

Regulation on Electronical Communications Network and Services – Unofficial version

Chapter 1 – Obligations for owners and providers of electronic communications networks and communications services

Section 1-1. Requirements for construction and documentation of electronic communications networks

Electronic communications networks shall be constructed in a professionally sound manner, with satisfactory quality, and ensure electrical safety so that voltage and current do not harm life or health or cause damage to property. Due consideration shall be given to the electronic communications services to be conveyed, the networks to be interconnected, and the resulting requirements for transmission. The requirement shall be deemed fulfilled where the specifications in relevant standards are met, or an equivalent level of quality is achieved.

Electronic communications networks shall be constructed in such a manner that an end-user cannot affect another end-user' electronic communications with the result that this constitutes a risk of reduced service quality or the possibility of wiretapping. The requirement applies to the extent appropriate for electronic communications networks for use in mobile communications.

The owner shall document how the network is constructed and shall retain such documentation. This does not apply to networks comprising only a single household. The documentation shall be retained for as long as the network is operational.

Section 1-2. Network termination point

The Norwegian Communications Authority may, by individual decision, determine the location of the network termination point in specific cases.

Section 1-3. Requirements for publication of interface specifications

Providers of access to electronic communications networks used for the provision of public electronic communications services, and a provider of such services, shall publish the technical specifications of the offered interface. Publication shall take place before the service supplied over the interface is made publicly available. The obligation to publish also applies to updates and modifications of the interface.

The specifications referred to in the first paragraph shall be sufficiently detailed to enable the construction of terminal equipment, so that the equipment can be used for all electronic communications services provided over the offered interface.

Section 1-4. Requirements for information of emergency calls

Information for the geographical localisation of emergency calls shall, at a minimum, include:

- a. telephone number,
- b. end-user's and registered user's – if other than the end-user – last name, first name, middle name or company name., and
- c. registered address.

For emergency calls from a mobile terminal, in addition to the information referred to in the first paragraph, network-based information on the location of the mobile terminal shall also be transmitted to the emergency services. The accuracy shall correspond to a minimum of that achieved by combining the base station's estimated coverage area, sector specification and calculation of the terminal's distance from the base station, in other words, so-called "timing advance". Information on the actual coverage of base stations, based on measurements or calculations, shall be provided to the emergency services.

For emergency calls from a mobile terminal, in addition to the information referred to in the first and second paragraphs, the provider shall transmit to the emergency services information indicating the location of the mobile terminal with the highest degree of accuracy possible. The information shall have a maximum margin of error of 50 metres for at least 80 per cent of emergency calls.

For emergency calls, the provider may fulfil the obligation under the third paragraph by transmitting location information for emergency calls calculated by systems developed by operating system providers. For emergency calls, such information may be transmitted even if the end-user has disabled location services. In such cases, the operating system provider may process location information generated by the

emergency call. This information shall not be used for any purpose other than locating the emergency call. For end-users who have disabled location services, such services shall be deactivated again once the emergency call is terminated. Emergency calls from a mobile terminal shall always be possible using the mobile terminal's ordinary call set-up.

For emergency calls from an IP telephone, in addition to the information referred to in the first paragraph, it shall be indicated that the transmitted address, cf. the first paragraph (c), may differ from the actual location. Where technically possible, information on the actual location shall be transmitted.

When transmitting origin marking to the emergency services, resellers shall use their own provider code or be identified together with the seller of access. Resellers have an independent responsibility to ensure that correct information is transmitted to the emergency services.

In private electronic communications networks where voice calls to public electronic communications networks are possible, the provider or owner of the network shall cooperate with the provider of public electronic communications networks or services to ensure emergency communications, including access to emergency numbers and transmission of origin marking. Where technically possible, the actual location shall be transmitted.

For eCall, the data set transmitted to the eCall reception centre shall comply with relevant international standards. "Data set" here refers to the eCall system's Minimum Set of Data (MSD), which contains location, time, direction, a description of the vehicle and other information about the vehicle and the incident.

Section 1-5. Use of emergency numbers

A provider of public number-based interpersonal communications services shall ensure that an end-user with disabilities who cannot use a voice communications service may, free of charge, send SMS and MMS as emergency communications to the emergency services.

The emergency services shall receive SMS and MMS containing emergency notifications from registered end-users with disabilities. The emergency services shall automatically notify the end-user that the message cannot be delivered if the end-user is not registered as a user with nodsms.no or a successor website.

A provider of public number-based interpersonal communications services shall ensure that real-time text can be transmitted to the emergency services. The

emergency services may use video transmission for emergency communications. Such communications shall be free of charge for the end-user. Where video and real-time text are offered, the provider shall facilitate total conversation between the emergency services and the end-user, cf. Section 4-14, second paragraph.

When SMS and MMS are sent to the emergency numbers, and where video and real-time text are offered, the information specified in Section 1-4 concerning the geographical location of the mobile terminal shall be transmitted to the emergency services.

Norwegian Communications Authority may issue regulations on the interface for exchanging information between the emergency services and providers.

Section 1-6. Cost sharing for eCall

Costs associated with the routing of eCall as referred to in the Electronic Communications Act Section 2-11, first paragraph shall be borne by the provider of public electronic communications services.

Costs associated with upgrading and adapting the provider's own systems for handling eCall shall be borne by the provider of public electronic communications networks.

Costs associated with the processing of the data set referred to in the Electronic Communications Act Section 2-11, second paragraph shall not be borne by the provider of public electronic communications services.

Section 1-7. Requirement for written authorisation

A provider that receives an end-user from another provider shall, in connection with the resale of subscriptions for electronic communications or any other agreement for the provision of voice communications service or internet access, obtain written authorisation from the end-user before switching providers.

