of provider portability**

The recipient provider pursuant to Section 3-5 shall obtain written authorisation from the end-user before migration. Authorisation given by electronic mail (e-mail), short message service (SMS) or fax shall also be regarded as written authorisation. The authorisation shall contain affirmative consent and clear identification of

the end-user. The authorisation shall be documented on request. The Norwegian Post and Telecommunications Authority may lay down more detailed requirements concerning the authorisation, including laying down conditions for the use of e-mail and SMS.

The original provider pursuant to Section 3-5 is under an obligation to carry out the migration of the number for a specific end-user to the recipient provider within five working days after receiving a correct request from the recipient provider. The original provider shall notify the recipient provider that the migration has been carried out no later than the first working day after the implementation. The providers may agree on a longer implementation period.

Providers shall ensure that calls to the migrated number terminate on the correct network with no significant loss of quality.

**Section 3-7. Liability for the costs of provider portability**

Each provider shall cover its own costs in connection with provider portability, such as for the upgrading of exchanges and support systems and for the testing and training of staff. The original provider may claim the costs of the migration of numbers from the recipient provider. End-users shall not be billed separately for this.

## **Chapter 4. Access to radio and television**

**Section 4-1. Requirements for providers of conditional access services etc.**

Providers of conditional access services for digital radio and television shall, regardless of the transmission method and in accordance with Section 4-3, first paragraph, and Section 4-8, second paragraph, of the Electronic Communications Act, offer all content suppliers technical services which enable the content supplier's digitally transmitted services to be received by authorised viewers or listeners with user equipment for digital radio or television administered by the provider.

The Norwegian Post and Telecommunications Authority may order providers of other access control functions for digital radio and television to use open software interfaces in accordance with relevant standards or specifications. "Software interfaces" means communications programs between the application program and the operating system, including Application Program Interface (API), which are used by content and service providers to be able to provide digital radio and television services.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 4-2. Requirements for owners of intangible rights to conditional access products and conditional access services**

When holders of intellectual property rights to conditional access products or conditional access services grant licences to producers of user equipment, this shall be done on objective, fair and non-discriminatory terms. The licensors cannot impose technical or commercial conditions for licensing which forbid or in any other way prevent the product itself from being equipped with:

1. a standardised interface which makes it possible to connect to other conditional access services, or
2. equipment and software for another conditional access service, provided that the licensee complies with relevant and reasonable terms which for the licensee ensure security for the transactions which are carried out by providers of conditional access services.

**Section 4-3. Technical requirements for conditional access services**

Conditional access services shall, regardless of the transmission method, have a technical design that enables cost-effective transfer to another conditional access service so that providers of electronic communications networks can have full control over the services which use such conditional access services.

**Section 4-4. Requirements for the distribution and redistribution of public digital television services in wide-screen format**

Electronic communications networks and services for the transmission of public digital television services shall be able to be used for the distribution and redistribution of public digital television services in wide-screen

format. Providers of electronic communications networks that receive and redistribute public digital television services in wide-screen format shall not make changes to the format.

**Section 4-5. *Requirements for user equipment for digital radio and television***

User equipment for digital radio that is offered for sale or rent or is made available in any other way shall be able to:

1. decode digital radio and television signals in accordance with the European scrambling algorithm (cf. DVB Common Scrambling Algorithm referred to in ETSI Technical Report 289, October 1996), and
2. display signals which are transmitted unscrambled, provided that the person or company renting the equipment complies with the relevant rental agreement.

**Section 4-6. *Requirements for television sets***

Analogue television sets with integral screens with a diagonal measurement of more than 42 cm which are offered for sale or rent shall be equipped with at least one open interface socket which complies with standards from a recognised European standardisation body. The socket shall ensure simple connection of peripherals, including decoders, digital receivers and other equipment that is specific to digital radio and television services.

Digital television sets with integral screens with a diagonal measurement of more than 30 cm which are offered for sale or rent shall have at least one open interface socket which either complies with standards from a recognised European standardisation organisation or conforms to an established industry standard. The socket shall ensure simple connection of peripherals so that all the elements of a digital radio or television signal are transmitted, including information relating to interactive services and conditional access services.

## **Chapter 5. Universal service obligation**

**Section 5-1. *Access to public telephone services and digital electronic communications networks***

Providers under a universal service obligation pursuant to Section 5-1, first paragraph, no. 1, of the Electronic Communications Act shall offer public telephone services and access to digital electronic communications networks to any location with permanent year-round settlement or industry.

