

[Unofficial translation from Norwegian for information only. Legal authenticity remains with the original Norwegian version.]

Regulations on authorization for installation contractors performing installation and maintenance of electronic communications networks

*Laid down by the Norwegian Post and Telecommunications Authority on 01.01.2012 pursuant to the Electronic Communications Act of 4 July 2003 no. 83, Section 2-14 and 10-1, cf. Regulations of 4 July 2003 no. 881 on the division of authority within the telecommunications sector.
EEA references: EEA agreement Annex VII point 1b (directive amended by Directive 2006/100/EC, Decision 2007/1430/EC, Decision 2008/755/EC and Decision 2009/279/EC).*

Article 1. Purpose

The purpose of these regulations is to ensure that electronic communications networks (ecom networks) are installed and maintained in a manner to ensure that requirements on electrical safety, electromagnetic compatibility (EMC), use of frequencies and quality are met, and that personnel at installation contractors performing such installation and maintenance have adequate qualifications.

Article 2. Subject scope

The regulations apply to requirement on authorization for installation contractors performing installation and maintenance of public and private ecom networks. The regulations include ecom networks built with coaxial, fibre or copper cable, radio or other technology.

Article 3. Requirement on authorization

Authorization for ecom networks installation contractor is required for installation contractors responsible for installation and maintenance of public and private ecom networks built with coaxial, fibre or copper cable, radio or other technology.

Authorization is not required for installation of ecom networks when all installation components and equipment in the network are specifically produced to be installed by persons without particular professional skills.

Authorization is granted by the Norwegian Post and Telecommunications Authority. Application for authorization requires a specific form with enclosed copies of certificates, references etc. for the qualified person, cf. Article 5. Authorization is valid until terminated by the installation contractor or revoked by the Norwegian Post and Telecommunications Authority.

The Norwegian Post and Telecommunications Authority shall immediately be notified of change of address, change of name and cessation of business.

Telecommunications, cable TV or radio installation contractors authorized pursuant to Regulations of 4 March 2005 no. 200 on authorization of electronic communications networks and radio equipment installation contractors maintain authorization without meeting the requirements in Article 5 second subsection, provided that the qualified person and the enterprise's organization number remain unchanged.

A qualified person approved pursuant to Regulations of 4 March 2005 no. 200 on authorization of electronic communications networks and radio equipment installation contractors, who is able to document additional education equivalent to a specialization module in electronic communication subjects, may be approved as a qualified person.

These regulations cause no limitations with respect to requirements for certification etc. which authorized installation contractor is subject to under other regulations.

Article 4. *Requirements for authorized installation contractor*

Authorized installation contractor is responsible for performing work in a professional manner and in compliance with existing installation requirements, cf. Article 7.

Skilled personnel shall have adequate knowledge of ecom networks, components and equipment to be installed and maintained and of electrical and functional specifications for technical interfaces towards other networks and user equipment. Authorized installation contractor shall be able to document personnel qualifications, e.g. documentation of education, certificates, training courses etc.

Authorized installation contractor shall be able to document competence pertaining to planning of private or public networks.

Article 5. *Requirement on qualified person*

Authorized installation contractor shall have one employee in full time position who meets the requirements for the qualified person.

The qualified person shall have

- a) technical knowledge equivalent to that required when graduating from a 2-year technical college within education program electro with a specialization module in electronic communication subjects and
- b) one year of relevant practice.

To prevent cessation of activity at authorized installation contractors, the Norwegian Post and Telecommunications Authority may exempt from the requirement on qualified person for a limited period of time.

Qualifications acquired in another EEA state are assessed in compliance with the EEA Agreement Annex VII no. 1 on recognition of professional qualifications, cf. Directive 2005/36/EC Titles I, II, III Chapter I and IV Article 50 no. 1 and Article 51, Title V Article 56 no. 1 and 2 and appendix IV list I.

Article 6. *Requirement on fitters*

The installation contractor shall be able to document that fitters used for installation and maintenance tasks have relevant skills, cf. Article 4 second subsection.