A provider that receives an end-user shall, when using number portability, cf. Section 4-8, obtain written authorisation from the end-user prior to porting.

For the purposes of this provision, written authorisation also includes authorisation given by email, SMS, fax or electronic trust services

The authorisation shall contain affirmative consent and unique identification of the end-user. The authorisation shall be documented upon request.

Norwegian Communications Authority may issue regulations specifying the detailed requirements for the authorisation, including conditions for the use of email and SMS.

Section 1-8. Unique identification of natural persons

End-users who are natural persons shall be uniquely identified, cf. Section 2-8 of the Electronic Communications Act, by one of the following methods:

- a. presentation of an original and valid passport, national identity card or Norwegian driving licence—and, if the person does not have a Norwegian national identity number or D-number, an identity document showing date of birth, place of birth, photograph and nationality;
- b. use of electronic identification self-declared at eID level “substantial” or “high” under the Self-Declaration Regulations.

The provider shall keep record the type of identity document used during the identity verification and the document’s control number, in order to document how the requirement for unique identification has been fulfilled.

Changes in subscription type or price plan do not require unique identification, except in the case of a secret number, cf. Section 4-13.

Section 1-9. Unique identification where the end-user is an undertaking, etc.

Where the end-user is an undertaking, unique identification, cf. Section 2-8 of the Electronic Communications Act, shall be carried out by obtaining the undertaking’s name, legal form, organisation number, address and the name of the general manager and board members, or persons in equivalent positions. The same information shall be obtained, and appropriate measures under this provision shall be implemented insofar as applicable, where the end-user is a legal person other than an undertaking.

Natural persons acting on behalf of an undertaking or other legal person shall be identified in accordance with Section 1-8.

Electronic identification by means of an electronic seal shall be valid as identification of the undertaking where identity is not confirmed under the first and second paragraphs. The electronic seal must meet the requirements for a qualified certificate under Article 38 of the eIDAS Regulation and be included in the trusted list, cf. Article 22, as implemented in the Act of 15 June 2018 No. 44 on electronic trust services.

The information referred to in the first paragraph shall be confirmed by a search in, or an extract from, a public register or a certificate of registration not older than three months. The right to act on behalf of the undertaking shall also be confirmed.

Section 1-10. Registration of end-users

Provider of public number-based interpersonal communications services shall, in the register of end-users, cf. Section 2-9 of the Electronic Communications Act, also register the date of birth of the person actually using the mobile telephone.

Section 1-11. Requirements for net neutrality

EEA Agreement Annex XI point 5ob (Regulation (EU) 2015/2120 of the European Parliament and of the Council) on net neutrality shall apply as regulations with the adaptations set out in Annex XI, Protocol 1 to the Agreement and the Agreement in general.

Section 1-12. Plans for bankruptcy protection

Plans pursuant to the Electronic Communications Act, Section 2-12 for the continued provision of electronic communications in the event of bankruptcy, the opening of debt negotiation proceedings, or suspension of payments shall as a minimum include:

- a. the provider's name, organisation number, address, telephone, fax, email address and contact person,
- b. a specification of measures to safeguard the provider's own users for a minimum of two weeks in situations referred to in the Electronic Communications Act Section 2-12, first paragraph, first sentence,
- c. procedures for notifying the authorities in the event of a petition for debt negotiations or bankruptcy,
- d. an overview of the electronic communications networks and services included in the provider's own infrastructure, including leased transmission capacity, and
- e. an overview of the provider's own users with responsibility for the life and health of citizens.

In special cases, Norwegian Communications Authority may exempt a provider from the obligation to prepare such plans.

Chapter 2 — Security and preparedness

Section 2-1. Security Management

The provider shall establish and maintain a security management system describing the undertaking's security work. The system shall ensure that the undertaking complies with requirements laid down in or pursuant to the Act.

The undertaking's management shall regularly review the security management system. The system shall be made known to the undertaking's employees and subcontractors to the extent necessary to ensure compliance with requirements laid down in or pursuant to the Act.

The provider's security management system shall be documented.

The provider shall regularly review, and revise plans and documentation related to the undertaking's security management to ensure compliance with requirements laid down in or pursuant to the Act.

Section 2-2. Risk and Vulnerability Assessment

The provider shall prepare and maintain risk and vulnerability assessments to ensure appropriate security in electronic communications networks and services. The risk and vulnerability assessments shall be of sufficient scope to enable the undertaking to identify organisational, physical, logical and human security measures.

In the event of changes that may affect security, the provider shall assess the risks associated with the changes.

The provider's risk and vulnerability assessments shall be documented.

Section 2-3. Baseline Protection and Damage Limitation Measures

The provider shall establish, implement and maintain baseline protection measures to ensure appropriate security in electronic communications networks and services. Baseline protection measures shall consist of a combination of barrier, detection, verification and response measures.

The provider shall plan damage limitation measures to be applied in situations that cannot be fully handled through the baseline protection measures.

The provider shall have a plan for restoring an appropriate level of security.

The measures referred to in the first and second paragraphs, and the plan referred to in the third paragraph, shall be documented.

Section 2-4. Requirements for Security Plans

The provider shall establish, implement and maintain plans for the security of information, information systems, and management systems. As a minimum, such security plans are to include procedures established and implemented by the provider for the assignment of rights, access control, modification, deletion, logging, redundancy, backup, maintenance and testing, in order to ensure availability, authenticity, integrity and confidentiality.

The provider's security plans shall be documented.

Section 2-5. Preparedness Planning and Exercises

The provider shall develop and maintain preparedness plans to ensure appropriate security in electronic communications networks and services.

The provider's preparedness plans shall be documented.

