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Regulations relating to sector fees and administrative charges to the Norwegian Communications Authority

Laid down by the Norwegian Ministry of Transport and Communications on 20 March 2017 pursuant to the Electronic Communications Act of 4 July 2003 no. 83, Section 10-8, 11-6 and 12-1, cf. Distribution of functions 17 March 2017 no. 338 by the Authority after the Electronic Communications Act, the Postal Delivery Act on 4 September 2015 no. 91 section 53, cf. Distribution of functions 4 September 2015 no. 1029 by the Authority after the Postal Delivery Act on 4 September 2015 no. 91 and the Electronic Signatures Act on 15 June 2001 no. 81 section 24, cf. Distribution of functions 15 June 2001 no. 615 and Regulations Concerning Requirements for Issuer of Qualified Certificates on 15 June 2001 no. 611 section 12.

Section 1. Purpose

The purpose of the Regulations is to finance the tasks of the Norwegian Communications Authority through administrative charges and sector fees in order for these to be self-financed. The funds shall be used in the best possible manner for achieving the objectives of the Electronic Communications Act, Postal Services Act and the Act relating to electronic trust services (see Section 26).

Section 2. Distribution between sector fees and administrative charges

The sector fees will be calculated based on the estimated use of resources for each administrative area that the Norwegian Communications Authority may have.

The fee revenues for each administrative area will be deducted from the calculated sector fee for the area and reduce the sector fee that can be collected from the area.

Section 3. Distribution between administrative areas

Each year, the national budget stipulates the amount the Norwegian Communications Authority can collect in sector fees and administrative charges. Of the annual amount, the Norwegian Communications Authority can collect:

- a) 48% from providers of electronic communications networks and electronic communications services and providers that have an obligation to register pursuant to the Act relating to electronic trust services (see Section 26), holders of licences for the use of number, name and address resources and undertakings that assign domain names under the Norwegian national top-level domains.
- b) 41% from holders of frequency licences,
- c) 8% from registered importers, manufacturers and radio dealers, authorised installers, holders of licences for aeromobile equipment, emergency beacons and other radio equipment and for national approval of radio and terminal equipment,
- d) 3% from providers of postal services.

Section 4. Period for sector fees and administrative charges

The sector fee shall be paid each year for the entire calendar year when the license, registration or authorisation is valid on 1 January.

The sector fee shall be paid for the entire calendar year for registrations, licenses and authorisation granted between 1 January and 1 July. If registrations, licenses or authorisation are granted after 1 July, half the sector fee must be paid.

If the licence, registration or authorisation is terminated before 1 January, no sector fee shall be paid for the following year.

Administrative charges are one-time charges.

Section 5. Regulation of amounts and rates

The Norwegian Communications Authority can adjust an annual sector fee and an administrative charge in accordance with the percentage change in the Authority's license, or corresponding development in the consumer price index.

Section 6. Sector fees and administrative charges for licences for the use of numbers, names and addresses

The sector fee for a license to use a number in the Norwegian numbering plan for telephone etc. (E.164) is:

- 1) for 8 and 12 digit numbers, NOK 10,000, or when this will result in higher fees,
 - a. for 8 digit numbers in the 8xx-series, NOK 0.15 for each number,
 - b. for numbers in the 2, 3, 5, 6 and 7 series, NOK 0.03 for each number,
 - c. for 8 digit numbers in the 4 and 9 series, NOK 0.10 for each number.
- 2) For 4 digit numbers in the 18xx-series, NOK 3,000 for each number.
- 3) For 5 digit numbers, NOK 2,000 for each number.
- 4) For 6 digit EEA harmonised numbers, NOK 2,000 for each number.
- 5) For each carrier selection code for providers of electronic communications networks used for publicly available electronic communications services, NOK 3,000.

The sector fee for the use of numbers in other national, mandatory numbering plans is:

- 1) NOK 3,000 for X.121 DNIC
- 2) NOK 3,000 for X.121 PNIC (DNIC + 2 or 3 digits)
- 3) NOK 3,000 for E.118 issuer identifier number (IIN)
- 4) NOK 3,000 for E.167 ISDN code for restricted user groups
- 5) NOK 3,000 for E.212 mobile network code (MNC)
- 6) NOK 3,000 for E.214 network code (NC) for land mobile networks

- 7) NOK 3,000 for Q.704 national signalling point codes (NI=3) regardless of the number of signalling point codes assigned
- 8) NOK 3,000 for Q.708 international signalling point codes (NI=0) regardless of the number of signalling point codes assigned
- 9) NOK 3,000 for T.35 provider code
- 10) NOK 3,000 for provider code for provider portability.