Article 7. *Requirements on installation performance*

Installation and maintenance shall be performed in compliance with regulations in force, relevant standards or equivalents and technical instructions.

Cables and wires shall be fitted to facilitate easy identification of circuits and easy performance of connection, testing and necessary protection.

If regulation requirements are not complied with, the owner or end user shall be informed that further use of the network is not permitted.

Article 8. *Requirements on documentation of installation and maintenance*

Documentation of the network is required, except for network in buildings comprised of only one household. Authorized installation contractor shall prepare documentation of performed installation or maintenance or revise existing documentation when applicable.

The documentation shall substantiate that the network has been constructed in a professional manner and shall comprise:

- a) the geographical extension of the network,
- b) the interface between public and private ecom networks,
- c) all network termination points,
- d) tagging of cables and equipment,
- e) measures for electrical safety and grounding,
- f) measures against atmospheric discharge or connected effects from nearby electrical installations,
- g) measures to ensure that the network complies with essential EMC requirements, and
- h) installation standards utilized.

Authorized installation contractor shall issue a declaration of conformity that describes performed work and the regulations, standards and technical specifications complied with. The declaration of conformity and the documentation shall be handed over to the owner of the network. The Norwegian Post and Telecommunications Authority has issued a form for declaration of conformity.

Authorized installation contractor having performed installation, operation or maintenance shall keep a copy of the documentation for a minimum of 5 years.

Article 9. *Duty of confidentiality*

Authorized installation contractor, and anyone performing work or services for authorized installation contractor, shall maintain confidentiality pursuant to Section 2-9 of the Electronic Communications Act. The duty of confidentiality is also applicable to installation and maintenance that do not require authorization, cf. Article 3 second subsection.

Article 10. *Fees*

Authorized installation contractor shall pay annual administrative charges, cf. regulations in force on administrative charges to the Norwegian Post and Telecommunications Authority.

Article 11. *Supervision*

The Norwegian Post and Telecommunications Authority monitors compliance with the provisions of these regulations and with decisions made pursuant to these regulations.

Authorized installation contractor is under obligation to contribute to monitoring, cf. Section 10-1, 10-3 and 10-4 of the Electronic Communications Act. This is also applicable to installation contractors performing installation and maintenance without authorization, cf. Article 3 second subsection.

Article 12. Sanctions

In the event of breaches of obligations of these regulations, The Norwegian Post and Telecommunications Authority may impose sanctions pursuant to Chapter 10 of the Electronic Communications Act and revoke authorization pursuant to Section 2-14 third subsection of the Electronic Communications Act.

Administrative fines may be imposed pursuant to Section 10-13 first subsection no. 2 of the Electronic Communications Act in the event of breaches of obligations of Article 3-10 of these regulations.

Article 13. Penalties

Breaches of the regulations' requirement on duty of confidentiality may be penalized pursuant to Section 12-4 of the Electronic Communications Act.

Article 14. Exemptions

The Norwegian Post and Telecommunications Authority may in singular cases or when application appears unreasonable grant exemptions from the provisions of these regulations.

Article 15. Entry into force

These regulations shall enter into force from 1 January 2012.

The Regulations of 4 March 2005 no. 200 on authorization of electronic communications networks and radio equipment installation contractors is revoked as from the same date.

Article 16. Transitional provisions

Cable TV installation contractors may be granted authorization during a transitional period of two years after the entry into force of these regulations.

Authorization for cable TV installation contractors is required for installation contractors performing installation and maintenance of cable TV networks built with coaxial cable or equivalent technology designed for transmission of point to multipoint signals (broadcasting).

The qualified person shall have

- a) technical knowledge equivalent to that required when graduating from an electronics branch of study at college,
- b) exam from a course in cable TV technology or equivalent theoretical knowledge and
- c) one year of relevant practice.

Installation contractors who are granted authorization pursuant to these transitional provisions may maintain authorization without meeting the requirements in Article 5 second subsection, provided that the qualified person and the enterprise's organization number remain unchanged.