The provider shall regularly conduct preparedness exercises with the content and scope necessary to maintain and develop the undertaking's competence and ability to manage unwanted incidents.

The plan for conducting preparedness exercises shall be documented.

Upon request, the provider shall participate in preparedness exercises organised by the Ministry or the Norwegian Communications Authority.

Section 2-6. Security Audit

The Norwegian Communications Authority may order a provider of an electronic communications network or a provider of a public electronic communications service to carry out a security audit of all or parts of the undertaking, where information

Kommentert [SØ1]: Til informasjon, alternativ begrepsbruk:

Fortalen til ekomdirektivet punkt 94 lister opp "as regards business continuity management: service continuity strategy and contingency plans, disaster recovery capabilities; as regards monitoring, auditing and testing: monitoring and logging policies, exercise contingency plans, network and service testing, security assessments and compliance monitoring...", som relevante tiltak.

obtained or supervisory activities conducted are not sufficient to address essential questions concerning the security of the undertaking.

The Norwegian Communications Authority may set requirements for the conduct of the security audit. The audit shall be carried out by an independent, qualified third party, and the results of the audit shall be submitted to the Norwegian Communications Authority.

The provider shall bear all costs of the audit.

Section 2-7. Duty to Ensure Compliance with Security Requirements by Other Parties

The provider shall ensure that suppliers, contractors and other parties performing work for or on behalf of the undertaking comply with security requirements laid down in or pursuant to the Act.

Section 2-8. Notification to the Norwegian Communications Authority of Availability Disruptions

The provider shall, immediately and no later than within 30 minutes after becoming aware of a security incident that has resulted in a significant disruption to the availability of electronic communications networks or services, notify the Norwegian Communications Authority.

The provider shall also immediately notify the Norwegian Communications Authority after becoming aware of a security incident that may result in a significant disruption to the availability of electronic communications networks or services.

The following incidents shall always be notified:

- a. instability or outage affecting more than half of the customers or base stations within a municipality,
- b. instability or outage affecting more than half of the customers or base stations in urban areas with a population exceeding 20,000 inhabitants,
- c. instability or outage affecting more than ten per cent of customers or base stations nationwide,
- d. instability or outage affecting users responsible for life and health or occurring in situations involving a high risk of loss of life and health.

Section 2-9. National Autonomy

In a crisis and emergency preparedness situation, the Norwegian Communications Authority may require the provider to operate and maintain its service offering using personnel and technical solutions located within Norwegian territory.

Section 2-10. Prioritisation of Service Provision

In the event of an operational outage, the provider shall, during restoration, prioritise the end-users responsible for safeguarding life and health of citizens over commercial interests.

The Norwegian Communications Authority may, in particular cases, and to the extent necessary to safeguard public interests, require the provider to give priority to essential societal actors during restoration following an operational outage.

Section 2-11. Implementation of the Regulation on ENISA

EEA Agreement Annex XI point 5cp (Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity), on cybersecurity certification of information and communications technology, and repealing Regulation (EU) No 526/2013), with the exception of the provisions in Part III on cybersecurity certification, shall apply as regulation, subject to the adaptations set out in Annex XI, Protocol 1 to the Agreement and the Agreement in general.

Chapter 3 — Protection of Electronic Communication and Data

Section 3-1. Processing of Traffic Data

The provider shall maintain the confidentiality of traffic data, cf. Section 3-10 of the Electronic Communications Act, and shall delete or anonymise traffic data, cf. Section 3-11 of the Act.

Processing of traffic data by the provider may only be carried out by persons engaged in billing, traffic management, customer enquiries, marketing of electronic communications services, or the detection of unlawful use of electronic communications. Such persons must be duly authorised by the provider of electronic communications networks or services to perform these tasks. The processing shall be limited to what is necessary for the performance of the aforementioned tasks. Any processing of traffic data other than that referred to in Section 3-11, first paragraph, letters (a) and (b) of the Electronic Communications Act, including processing for marketing purposes, shall require the consent of the user, cf. Section 3-11, second paragraph.

Section 3-2. Processing of Location Data

The provider shall maintain the confidentiality of location data, including signalling data, in accordance with Section 3-10 of the Electronic Communications Act, and shall delete or anonymise such data in accordance with Section 3-11 of the Act.

Processing of location data, including signalling data, by the provider as referred to in the first paragraph may only be carried out by persons authorised by the provider of electronic communications networks or services. Such processing shall be limited to what is necessary for the provision of the service to which the user has consented.

Section 3-3. Consent

Consent pursuant to Sections 3-1 and 3-2 shall comply with the requirements for valid consent under the General Data Protection Regulation. When obtaining such consent, the provider shall inform the user of the type of traffic or location data to be processed, the duration of the processing, the purpose of the processing, and whether the location data is intended to be disclosed to the provider of the service. The user shall be able to withdraw the consent at any time using a readily available mechanism provided without cost to the user.

Section 3-4. Information to Subscriber or User Regarding the Routing of National Traffic

The duty of confidentiality of a provider of electronic communications networks and public electronic communications services under Section 3-10 of the Electronic Communications Act, does not preclude the provider from producing or transmitting national electronic communications using electronic communications networks, services or associated facilities located outside the territory of Norway, but within the EEA, provided that the subscriber or user is informed of this. The information shall specify the country in which the provider's production or transmission will take place.

The Norwegian Communications Authority may, by individual decision, grant permission for the provision to apply correspondingly outside the EEA. Such permission is also required for planned rerouting outside the EEA in the event of transmission failures in the regular connections. Such permission is not required for short-term rerouting outside the EEA due to unforeseen transmission failures in the regular connections.

A provider as referred to in the first paragraph shall inform the Norwegian Communications Authority of matters as referred to in the first and second paragraphs.