For connection outside the ordinary supply area the provider may charge the customer for the additional connection cost. "Ordinary supply area" means locations with year-round industry and permanent year-round settlement connected therewith. The status of the ordinary supply area is not changed by the loss of industry where established infrastructure is available for continued supply. In such cases relevant services established at the time of the loss of industry shall be supplied.

The cost to the end-user of a provider fulfilling a universal service obligation by means of a wireless connection shall not exceed the cost to the end-user when connected to the fixed network.

For providers under a universal services obligation the universal services obligation shall apply up to the point of connection with private electronic communications networks, when the network owner has chosen another provider to provide service on the private electronic communications network.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 5-2. *Public pay telephones***

Providers under a universal service obligation pursuant to Section 5-1, first paragraph, no. 2, of the Electronic Communications Act shall offer public pay telephones in the ordinary supply area. There shall be a sufficient number of pay telephones to meet the end-users' reasonable requirements. The pay telephones shall be of sufficient quality and be adapted for disabled persons to meet the end-users' requirements.

Public pay telephones shall include both coin-operated and card telephones.

It shall be possible to make calls to public pay telephones. The number of the pay telephone shall be displayed by the telephone.

**Section 5-3. Directory enquiry services**

Providers under a universal services obligation pursuant to Section 5-1, first paragraph, no. 3, of the Electronic Communications Act shall offer directory enquiry services which cover all end-users of public telephone services with the exception of end-users who have blocked such services, cf. Section 6-2, second paragraph. Providers under a universal service obligation shall also offer international directory enquiry services that cover public telephone services in other countries. The services shall be available to all users.

Providers of directory enquiry services shall keep the directory enquiry system up-to-date.

**Section 5-4. Telephone directories**

Providers under a universal service obligation pursuant to Section 5-1, first paragraph, no. 4, of the Electronic Communications Act shall offer directories containing an appropriate list of all end-users of public telephone services on fixed and mobile networks. The directory shall also list prepayment card customers.

The telephone directory shall be published in printed and electronic form and be updated regularly, at least once a year.

Providers shall process information received from other providers of public telephone services in a non-discriminatory way.

**Section 5-5. Services for disabled persons and end-users with special needs**

Providers under a universal service obligation pursuant to Section 5-1, first paragraph, no. 5, of the Electronic Communications Act shall offer services to disabled persons and other end-users with special needs. Providers under a universal service obligation shall ensure that research and development connected with such services is continued.

Such services may include, *inter alia*, access to adapted terminal equipment and services that put these end-users on an equal footing with other end-users, including:

1. access to alternative telephone solutions for speech and hearing-impaired persons. Such access may include text telephone services and discount or refund schemes for the use of such services. When using videophones or speech synthesisers, the discount and refund schemes for such services may take the place of discount or refund schemes for the use of text telephone services,
2. discount or refund schemes for blind and partially-sighted persons for the use of directory enquiry services
3. lists of terminal equipment and services for disabled persons.

**Section 5-6. Monitoring and control of end-user's expenditure etc.**

Providers under a universal service obligation pursuant to Section 5-1 of the Electronic Communications Act shall, at no extra cost to the end-user, offer:

1. limitation of call access to a predefined selection of numbers at the request of the end-user
2. the blocking of particular types of incoming or outgoing calls or numbers at the request of the end-user
3. pre-payment
4. part payment of connection charges.

End-users shall be given the opportunity to set an upper limit on variable costs for the invoicing period concerned. If the costs exceed the set limit, the provider shall block outgoing calls without undue delay, unless the end-user agrees otherwise.

**Section 5-7. Calculation of costs for universal service obligation**

If a provider under a universal service obligation pursuant to Section 5-1 of the Electronic Communications Act requests cost compensation pursuant to Section 5-2 of the Electronic Communications Act, the provider shall document the net cost of the provision of such service. The net cost is calculated as the difference between the net operating costs that the provider has under a universal service obligation and the net operating costs which the provider would have had without the universal service obligation. In the calculation, the benefits of intellectual property rights, including brand names, shall be taken into account. The net cost shall be calculated separately for each universal service.

The Norwegian Post and Telecommunications Authority shall determine what is to be regarded as the net cost of provision and shall decide whether this constitutes an unreasonable burden. The Ministry shall decide whether a funding mechanism shall be introduced. Accounts used as a basis for the calculation of net cost shall be approved by the Norwegian Post and Telecommunications Authority or by an independent body designated by the Norwegian Post and Telecommunications Authority. The calculation of the net cost shall be published.