The administrative charges for a licence for use and registration in accordance with voluntary numbering plans are NOK 1,700 for:

- 1) registration of ADMD domain names for X.400 electronic mail,
- 2) registration of PRMD domain names for X.400 electronic mail,
- 3) licences for the use of EDI identifier for use in EDIFACT,
- 4) licences for the use of ISO-DCC URL (NSAP-address),
- 5) licences for the use of object identifier.

Section 7. Sector fee for trust services

The Norwegian Communications Authority may, by individual decision, set a sector fee for providers of trust services that have an obligation to register, in addition to a sector fee for voluntary certification schemes, approval schemes or self-declaration schemes pursuant to the Act relating to electronic trust services (see Section 26).

This enters into force from the date stipulated by the Ministry, cf. Section 25.

Section 8. Sector fee for undertakings that assign domain names

The Norwegian Communications Authority may, by individual decision, set a sector fee for undertakings that assign domain names under Norwegian country code top-level domains in accordance with Section 7-1 of the Electronic Communications Act and the Domain Regulations.

Section 9. Sector fee for providers of electronic communications networks and electronic communications services

The Norwegian Communications Authority may, by individual decision, set a sector fee for providers of electronic communications networks and electronic communications services. The sector fee to be divided among providers of electronic communications networks and electronic communications services is the total sector fee pursuant to Section 3, paragraph one (c), after deductions for sector fees and administrative charges pursuant to Sections 6, 7 and 8, divided between the providers at an overall level.

The amount pursuant to paragraph one shall be distributed proportionately among providers with relevant sales. Each provider shall pay a fraction of this amount which corresponds to that provider's share of total relevant sales. Relevant sales are sales in the market for electronic

communications networks and electronic communications services linked to external sales in the group or company and geographically limited to Norway. A basic deduction of NOK 35 million is granted for groups or companies, such that the sector fee is calculated on sales that exceed NOK 35 million in the financial year immediately prior to the sector fee period.

The Norwegian Communications Authority may divide the sector fee according to criteria other than sales in order to attain a more proportionate division of the sector fee. Such criteria may include the share of the number of subscribers or share of traffic volume at retail level. Where other criteria are employed, they shall apply to entire markets or parts of individual markets insofar as this is possible. The sector fee shall also be divided according to the principle for sales using these criteria. The same applies to assessments of the overall activity, the number of subscriptions, the traffic volume in the group or other basis for distribution. The basic deduction in paragraph two applies correspondingly.

Section 10. Sector fee for providers of postal services

The Norwegian Communications Authority may, by individual decision, set a sector fee for providers of postal services in accordance with Section 53 of the Postal Services Act. A sector fee shall follow the requirements in Section 3, paragraph one (d).

Section 11. Administrative charges for amateur radio licences

Holders of amateur radio licences shall pay administrative charges of NOK 2,000 when the licence is assigned.

The holder shall pay NOK 1,000 in administrative charges for changes to the call signal, allocation of own call signal for individual arrangements and the allocation of own call signals to groups, clubs and associations.

Section 12. Sector fees and administrative charges for transmitter licenses for Professional Mobile Radio and low-power systems

The sector fee for transmission licences for Professional Mobile Radio is NOK 620 for each base station and NOK 210 for each mobile station.

The administrative charges for each extra single frequency channel for the applicable licence is NOK 420.

The sector fee for a transmitter license for a low-power system is NOK 620.

Section 13. Sector fee for transmitter licences in frequency bands planned for broadcasting services

The holder of a transmitter licence for a nationwide broadcasting network shall pay a sector fee of NOK 500,000 for each network, plus a sector fee for each transmitter pursuant to paragraph three.

Holders of transmitter licences for other broadcasting networks shall pay a sector fee of NOK 2,000 for each network, plus a sector fee for each transmitter pursuant to paragraph three.

For each transmitter, the holder of the transmitter licence shall pay the sector fee stated in the table below.