Satellite telephone services are not covered by this provision.

Section 3-5. Requirements Related to the Retention of IP addresses, etc.

A provider as referred to in Section 3-13, first paragraph of the Electronic Communications Act, shall, without undue delay, retain the information set out in the first paragraph of that provision. The retention shall be secured adequately to prevent loss of data. The information shall indicate the time zone used for recorded timestamps. The provider shall ensure that the information is not altered during collection, logging, retention or disclosure.

Based on requests from the police and the prosecution authority pursuant to Section 3-14, first paragraph of the Electronic Communications Act, the provider shall disclose the information subject to the retention obligation without undue delay. The response time will depend, among other factors, on the scope and complexity of the request and the number of simultaneous requests. Outside regular working hours, the provider shall maintain readiness to process, at short notice, requests in cases that are urgent for reasons of life or health, or where delay may compromise the investigation. The provider shall ensure secure transmission of the data and, as far as possible, use standardized solutions for exchange of data.

Requests from the police and the prosecution authority may be based on either IP addresses or subscribers. The provider shall disclose a list of all subscribers assigned a specific IP address at the relevant time when the request does not include information on the port number on the subscriber side. The provider shall disclose all available subscriber information relating to the identified subscribers in connection with the request. The provider shall not disclose information concerning the subscription and the subscriber's equipment under this provision, except for the time at which the subscription was established. The provider shall disclose information about the time and the time period during which the subscriber was assigned the IP address and the port number, if applicable.

The provider shall establish a contact point within its law enforcement response function and report the contact point and any changes to the Norwegian Communications Authority. A provider allocated an IP address range by RIPE is required to maintain updated information in the RIPE Database. A provider that has assigned its allocated IP addresses in fixed address blocks to another provider is required to maintain updated information in the RIPE Database.

The provider shall annually prepare an overview of the costs incurred due to the disclosure obligation in Section 3-14, first paragraph of the Electronic Communications Act. An auditor-certified overview of the costs shall be completed by 30 June each year for the preceding financial year. Upon request, the Norwegian Communications Authority shall be provided with the auditor-certified cost overview and may require documentation of the principles and assessments underlying the report.

Section 3-6. Annual Reporting on the Retrieval of Information on IP addresses

The police and the prosecution authority shall submit an annual report concerning the retrieval of data subject to mandatory retention pursuant to Section 3-14, first paragraph of the Electronic Communications Act. The report shall be submitted to the Norwegian Communications Authority no later than 1 March each calendar year.

The report shall contain an overview of:

- a. the total number of requests submitted to providers subject to data retention obligations during the calendar year, the number of responses received by the provider, and documentation that the requirements for disclosure in Section 3-14, second paragraph of the Electronic Communications Act, have been fulfilled for the requests,
- b. the total number of subscribers in respect of whom the police have received information during the calendar year, and the duration of the requested time

interval for each request where applicable. In cases where repeated requests are made within the same calendar year concerning the same subscriber, the number of such subscribers shall be specified. In such cases, the total number of disclosures and the total duration of any time intervals used shall also be stated per subscriber,

- c. the annual distribution of responses to requests based on either IP address or subscriber; and
- d. the penal provisions forming the legal basis for the annual retrieval of data subject to the retention obligations.

Section 3-7. Exemption from the Obligation to Delete and the Duty of Confidentiality for Number-Independent Interpersonal Communication Services

EEA Agreement Annex XI point 5hab (Regulation (EU) 2021/1232 of the European Parliament and of the Council, as amended by Regulation (EU) 2024/1307), concerning the processing of personal data and other data for the purpose of combating child sexual abuse, shall apply as regulations with the adaptations set out in Annex XI, Protocol 1 to the Agreement and the Agreement in general.

Section 3-8. Notification of Security Breaches and Incidents EEA Agreement Annex XI point 5haa (Commission Regulation (EU) No 611/2013), concerning measures to be applied for the notification of personal data breaches, cf. Directive 2002/58/EC of the European Parliament and of the Council on the protection of privacy in the electronic communications sector, shall apply as regulation with the adaptations set out in Annex XI, Protocol 1 to the Agreement, and the Agreement in general.

Chapter 4 — End-user rights

Section 4-1. Terms of delivery

A provider of internet access services or of publicly available interpersonal communications services shall publish clear and up-to-date information on the terms of delivery.

Such information shall include, inter alia:

- a. the provider's name and address,
- b. the content and scope of the service, including supplementary services,
- c. standard contract terms, including contract duration, early-termination fees and bundled offers,
- d. prices for access, usage and maintenance, including fixed and variable prices, special pricing plans and discounts,
- e. maintenance services,
- f. compensation and refund schemes, customer service and complaints procedures,
- g. detailed information about products and services specifically designed for end-users with disabilities,
- h. for number-based interpersonal communications services: information on access to emergency services and caller location, and,
- i. for number-independent interpersonal communications services: information on whether, and to what extent, access to emergency services is supported.

If the provider offers services subject to universal service obligations, the information shall also include a description of such services and the rights they confer on the end-user.

Section 4-2. Pre-contractual information obligations

Before a consumer is bound by a contract or a corresponding offer, a provider of publicly available electronic communications services shall provide the following information:

- a. the provider's name, address and other contact information,
- b. the main characteristics and functionality of the service,
- c. the level of service quality and, except for internet access services, any specific quality parameters offered,
- d. the total price,

- e. terms on contract duration and time of delivery, compensation and refund schemes, use of prepaid services, and any fees payable for early termination of the contract,
- f. measures the provider may take in connection with security or integrity incidents, threats or vulnerabilities,
- g. avenues for complaints, and
- h. warranties.