**Section 5-8. *Financing of universal service obligation***

The Norwegian Post and Telecommunications Authority may require providers to contribute to the financing of the universal service obligation. The Norwegian Post and Telecommunications Authority may exempt providers with small market shares who have offered services for a short time or have operating revenue below a set limit from being covered by the funding mechanism.

Each universal service shall be financed separately and different funding mechanisms may be set up for each service. The costs shall be divided between providers according to market share and ranges of service etc. Providers who shall participate in the funding mechanism shall receive information on the size of the funding, including their own share.

The funding mechanism shall be administered by the Norwegian Post and Telecommunications Authority or by an independent body designated by the Norwegian Post and Telecommunications Authority.

**Section 5-9. *Reporting***

The Norwegian Post and Telecommunications Authority may require annual reporting on the universal service obligation, cf. Section 5-1, second paragraph, of the Electronic Communications Act.

**Section 5-10. *Restriction on product bundling***

Providers under a universal service obligation pursuant to Section 5-1 of the Electronic Communications Act shall offer universal services on terms and conditions which are such that the end-user does not pay for services, functions or outputs which are not necessary for the services requested. Terms and conditions shall be non-discriminatory, transparent and publicly available.

## **Chapter 5a. Premium rate services**

Chapter 5a inserted by Regulations No. 40 of 14 January 2008 (in force 1 July 2008).

**Section 5a-1. *Premium rate services (telephone)***

Premium rate services, i.e. content, data services and value-added services that are subsequently charged to an end-user's telephone bill, may be offered only over special number series determined by the Authority, cf. Section 7-1 of the Electronic Communications Act.

Inserted by Regulations No. 40 of 14 January 2008 (in force 1 July 2008).  
Enters into force 1 July 2008.

**Section 5a-2. *Control of end-user's expenditure***

Providers shall offer end-users free of charge the ability to limit access to premium rate services. End-users shall be able to block access to premium rate services or a pre-defined selection of numbers.

End-users shall be able, free of charge and in a simple manner, to block the use of premium rate services in Norway above a given amount per month. The lowest limit for this amount shall not be higher than NOK 250. The end-users shall be informed that the specified amount has been reached, and the provider shall ensure as far as is possible that further use of premium rate services is blocked.

Providers shall ensure that an end-user, or user, if he is someone other than the end-user, free of charge and in a simple manner, is able to stop current agreements to provide a premium rate service. It shall be possible to stop current premium rate SMS services by sending the message "STOPP".

Inserted by Regulations No. 40 of 14 January 2008 (in force 1 July 2008).  
Enters into force 1 July 2008.

**Section 5a-3. *Duty to provide information***

Providers shall inform end-users free of charge of their right to block the use of premium rate services and of the various limits for blocking, cf. Section 5a-2. Providers shall ensure that users are informed of service rates free of charge. Rate information shall be provided in an appropriate manner for the user before a premium rate service is provided, with the exception of directory enquiry services, where rate information may be provided afterward.

Inserted by Regulations No. 40 of 14 January 2008 (in force 1 July 2008).  
Enters into force 1 July 2008.

**Section 5a-4. *Fundraising campaigns***

Providers shall ensure that fundraising campaigns organised as a premium rate service are registered with the Control Committee for Fundraising in Norway and that there is a statement from an external auditor confirming satisfactory accounting and control function.

Inserted by Regulations No. 40 of 14 January 2008 (in force 1 July 2008).  
Enters into force 1 July 2008.

**Section 5a-5. *Requirements for the service with regard to content etc.***

Content provided as a premium rate service must be legal, including not containing unlawful pornographic content or defamatory utterances or contravening rules relating to marketing, lotteries, privacy, intellectual property rights, etc.

Providers shall ensure in particular that minors (persons under the age of 18) are not offered premium rate services with gross depictions of violence or pornographic content. Providers offering services to minors shall have an agreement with content providers with special requirements for such services. Providers shall offer end-users the ability to register the date of birth of a user of a mobile phone.

Inserted by Regulations No. 40 of 14 January 2008 (in force 1 July 2008).  
Enters into force 1 July 2008.

**Section 5a-6. *Complaints procedure***

Providers shall have a satisfactory procedure for handling complaints regarding premium rate services.

The handling of complaints regarding premium rate services shall follow the complaints procedure in Section 10-1. In connection with complaints regarding content requirements for premium rate services, cf. Section 5a-5, second paragraph, the Norwegian Media Authority may be consulted. Complaints regarding the lawfulness of premium rate services pursuant to Section 5a-5, first paragraph, are not covered by the complaints procedure in Section 10-1.