<i>Frequency band</i>	<i>Type of network</i>	<i>Transmitter power of <50 W shall pay NOK</i>	<i>Transmitter power of 50-1000 W shall pay NOK</i>	<i>Transmitter power of >1000 W shall pay NOK</i>
Transmitters in frequency bands < 30 MHz	Nationwide broadcasting networks	11,790	19,655	39,305
Transmitters in frequency bands < 30 MHz	Other broadcasting networks	23,585	39,305	78,610
Transmitters in frequency bands ≥ 30 MHz	Nationwide broadcasting networks	235	395	785
Transmitters in frequency bands ≥ 30 MHz	Other broadcasting networks	470	785	1,570

Section 14. Sector fees for other transmitter licenses

Sector fees for transmitter licences not covered by Section 12 and Section 13 are calculated pursuant to this section.

Owners of earth stations for satellites shall pay a sector fee for each frequency band signals are sent in. For earth stations on Svalbard and in Antarctica, the owner shall also pay a sector fee for each frequency band signals are received in. The sector fee is NOK 6,000 per frequency band per earth station.

Owners of stations in radio telemetry systems, point-to-point and point-to-multipoint, shall pay a sector fee depending on effective radiated power (ERP). The fee shall be NOK 210 for each transmitter for stations with power less than or equal to 0.5 W, and NOK 620 for each transmitter for stations with power higher than 0.5 W.

If the transmitter does not use MIMO technology and the owner has not already paid the sector fee for the same frequencies, polarisation and bandwidth, the owner shall pay the following sector fee for the following transmitters in the following frequency bands:

<i>Frequency bands that the transmitters use</i>	<i>Bandwidth</i>	<i>Price per transmitter in NOK</i>
Frequency band lower than 1 GHz	Up to and including 25 kHz	620
Frequency band lower than 1 GHz	From 25 kHz up to and including 150 kHz	830
Frequency band lower than 1 GHz	Above 150 kHz	2500
Frequency band from and including 1 GHz to 5.15 GHz	Up to and including 2 MHz	830
Frequency band from and including 1 GHz to 5.15 GHz	Above 2 MHz	1,390
Frequency band from and including 5.15 GHz to 8.5 GHz	Up to and including 25 MHz	830
Frequency band from and including 5.15 GHz to	From 25 MHz to 55 MHz	1,390

<i>Frequency bands that the transmitters use</i>	<i>Bandwidth</i>	<i>Price per transmitter in NOK</i>
8.5 GHz		
Frequency band from and including 5.15 GHz to 8.5 GHz	From and including 55 MHz	2,500
Frequency band from and including 8.5 GHz to 20 GHz	Up to and including 25 MHz	620
Frequency band from and including 8.5 GHz to 20 GHz	From 25 MHz to 55 MHz	830
Frequency band from and including 8.5 GHz to 20 GHz	From and including 55 MHz	1,390
Frequency band from and including 20 GHz to 57 GHz	Up to and including 25 MHz	280
Frequency band from and including 20 GHz to 57 GHz	From 25 MHz to 55 MHz	410
Frequency band from and including 20 GHz to 57 GHz	From and including 55 MHz	830
Frequency band from and including 57 GHz		140

No sector fee shall be paid for transmitters that use MIMO technology if the owner already pays sector fees to the Norwegian Communications Authority for the same stations with the same frequency, polarisation and bandwidth.

Section 15. Sector fee for spectrum licence

The holder of a spectrum license shall pay a sector fee. The sector fee that holders of spectrum licenses shall pay is the total sector fee pursuant to Section 3, paragraph two (b), after deductions for sector fees and administrative charges pursuant to Section 11 to Section 14 and Section 16.

20% of the sector fee pursuant to paragraph one shall be divided among holders of spectrum licences by an equal amount for each continuous frequency block assigned.

The amount pursuant to paragraph one, less the total amount pursuant to paragraph two, first sentence, shall be divided among holders of spectrum licences in proportion to the bandwidth covered by the spectrum licence. Bandwidths are assigned a weight equal to $1/f$, where f is the centre frequency in the frequency band the frequency block is situated in. Bandwidths are also assigned a weight as stipulated in the table below. For regional licences, the weight is multiplied by the fraction of the population of Norway living in the area covered by the licence. For Svalbard, the weight is multiplied by 1/100. For offshore areas, the weight is multiplied by 1/5. The sector fee calculated on the basis of assigned bandwidth is equal to the weighted bandwidth covered by the spectrum licence, divided by the total weighted bandwidth multiplied by the amount pursuant to paragraph three, first sentence.