Providers of internet access services and publicly available interpersonal communications services shall, in addition to the information in the first paragraph, provide the following information:

1. under letter b of the first paragraph:
 - i. any minimum level of quality of service, insofar as this is offered, and pursuant to Section 2-6 of the Electronic Communications Act concerning measurement of and information on quality, any conditions, including charges, imposed by providers for the use of terminal equipment supplied;
2. under letter d of the first paragraph, where relevant:
 - i. a price overview under the contract, including the communications volume and the price for additional communications units,
 - ii. the consumer's possible ability to carry over any unused volume,
 - iii. prices for calls or services subject to special pricing conditions,
 - iv. for bundled offers and elements comprising both services and terminal equipment: the price of the individual elements of the bundle insofar as they are also marketed separately,
 - v. further details and conditions, including charges, for after-sales service, maintenance and customer service, and
 - vi. how up-to-date information on all applicable tariffs and maintenance costs may be obtained;
3. under letter e of the first paragraph:
 - i. the duration of a contract for bundled offers and the conditions for renewal and termination of the contract, including any conditions for terminating the bundle or elements of the bundle,
 - ii. which personal data must be provided prior to performance of the service or are collected in connection with the provision of the service, and
 - iii. a further description of products and services designed for end-users with disabilities, and how updates to this information may be obtained.

A provider of publicly available number-based interpersonal communications services shall, in addition to the information in the first and second paragraphs, provide information on:

- a. any limitation on access to emergency services via SMS or limitations in the location of emergency calls due to lack of technical feasibility, and
- b. the end-user's right to opt out of the full or partial disclosure of personal data to directory enquiry services.

Providers of internet access services shall, in addition to the information in the first and second paragraphs, provide the information required under Article 4(1) of Regulation (EU) 2015/2120, cf. Section 1-11.

The information shall be provided in a clear and comprehensible manner on a durable medium. A durable medium means any instrument which enables the end-user to store the information in such a way that the information is available for future reference in an unaltered form.

Where provision on a durable medium under the preceding paragraph is not possible, the information shall be provided in a document made available by the provider and which can easily be downloaded. The provider shall expressly draw the consumer's attention to the availability of this document and the importance of downloading it for the purposes of documentation, future reference and unaltered reproduction.

The information obligation does not apply to providers of transmission services used for the provision of machine-to-machine services.

Section 4-3. Content of the contract summary

The contract summary shall set out the key elements arising from the information requirements under Section 4-2, cf. Section 4-5 of the Electronic Communications Act. EEA Agreement Annex XI point 5c (Commission Implementing Regulation (EU) 2019/2243 establishing a template for the contract summary to be used by providers of publicly available electronic communications services) shall apply as regulations with the adaptations set out in Annex XI, Protocol 1 to the Agreement and the Agreement as a whole.

Providers shall use the contract summary template made available on the Norwegian Communications Authority's website.

Section 4-4. Itemised billing

A provider of electronic communications services may offer the end-user a non-itemised bill.

Upon the end-user's request, providers of internet access services and publicly available number-based interpersonal communications services shall, free of charge, provide an itemised bill enabling the end-user to verify and check the bill against actual usage. Unless the end-user has requested that the information not be shown, such bill shall indicate the duration of services billed at a premium rate and identify the supplier of the service.

Where the person using the subscription is other than the end-user, the user shall consent to the provision of an itemised bill to the end-user. This does not apply if the user is under 15 years of age or under guardianship.

Calls that are free of charge to the calling end-user shall not be shown on the calling end-user's bill.

The Norwegian Communications Authority may issue regulations requiring providers to offer additional itemisation free of charge or at a cost-oriented price.

Section 4-5. Blocking of outgoing calls and messages

A provider of number-based interpersonal communications services shall, free of charge, offer:

- a. restriction on the ability to make calls and send messages to a pre-defined selection of numbers determined by the end-user,
- b. blocking of calls and messages to numbers specified by the end-user, and
- c. blocking of the ability to make certain types of calls and to send certain types of messages.

The provider shall provide the option to set an upper limit for variable costs for each billing period. If the costs exceed the set limit, the provider shall block outgoing calls without undue delay, unless the end-user consents to continued use.

Section 4-6. Jointly billed services

A provider of publicly available number-based interpersonal communications services shall, free of charge, offer the end-user the option to restrict access to jointly billed services. The end-user shall be able to block:

- a. all access to jointly billed services,
- b. a pre-defined selection of numbers, and
- c. the use of jointly billed services in Norway above a given amount per month.

The provider shall, free of charge, inform the end-user of the possibility to block the use of jointly billed services and of the various monetary limits for blocking. The lowest threshold per subscription shall not exceed NOK 500. The provider shall inform the end-user when the set threshold is reached and shall, insofar as possible, ensure that further use of jointly billed services is blocked. If the provider cannot offer such a threshold, the end-user shall be made aware of this at the time of contracting, and jointly billed services other than directory enquiry services may only be offered by agreement with the end-user.

The provider shall ensure that the user is informed free of charge of the price of the service. Such price information shall be provided to the user in an appropriate manner before the jointly billed service is delivered, except for directory enquiry services where the price information may be provided afterwards.

The provider shall ensure that the end-user, or the user, where other than the end-user, can, free of charge and by simple means, stop ongoing agreements for jointly billed services. An ongoing jointly billed SMS service shall be capable of being stopped by sending the message STOP.

A jointly billed service delivered by means of an outgoing call from the user to a number assigned for a voice communications service may only be offered over specific number ranges designated by the authority, cf. Sections 12-1 and 12-2 of the Electronic Communications Act.