The complaints procedure shall be funded by the providers that offer or further transmit premium rate services and that bill end-users. Information regarding the complaints scheme shall be made public regularly in an appropriate manner.

Inserted by Regulations No. 40 of 14 January 2008 (in force 1 July 2008).  
Enters into force 1 July 2008.

## **Chapter 6. Numbers**

**Section 6-1. *Calling line identification***

Providers of public telephone services shall offer calling line identification insofar as it is technically feasible, financially reasonable and not contrary to requirements laid down in or in pursuance of the Personal Data Act.

Calling-party end-users shall be able to block their number from being displayed (i.e. the calling line number), both as a general rule and for individual calls. End-users shall be able to order in advance the rejection of calls where the calling party end-user has blocked his number from being displayed.

Called party end-users shall be able to prevent the display of the number where the call is terminated (i.e. the called-party number), including in the case of call forwarding.

Providers of public telephone services shall insofar as possible make data and signals available to ensure calling-number identification via interconnection with other providers.

The right to block numbers from being displayed pursuant to the second paragraph, first sentence, does not apply to calls to emergency call services, cf. Section 2-6 of the Electronic Communications Act. The right to block numbers from being displayed may be restricted temporarily at the request of end-users who believe they are victims of telephone harassment. Providers shall store calling end-users' identification details/data and make these available to the police for the purpose of investigation if the conditions for access to such data exist.

Providers shall inform end-users of their rights and obligations pursuant to the first, second, third and fifth paragraphs.

#### **Section 6-2. Information on end-users**

Providers of public telephone services shall keep a list of each end-user's name, address and number/address for services required. The list shall contain information enabling the clear identification of those registered and information enabling the geographic locating of those registered in connection with emergency calls, cf. Section 6-3, second paragraph, and Section 2-6 of the Electronic Communications Act. Information on public pay telephones shall include the address.

Providers of public telephone services shall free of charge and before listing takes place inform end-users about the purpose of publicly available printed or electronic directories in which information about the end-user will appear and of the possible use of the information as a result of the search capabilities of electronic directories.

End-users shall be able to verify, correct or withdraw registered information free of charge. End-users may object in whole or in part to information about their number, name or address being disclosed to the public. Providers of public telephone services shall inform end-users that exclusion from the directory may be made free of charge.

End-users shall on request be able to have unpublished numbers.

Providers of directories shall delete information on end-users who have reserved against disclosure pursuant to the third or fourth paragraphs from publicly available printed or electronic directories at the first update.

Without prior consent from the registered party, the directory may only be used to search for information on the basis of the user's name, address or number/address for the service required.

Providers of directory enquiry services shall ensure that the directories comply with the Personal Data Act and that information is not provided in contravention of the duty of confidentiality.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

#### **Section 6-3. Obligation to exchange directory enquiry information**

Providers of public telephone services are obliged in an objective, non-discriminatory manner and at cost-oriented prices to make directory enquiry information pursuant to Section 6-2 available on request to providers of directory enquiry services if the information is to be used for directory enquiry activities. Directory enquiry activities do not include value-added services for own or others' sales and marketing purposes for any use other than directory enquiries.

Directory enquiry information to be transmitted pursuant to the first paragraph is:

1. unique ID: date of birth or organisation number
2. user's last name, first name(s) and middle name(s) for personal users or company. When the legal owner of a subscription and the user are not the same, only the user's name shall be transmitted.
3. street name or postal address
4. house number
5. postal code
6. post office
7. telephone number, including specification of the main number, if this has been registered or reported by the end-user
8. user type: i.e. whether the number is used for a fixed-line telephone, mobile telephone or fax.

Directory enquiry information relating to end-users who have reserved against having information about their own number, name or address disclosed to the public pursuant to Section 6-2, third paragraph, shall not be transmitted.

When data is transmitted, information shall be provided as to whether it is a new registration, change to existing information or deletion of a registration. Deletion shall be shown as a change to previously transmitted data. Where the unique identity has more than one number, a change of number shall be specified as the deletion of the existing entry followed by a new entry,

The provider giving information and the recipient provider shall cover their own costs for facilitating the transmission of information. The recipient shall cover the cost of the actual transmission.

The provider giving information and the recipient provider shall ensure the quality of the personal data in relation to the purpose of the processing. Unless otherwise agreed, updated directory enquiry information shall be provided once each working day in electronic form as mass data and in accordance with the ISO 8859-1 standard format.