<i>Frequency band</i>	<i>Weighting</i>
0–30 MHz	0.025
47–68 MHz	0.1
137-174 MHz.	4.0

<i>Frequency band</i>	<i>Weighting</i>
174-240 MHz	7.0
380-400 MHz	3.0
400-470 MHz.	6.0
470-790 MHz	3.0
791-821/832-862 MHz	8.0
870-880/915-925 MHz	4.0
880-915/925-960 MHz	9.0
1710-1785/1805-1880 MHz	17.0
1900-1980-2110-2170 MHz	20.0

Section 16. *Other frequency charges and sector fees*

The Norwegian Communications Authority may, by individual decision, set a sector fee for international coordination of satellite activities, allocation of licences and monitoring of earth stations for satellites on Svalbard and in Antarctica, frequency licences for the Armed Forces, frequency licences for maritime radio activities and frequency licences in connection with aviation activities.

The Norwegian Communications Authority may, by individual decision, set administrative charges or a sector fee for frequency licenses that are not covered by paragraph one or Section 11 to Section 15.

Section 17. *Administrative charges and sector fees for licenses for aeromobile radio equipment*

The administrative charges for registration of radio equipment installed on board aircraft are:

1. NOK 1,450 for fully equipped aircraft over 9,000 kg
2. NOK 1,050 for fully equipped aircraft below 9,000 kg
3. NOK 600 for aircraft that are not fully equipped.

The sector fee for licences for aeromobile radio communication equipment, radio navigation equipment, pulse equipment and emergency locator transmitters (ELTs) on board aircraft is NOK 550.

The sector fee for licences for terminal equipment on board aircraft is NOK 1,400.

The sector fee for licences for radio equipment that can transmit data or voice on land mobile, maritime or private channels on board aircraft is NOK 950.

Section 18. *Sector fee for licences for personal emergency beacons*

The sector fee for a licence for a personal emergency beacon is NOK 400.

Section 19. *Sector fees for registered vendors or radio dealers*

The sector fee for a registered vendor of radio and terminal equipment is NOK 7,000

The sector fee for a registered radio dealer is NOK 1,500.

Section 20. *Sector fee for authorised undertakings*

The sector fee for an authorised undertaking is NOK 4,200, cf. the Authorisation Regulations.

Section 21. *Other sector fees or administrative charges*

The Norwegian Communications Authority may, by individual decision, set sector fees and administrative charges for national approval of radio and terminal equipment and for licences for radio equipment not covered by the rules in Section 17 to Section 20.

Section 22. *Exemptions*

In special cases, the Norwegian Communications Authority may grant exemptions from the rules in the Regulations.

Major variations in sector fees and administrative charges from one year to the next can be considered special cases pursuant to paragraph one.

Section 23. *Appeals body*

The Ministry of Transport and Communications shall decide on appeals against individual decisions pursuant to the Regulations.

Section 24. *Penalties*

If sector fees or administrative charges are not paid, the Norwegian Communications Authority may revoke licences, deny use and refuse to issue new licences.

The use of penalties has no impact on the obligation to pay the stipulated sector fee or administrative charge.

Section 25. *Entry into force*

The Regulations shall enter into force on 20 March 2017, with the exception of Section 7 relating to sector fees for trust services which will enter into force from the date stipulated by the Ministry.

With the exception of Section 5, paragraph one, Regulations no. 168 of 21 February 2005 relating to administrative charges payable to the Norwegian Post and Telecommunications Authority, shall be repealed from the same date.

Section 26. *Transitional provisions*

Until Section 53 of the Postal Services Act is amended, the Norwegian Communications Authority may, by individual decision, set annual administrative charges for postal service providers in accordance with Section 53 of the Postal Services Act. The amount collected shall be in accordance with Section 3, paragraph one (d).

Until the Act relating to electronic trust services enters into force, the Norwegian Communications Authority may, by individual decision in accordance with Section 5, paragraph one of the Regulations relating to administrative charges payable to the Norwegian Post and Telecommunications Authority, set annual administrative charges for issuers of certificates that are obligated to register pursuant to Act no. 81 of 15 June 2001 relating to electronic signatures. The amount collected shall correspond to Section 3, paragraph one (a).