The provider shall ensure that fundraising campaigns delivered as jointly billed services are registered in the Register of Non-Profit Organisations in Norway, or that there is a statement from an external auditor confirming satisfactory accounting and control functions.

Content delivered as a jointly billed service shall be lawful and shall not include unlawful pornographic content or defamatory statements, or contravene rules on marketing, gambling, privacy, intellectual property rights, or similar legislation.

The provider shall in particular ensure that children and young persons under 18 years of age are not offered jointly billed services containing depictions of gross violence or pornographic content. A provider offering services to children and young persons under 18 years of age shall have an agreement with the content provider containing special requirements for such services.

The provider shall have a satisfactory arrangement for handling complaints relating to jointly billed services. The handling of complaints relating to the billing of jointly billed services and jointly billed content services delivered over electronic communications networks shall follow the complaints scheme in Section 16-5 of the Electronic Communications Act. Complaints concerning the lawfulness of jointly billed services under the seventh paragraph are not covered by the complaints scheme in Section 16-5. Information on the complaints scheme shall be made public in an appropriate manner.

Section 4-7. Obligation to offer number portability

End-users shall be entitled to retain their numbers from the national numbering plan for telephony (E.164), irrespective of the provider used. An end-user who terminates a contract retains the right to port the number to another provider for at least one month after termination, unless the end-user explicitly waives this right.

A provider that has been allocated numbers from the national numbering plan (E.164) shall, upon the end-user's request, transfer the number to another provider. The transferring provider may not hinder or delay the porting process due to any outstanding payments owed by the end-user.

This obligation does not apply to number ranges allocated to GSM-R or to the emergency network (TETRA).

The Norwegian Communications Authority may, by individual decision, exempt number categories from this obligation.

Section 4-8. Implementation of number portability

The receiving provider shall, pursuant to Section 1-7, obtain written authorisation from the end-user before porting.

The end-user and the receiving provider shall agree the date and time for the porting. When entering into the agreement, practical circumstances relevant to the timing of the porting shall be taken into account.

The receiving and transferring providers shall ensure that number porting and activation are completed as quickly as possible on the agreed date. In any case, the number shall be activated no later than one working day from the date agreed with the end-user. The transferring provider shall notify the receiving provider on the same day that the porting has been completed.

The transferring provider shall continue to provide services on the same terms until the receiving provider's services have been activated. In the event of an error in the porting process, the transferring provider shall reactivate the service on the same terms as before, until porting is completed. The transferring and receiving providers shall ensure that any interruption of service in connection with porting does not exceed one working day. The providers shall ensure that calls to the ported number terminate in the correct network, without significant deterioration of quality.

Information from the transferring provider to the end-user shall be neutral. The transferring provider shall not use porting-related information in its own marketing directed at the end-user. The prohibition against marketing applies during the porting period and for 14 days after the porting has been completed. Porting information means information received through messages in the porting process. The porting period runs from the submission of the porting order until the porting has been completed, and the service can be used with the receiving provider.

Section 4-9. Cost responsibility for number portability

Each provider shall cover its own costs for handling number portability, for example for upgrading exchanges and support systems and for testing and training personnel. The transferring provider shall not require the receiving provider to cover costs for porting the number. The end-user shall not be charged separately for porting.

Section 4-10. Compensation to the end-user

A provider of electronic communications services shall pay compensation to the end-user in the event of a breach of the rules on number portability or on switching of internet access service. This applies in cases of delays exceeding one working day after the agreed switching or porting time, misuse, and cancelled service or installation appointments.

The end-user shall, at the time of contracting, be informed of the right to compensation, cf. Section 4-2, first paragraph (e).

Section 4-11. International roaming in mobile networks

The EEA Agreement Annex XI Nos. 5cu (Regulation (EU) 2022/612), 5cua (Commission Implementing Regulation (EU) No 1203/2012), 5cub (Commission Implementing Regulation (EU) 2021/2228) and 5cuc (Commission Implementing Regulation (EU) 2016/2286) on international roaming shall apply as regulations with the adaptations laid down in Annex XI, Protocol 1 to the Agreement and the Agreement as a whole.

Where end-users residing in the United Kingdom roam in Norwegian mobile networks, Norwegian providers are bound by the maximum wholesale price set pursuant to the Free Trade Agreement between the United Kingdom and Norway of 8 July 2021. Norwegian end-users shall not pay more for normal usage during temporary stays in the United Kingdom for calls, SMS or data than they would have paid for equivalent services in Norway.

Section 4-12. Price comparison services

Price comparison services for internet access services and publicly available number-based interpersonal communications services shall, upon request from the provider of the price comparison service, be approved by the Norwegian Communications Authority provided that the following requirements are met:

- a. the service is free of charge for end-users
- b. the service provides an effective opportunity for end-users to compare prices for services available to consumers
- c. the service provides an effective opportunity for end-users to compare the quality of services available to consumers
- d. the service is independent of providers of services covered by the price comparison tool
- e. the service is transparent regarding its ownership and operation.
- f. the service provides accurate and up-to-date information based on clear, objective and transparent criteria
- g. the service uses clear and unambiguous language
- h. the service is open to all providers of internet access services or publicly available number-based interpersonal communications services

- i. the service displays a broad range of offers that cover a significant part of the market; if the service does not provide a complete market overview, this shall be made clear to end-users
- j. the service allows end-users to filter geographically for offers of fixed-network internet access
- k. the service has an effective procedure for reporting incorrect information.

A price comparison service approved under the first paragraph may carry an approval mark issued by the Authority.

Third parties shall, free of charge and in open data formats, have access to information published by providers of internet access services or publicly available number-based interpersonal communications services for the purpose of making a price comparison service available.