Obligations pursuant to this provision are without prejudice to end-user's rights laid down in or pursuant to the Personal Data Act.

Amended by Regulations No. 40 of 14 January 2008 (in force 1 July 2008)

#### **Section 6-4. *Additional functions connected with public telephone services***

Providers of public telephone services shall offer selective call barring of outgoing calls, direct in-dialling functions and call forwarding.

Providers of public telephone services shall free of charge make it possible for end-users to prevent the forwarding of calls by third parties to the end-user's terminal equipment.

Providers of public telephone services shall offer the use of tone dialling insofar as this is technically feasible and financially reasonable. Insofar as it is possible, providers shall make data and signals available to facilitate the offering of tone dialling via interconnection with other providers and for end-to-end signalling between terminal equipment.

#### **Section 6-5. *Implementation of number series***

Providers of public telephone services shall implement one another's number series reciprocally and free of charge to make end-to-end connectivity possible.

Inserted by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

## **Chapter 7. Communications protection etc.**

### **Section 7-1. *Processing of traffic data***

Providers shall keep traffic data confidential in accordance with Section 2-9 of the Electronic

Communications Act and shall delete traffic data or render it anonymous in accordance with Section 2-7, second paragraph, of the Electronic Communications Act. "Traffic data" means data that is necessary in order to transmit communications on an electronic communications network or for the billing of such transmission.

Processing of traffic data by providers may only be carried out by persons working in billing, traffic control, customer enquiries, marketing of electronic communications services or detection of improper use of electronic communications. The above-mentioned persons must have authorisation to carry out the work from providers of electronic communications networks or services. The processing shall be limited to what is necessary to perform the above-mentioned tasks.

Processing of traffic data other than that mentioned in Section 2-7, second paragraph, first sentence, of the Electronic Communications Act, including processing for marketing purposes, requires the consent of the user, cf. Section 2-7, second paragraph, second sentence, of the Electronic Communications Act.

#### **Section 7-2. Processing of location data**

Location data other than traffic data may only be processed in an anonymised form. "Location data" means data which is processed in an electronic communications network and which shows the geographic location of the terminal equipment being used by the user of a public electronic communications service.

The limitation in the first paragraph does not apply if the user has given his consent and the processing only concerns the supply of a value added service which comprises more than the public telephone services. The processing shall be limited to that which is necessary to provide the service to which the user has consented.

Processing of location data other than traffic with the providers may only be carried out by persons with authorisation from providers of electronic communications networks or services, including providers of value added services which comprise more than the public telephone services, cf. second paragraph.

#### **Section 7-3. Processing of cookies etc.**

Electronic communications networks cannot be used for the storage of information on the user's communications equipment or to obtain access to such information unless the user has been informed by the controller in accordance with the Personal Data Act, including information on the purpose of the processing, and has been given an opportunity to object to the processing. However, this is not an obstacle to technical storage or access to information

1. exclusively for the purpose of transmitting or facilitating the transmission of communications on an electronic communications network
2. which is necessary to provide an information society service at the user's expressed request.

#### **Section 7-4. Consent**

The term "consent" pursuant to Section 7-1 and Section 7-2 corresponds to the term used in the Personal Data Act. When obtaining consent, the provider shall inform the user of the type of traffic or location data which the processing concerns, of the duration of the processing, of the purpose of the processing and whether it is intended that the location data shall be able to be disclosed to providers of services pursuant to Section 7-2, second paragraph. The user shall be able to withdraw his consent at any time by means of a simple system that is free of charge.

Consent pursuant to Section 7-2 shall also be able to be withdrawn temporarily for each individual connection to the electronic communications network or for each individual use of the service.

## **Chapter 8. Security and preparedness**

#### **Section 8-1. Obligation to have and to provide information**

Providers who:

1. provide essential electronic communications services to users who have socially critical functions  
or
2. provide transmission capacity and interconnection to providers covered by number 1

shall have a list of their own users who have socially critical functions and of electronic communications services which are necessary for the performance of such functions by the users. "Own users who have socially critical functions" means public or private users who have been entrusted by the authorities with tasks to maintain society's ability to function in the event of crises or emergencies and which are customers of the provider. "Crisis or emergency" means situations in which the authorities consider it necessary to take special measures to maintain important social functions.

Users who have socially critical functions shall give providers pursuant to the first paragraph information on the electronic communications services necessary to perform these functions.

**Section 8-2. *Emergency preparedness plans and exercises***

Providers pursuant to Section 8-1, first paragraph, shall draw up and maintain plans and implement measures to maintain electronic communications services that are necessary for

1. the performance of their own emergency tasks
2. the performance of the emergency tasks with which own users who have socially critical functions are entrusted in a crisis or emergency situation.

Providers shall at the request of the Norwegian Post and Telecommunications Authority submit plans pursuant to the first paragraph. The Norwegian Post and Telecommunications Authority shall ensure that the plans comply with regulations and may set requirements with regard to their content.

Providers shall on request participate in emergency exercises arranged by the authority.

**Section 8-3. *National autonomy***

Providers pursuant to Section 8-1, first paragraph, shall in crisis or emergency situations be able to maintain essential services for users who have socially critical functions without operational support or electronic communications services located in other countries.

The Norwegian Post and Telecommunications Authority may in crisis or emergency situations order providers to carry out operation and maintenance of services using personnel and technical solutions which are located on Norwegian territory.

In force from a date determined by the Ministry.

**Section 8-4. *Prioritising of services***

Providers pursuant to Section 8-1, first paragraph, shall in crisis or emergency situations give priority to users who have socially critical functions. Providers pursuant to Section 8-1, first paragraph, number 2, shall in crisis or emergency situations give priority to providers pursuant to Section 8-1, first paragraph, number 1.

**Section 8-5. *Notification***

Providers pursuant to Section 8-1 shall notify the Norwegian Post and Telecommunications Authority of significant operational and technical problems that could reduce or have reduced the quality of services covered by this regulation.

**Section 8-6. *Plans in the event of bankruptcy***

Providers pursuant to Section 8-1, first paragraph, shall submit plans pursuant to Section 2-11 of the Electronic Communications Act. Plans for continued provision of electronic communications in the event of bankruptcy, opening of debt settlement proceedings or as a result of suspension of payments shall at minimum contain:

1. Provider's name, organisation number, address, telephone number, fax number, e-mail address and contact person
2. specification of measures for guaranteeing service to users for a minimum of two weeks in situations as mentioned in Section 2-11, first paragraph, first sentence, of Electronic Communications Act
3. routines for notifying the authorities in the event of a petition for debt settlement proceedings or bankruptcy

4. overview of electronic communications networks and services comprising own infrastructure, including leased lines
5. list of own users who have socially critical functions.

Plans shall be sent to the Norwegian Post and Telecommunications Authority each year by 31 December and in the event of any substantial changes in the information.

In special cases, the Authority may issue exemptions from the duty to prepare plans.

Inserted by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

#### **Section 8-7. Implementation of Regulation (EC) 460/2004**

Annex XI point 5cp of the EEA Agreement (Regulation (EC) No 460/2004 of 10 March 2004 establishing the European Network and Information Security Agency (ENISA)) shall be applicable as regulations with the adaptations that follow from Annex XI, Protocol 1, to the Agreement and the Agreement in other respects.

Inserted by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

## **Chapter 9. Private electronic communications networks**

### **Section 9-1. Point of connection with other electronic communications networks**

The interconnection of private electronic communications networks, including private networks for the use of companies with large geographic coverage, with electronic communication networks which are used for the provision of public electronic communications services shall, insofar as possible, take place at a single physical point of connection. "Private electronic communications network" means an electronic communications network from the point of connection to an electronic communications network used for the provision of public electronic communications services up to the network termination point where the owner has the network for his own use or leasing and does not offer electronic communications services to others.

Providers of electronic communications networks used to provide public electronic communications services shall, insofar as possible, inform private network owners in the local area concerned of the possibility of connecting to the network at a single common/joint point. "Local area" means, for example, housing association, business parks or neighbourhoods.

The point of connection shall be designed so that the signal provider can be changed and so that more than one electronic communications network which is used for the provision of public electronic communications services can be connected to the point. Electronic communications networks which are used for the provision of public electronic communications services shall be connected to private electronic communications networks in such a way that no more capacity is used in the private electronic communications network than what is necessary for the transmission of the agreed signals and services.

### **Section 9-2. Ability of providers to offer services to users in private electronic communications networks**

Private electronic communications networks in the local area shall be designed in such a way that services from various providers can be distributed to individual users.