Section 4-13. Secret number

A provider of publicly available number-based interpersonal communications services that offers the end-user a secret number service shall ensure that the service, at a minimum, includes:

- a. a full opt-out from disclosure to the public of information about the end-user's number, name and address, cf. Section 9-3, fourth paragraph, and
- b. suppression of presentation of the end-user's own number (Calling Line Identification Restriction, CLIR), cf. Section 9-4, second paragraph.

The provider may also offer additional measures, such as withholding the number on invoices, restriction on access within the provider's organisation to subscription information, etc.

The end-user with a secret number shall, when requesting changes to their subscription information with the provider, provide unique identification.

When a secret number is ported, the donor provider shall inform the receiving provider that the number has secret status. The functions set out in the first paragraph shall be continued by the receiving provider.

On the establishment, modification or porting of a secret number, the end-user shall be informed in writing of the content of the service. Upon termination of the service, written information shall be sent to the end-user prior to implementation.

Section 4-14. Right to opt out of disclosure of number, name and address

End-users may reserve themselves, in whole or in part, against disclosure of information about their number, name or address, including in publicly available directory enquiry services.

The provider of publicly available number-based interpersonal communications services shall inform the end-user that reservation against listing in a directory system may be made free of charge. The end-user shall, free of charge, be able to verify, rectify and withdraw registered information.

Section 4-15. Equivalent access for end-users with disabilities

Providers of internet access services and voice communications services shall offer end-users with disabilities access to those services equivalent to that available to other end-users, cf. the Electronic Communications Act section 4-16. Providers of voice communications services shall offer real-time text (RTT).

Where a provider offers video in addition to voice communications services and real-time text, the service shall constitute a total conversation service, meaning a multimedia conversational service that enables two-way, symmetric, real-time transmission of video, text, and voice between users at two or more locations.

Providers of internet access services and voice communications services shall themselves bear any additional costs associated with services for end-users with disabilities. The same applies to the provision of total conversation services.

Information about electronic communications services and contractual terms, as well as terminal equipment and other relevant user equipment, shall be made available in a manner that ensures equivalent access to information for end-users with disabilities.

Section 4-16. Exemption for microenterprises as providers

The requirements in Sections 4-2 to 4-14 shall not apply to microenterprises that only provide number-independent interpersonal communications services, cf. the Electronic Communications Act Section 4-19.

Section 4-17. Notification prior to planned outage

A provider shall notify the subscriber and the user before any planned outage of an electronic communications network or service due to maintenance or upgrades. Such outage shall be kept as short as possible.

Chapter 5 — Universal service obligations

Section 5-1. Access to public telephone service and functional internet access

For the purposes of the Electronic Communications Act, Section 5-1, first paragraph, “functional internet access” means a broadband service with a downstream speed of at least 30 Mbit/s and an upstream speed of at least 5 Mbit/s.

For the purposes of the Electronic Communications Act, Section 5-1, second paragraph, “seasonal commercial activity” means a location-bound commercial activity with a necessary connection to the relevant address, linked to seasons, conducted only part of the year but at least three months, and with an annual turnover of at least NOK 1 million from the activity conducted at the location.

In doubtful cases or in the event of disagreement, the Norwegian Communications Authority shall decide whether an activity is to be regarded as “seasonal commercial activity”.

Section 5-2. Calculation of costs of universal service obligations

If providers with a universal service obligation pursuant to Section 5-1 of the Electronic Communications Act request coverage of costs pursuant to Section 5-2 of the same Act, the provider shall document the net cost of delivery. The net cost is the difference between the net operating cost the provider has with this type of universal service obligation and the net operating cost the provider would have had without this universal service obligation. The calculation shall include benefits from intellectual property rights, including branded products. The net costs shall be calculated specifically for each universal service obligation service.

Norwegian Communications Authority shall determine what is calculated as a net cost of delivery and decides on whether this constitutes an unreasonable burden under the Electronic Communications Act, Section 5-2, first paragraph. The account forming the basis for the calculation of net cost shall be approved by Norwegian Communications Authority or an independent body appointed by Norwegian Communications Authority. Calculation of net cost shall be public.

Section 5-3. Financing of universal service obligations

The Ministry shall decide whether to introduce a financing fund or whether the burden

shall be covered in another manner. Norwegian Communications Authority may exempt low-revenue providers from the obligation to contribute to a financing fund. Financing of a fund shall be shared among providers based on market share, service offering, etc.

The financing fund shall be administered by the Norwegian Communications Authority or by an independent entity designated by the Ministry.

Section 5-4. Restriction on bundling under universal service obligation

A provider designated with universal service obligation under Section 5-1 of the Electronic Communications Act shall offer services covered by the universal service obligation on such terms and conditions that consumers and micro-, small- and medium-sized enterprises do not pay for services, features or benefits that are unnecessary for the service requested. Terms and conditions shall be non-discriminatory, transparent and publicly available.

Section 5-5. Reporting

Norwegian Communications Authority may require annual reporting on services provided under universal service obligations from providers designated under Section 5-1 of the Electronic Communications Act.

Chapter 6 — Access to infrastructure, etc.

Section 6-1. Price regulation of access to civil infrastructure

When price-regulating access to civil infrastructure pursuant to Section 7-7 of the Electronic Communications Act, the Norwegian Communications Authority shall base the valuation of access to civil infrastructure on the book value after accumulated depreciation, adjusted by an appropriate index. Assets in use that have been depreciated over a period of at least 40 years shall not be included in the valuation.

Section 6-2. Functional separation

An order imposing functional separation shall include:

- a. information on the nature and degree of the separation, including the legal status of the separated business unit,
- b. a description of the assets of the separated business unit and the products or services the separated unit shall offer,
- c. organisational measures to be implemented to ensure independence between the separated business units,
- d. rules to ensure compliance with the obligations,
- e. rules to ensure transparency of operations, in particular vis-à-vis other stakeholders, and
- f. a monitoring system to ensure compliance with the obligation, including publication of an annual report.