Owners of private electronic communications networks in multi-unit residential buildings or complexes, commercial buildings, office premises, etc., are responsible for transmitting services to the individual resident and other end-users with the same quality that the provider of electronic communication services provides on the interface between the public and private networks. Owners are also responsible for the individual resident and other end-users having access to universal services and functionality if they should wish it, on at least as favourable terms as providers under a universal service obligation offer.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

### **Section 9-3. Delivery of signals to other networks**

Agreements on signal delivery, signal type and use of electronic communications networks shall specify the

frequency range and capacity to be used for individual services and signal types.

Providers shall not supply signals that use a frequency range or capacity beyond what is specified in the agreement with the network owner.

**Section 9-4. *Duty of confidentiality and security***

Owners of private electronic communications networks are obliged to maintain confidentiality with regard to the content of electronic communications and the use of electronic communications by others in accordance with Section 2-9 of the Electronic Communications Act. Owners shall secure the network against unlawful interception and other unlawful access to information on the network. Points of connection and distributors shall be secured against access by unauthorised persons.

**Section 9-5. *Quality requirements***

Private electronic communications networks shall be professionally installed and be of satisfactory quality. Regard shall be paid to the type of electronic communications services to be conveyed, the networks to be connected and the requirements this entails for transmission in private networks. The requirement is fulfilled if the specifications in the relevant standards or equivalent quality levels are met

The Norwegian Post and Telecommunications Authority may provide guidance on standards for and the design of signal earth reference.

**Section 9-6. *Installation, operation and maintenance***

Owners are responsible for the installation, operation and maintenance of private electronic communications networks.

Owners shall use authorised installers for the installation, maintenance and interconnection of networks and connection to electronic communications networks which are used for the provision of electronic communications services, cf. Section 2-14 of the Electronic Communications Act and the Authorisation Regulation.

**Section 9-7.** (Repealed 15 January 2008, cf. Regulations No. 40 of 14 January 2008.)

## **Chapter 10. Supervision, complaints etc.**

**Section 10-1. *Norwegian Consumer Complaints Board for Electronic Communications***

The Consumer Complaints Board shall hear complaints from end-users regarding disputes with providers concerning universal service obligations, agreements to purchase another public telephone service and Internet access. Such disputes may pertain to the conclusion and fulfilment of subscription agreements, quality, billing and compensation, etc. The Board shall not deal with disputes concerning the boundaries of the universal service obligation.

New providers are obliged to report to the Consumer Complaints Board as soon as they begin to provide services as mentioned in the first paragraph.

As the consumer's right to complain is subsidiary, end-users must first direct complaints to the provider. Nevertheless, an end-user may bring the dispute directly before the Consumer Complaints Board if:

1. the provider did not notify the complainant in writing of the expected time for handling the complaint within two weeks after the provider received the complaint, or
2. the provider did not provide a final reply to the complaint within a reasonable period of time.

As long as a dispute is being heard by the Consumer Complaints Board, it may not be brought before ordinary courts of law.

The Norwegian Post and Telecommunications Authority may issue more detailed instructions on the organisation and case hearing procedure of the Board.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 10-1a. *Funding of the Consumer Complaints Board***

The Consumer Complaints Board shall be funded by the providers covered Section 10-1, first paragraph, by:

1. an annual basic fee of up to ten times the court fee
2. a complaint fee apportioned among providers based on a proportional share of the number of written complaints the Consumer Complaints Board has received concerning the provider in question

The executive board of the Consumer Complaints Board may set an amount higher than in (1) for providers with high relevant revenues and may levy a differentiated fee on them.

By 1 December of each year the executive board of the Consumer Complaints Board shall prepare and adopt a budget for proper operations the following calendar year. The budget shall be submitted to the Norwegian Post and Telecommunications Authority immediately for information.

Complaint fees shall be in proportion to budgeted expenses. Fees for new operations shall be calculated on the basis of an average of fees paid in the budget for the most recent four-month period and be settled in proportion to the months remaining in the budget period. The executive board of the Consumer Complaints Board may, if necessary to ensure proper operation, charge additional payments during the operating year. A decision to require additional payments shall be submitted to the Norwegian Post and Telecommunications Authority immediately for information.

Inserted by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 10-2. *Administrative appeal body***

Appeals against individual decisions of the Norwegian Post and Telecommunications Authority shall be decided by the Ministry, cf. Section 11-6 of the Electronic Communications Act.

**Section 10-3. *Supervision and sanctions***

With the exception of Section 5a-5, second paragraph, the Norwegian Post and Telecommunications Authority shall monitor compliance with the implementation of these regulations and may impose sanctions pursuant to Chapter 10 of the Electronic Communications Act.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

**Section 10-3a. *Determining the size of administrative fines***

In determining administrative fines, special weight shall be accorded the seriousness and duration of the violation, manifest culpability and the revenues of the undertaking concerned.

In assessing the seriousness of the violation, special consideration shall be taken of:

1. the nature of the violation
2. the undertaking's gain
3. its actual impact on the market
4. the size of the affected market and
5. whether the violator played a leading or passive role in the violation

Other factors that may affect the determination of the administrative fine for violations include:

1. whether agreements were implemented and actions taken
2. whether the undertaking could have prevented the violation with guidelines, instruction, training, inspections or other measures,
3. the finances of the corporate group the undertaking is a part of and
4. whether the undertaking has assisted the Authority in connection with investigating the violation.

The Norwegian Post and Telecommunications Authority may impose an administrative fine of up to 1 per cent of the undertaking's revenue of the undertaking or anyone acting on behalf of the undertaking who wilfully or negligently commits a violation as mentioned in Section 10-13 of the Electronic Communications Act. "Revenue" means the undertaking's total sales revenue for the most recent accounting year. When an association

of undertakings is the violator and the violation concerns the member undertakings' activities, revenue is the total sales revenue of the members active in the markets affected by the violation.

The Norwegian Post and Telecommunications Authority may impose on a natural person who wilfully or negligently commits violations as mentioned in Section 10-13 of the Electronic Communications Act an administrative fine of up to thirty times the court fee.

The Norwegian Post and Telecommunications Authority may lay down in regulations a standardised administrative fine for violation of up to 30 times the court fee for enterprises or anyone acting on behalf of an enterprise and for persons mentioned in the fourth paragraph.

Inserted by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

#### **Section 10-4. Dispensation**

In special cases or when their application would be unreasonable, the Norwegian Post and Telecommunications Authority may grant dispensations from provisions of these regulations.

#### **Section 10-5. Trial operation**

The Norwegian Post and Telecommunications Authority may upon application grant temporary dispensation from provisions of these regulations for the provision of access to electronic communications networks used for providing public electronic communications services or providing such services for the purpose of development and testing. The Norwegian Post and Telecommunications Authority may impose conditions for dispensation pursuant to the first sentence.

The application shall contain a technical description, information about the provisions dispensation is being applied for, the purpose of the trial operation, terms and conditions and prices during the trial period, the duration of the trial operation and information about any other participants in the trial operation. The Norwegian Post and Telecommunications Authority may require further information for use in processing the application. Providers who have been granted permission for trial operation shall at the end of the trial period send a report to the Norwegian Post and Telecommunications Authority on their experiences with the services during the trial operation.

#### **Section 10-6. Entry into force etc.**

These regulations shall enter into force on 16 February 2004, with the exception of Sections 1-4 and 8-3 and Chapter 9, which enter into force on a date determined by the Ministry.<sup>1</sup>

With effect from the same date Regulations No. 1259 of 5 December 1997 on public telecommunications networks and public telecommunications services, Regulations no. 163 of 14 February 2001 on cable TV networks, with the exception of Section 13, and Regulations no. 900 of 8 September 2000 on the settlement of disputes over the application of the Act on standards for the transmission of television signals shall be repealed.

Regulations No. 40 of 14 January 2008 concerning amendments to the Ecom Regulations enter into force on 15 January 2008, with the exception of Chapter 5a, Premium rate services, which enters into force on 1 July 2008.

Regulations No. 163 of 14 February 2001 concerning cable TV networks shall be repealed with effect from 15 January 2008.

Regulations No. 1087 of 17 September 2001 concerning auctioning licences for frequencies in the 900 and 1800 MHz bands shall be repealed with effect from 15 January 2008.

Regulations No. 190 of 3 March 1994 concerning premium rate services shall be repealed with effect from 1 July 2008.

Amended by Regulations No. 40 of 14 January 2008 (in force 15 January 2008).

<sup>1</sup> Chapter 9 in force 22 July 2004, cf. Regulations No. 1136 of 22 July 2004.

**Section 10-7.** *Transitional provisions*

Until the market analysis has been carried out and new obligations in pursuance of Sections 3-4, 4-2, 4-3, 4-11 and 4-12 of the Electronic Communications Act are put into effect, the obligations to which providers with significant market power are subject on the basis of Regulations No. 1259 of 5 December 1997 on public telecommunications networks and public telecommunications services shall continue to apply, cf. Section 13-2 of the Electronic Communications Act.