Section 6-3. Access to infrastructure for services using frequencies

When assessing whether to impose obligations under Section 10-5 of the Electronic Communications Act, the authority shall take into account:

- a. coverage,
- b. efficient use of radio spectrum,
- c. technical feasibility,
- d. sustainable competition,
- e. technological innovation, and
- f. investment incentives and investment risk for the provider upon whom the access obligation would be imposed.

Section 6-4. Maximum price for termination

EEA Agreement Annex XI point 5czsc (Commission Delegated Regulation (EU) 2021/654) shall apply as regulations with the adaptations set out in Annex XI, Protocol 1 to the Agreement and the Agreement in general.

Section 6-5. Implementation of the Regulation on BEREC

EEA Agreement Annex XI point 5czr (Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC (the BEREC Office), amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009) shall apply as regulations with the adaptations set out in Annex XI, Protocol 1 to the Agreement and the Agreement in general.

Section 6-6. Maximum prices for international number-based interpersonal communications services within the EEA

For international calls or SMS that originate in fixed or mobile networks in Norway and terminate in fixed or mobile networks in the EEA, the provider shall apply the following maximum prices for consumers:

- a. Maximum price for calls: EUR 0.19 per minute excluding VAT.
- b. Maximum price per SMS: EUR 0.06 excluding VAT.

The maximum prices shall be converted into NOK based on the average of the exchange rates published by the European Central Bank in the Official Journal of the European Union on 15 January, 15 February and 15 March each year. The Norwegian Communications Authority shall update annually the NOK maximum price applicable from 15 May each year.

The maximum prices apply to international calls and SMS that are wholly or partly billed on the basis of actual consumption.

In addition to the maximum prices under the first paragraph, a provider may offer other prices for international calls and SMS where the price plan covers countries outside the EEA in addition to EEA countries. The provider shall inform the consumer who explicitly chooses a different price for these services of the benefits that will be lost by such a choice.

Upon request from a provider, the Norwegian Communications Authority may, in special cases and by individual decision, grant exemptions from the maximum prices in

the first paragraph. In such cases, the provider must document that circumstances exist which place the provider in a special position compared with other providers, and that the maximum prices would significantly affect the provider's ability to maintain current prices for national communications services.

The Norwegian Communications Authority shall set a maximum price level for any provider granted an exemption, based on an assessment of the provider's national pricing model and profitability. Exemptions may be granted for up to one year at a time and shall not extend further than necessary.

Chapter 7 — Access to radio and television

Section 7-1. Requirements for providers of conditional access services, etc.

A provider of conditional access services for digital radio and television shall, irrespective of the transmission method cf. Section 8-1, first and second paragraphs of the Electronic Communications Act—offer content providers technical services with such functionality that the content provider's digitally transmitted services can be received by authorised viewers or listeners using user equipment for digital radio or television administered by the provider.

The Norwegian Communications Authority may require providers of other access-restricting functions for digital radio and television to use open software interfaces in accordance with relevant standards or specifications. Software interface means communication software between an application and the operating system, including an Application Programming Interface (API), used by content and service providers to deliver digital radio and television services.

Section 7-2. Requirements for holders of intellectual property rights to conditional access products and services

Where the holder of intellectual property rights to conditional access products and services licenses such rights to a manufacturer of consumer equipment, this shall be on objective, reasonable and non-discriminatory terms. The holder of the rights may not impose technical or commercial conditions on the licensing that prohibit or otherwise prevent the product itself from being equipped with:

- a. a standardised interface enabling connection to other conditional access services, or
- b. equipment and software for another conditional access service, provided the licensee complies with relevant and reasonable conditions safeguarding the security of transactions carried out by the provider of conditional access services.

Section 7-3. Requirements relating to Common encryption algorithm and reception of unencrypted signals

Consumer equipment intended for the reception of digital television signals, whether

via terrestrial networks or from cable or satellite, that is sold, leased or otherwise made available, and that is capable of decrypting digital television signals, shall be able to:

- a. decrypt such signals in accordance with a common European encryption algorithm managed by a recognised European standardisation organisation (ETSI), and
- b. display signals transmitted in unencrypted form, provided that, if the equipment is leased, the lessee complies with the applicable lease agreement.

Section 7-4. Interoperability requirements for digital television sets and car radio receivers

Digital television sets with an integrated screen with a visible diagonal greater than 30 cm, marketed for sale or rental shall be equipped with at least one interface socket for an open interface that enables easy connection of additional equipment and that can convey all parts of a digital television signal, including information for interactive services and conditional access services. The open interface may either be standardised by, or comply with a standard adopted by, a recognised European standardisation organisation, or comply with an industry specification.

Car radio receivers integrated into category M vehicles made available on the market for sale or rental from 21 December 2020 shall include a receiver capable of receiving and reproducing at least radio services provided via a digital terrestrial sound broadcasting network.

Chapter 8 — Frequencies

Section 8-1. Application for authorisation to use frequencies for training purposes

Applications for authorisation under Section 11-14 of the Electronic Communications Act must be received by the Norwegian Communications Authority within reasonable time before the exercise is to take place, to allow the Authority to process the application and notify affected parties and right holders in good time.

Applications shall specify the frequency range, a geographical description of the exercise area and areas where the frequency use may potentially affect other frequency use, the period of use of the frequencies and the equipment to be used. Applications under Section 11-14, third paragraph, third sentence shall justify the need for and the necessity of conducting exercises outside the Armed Forces' permanent areas. Applications under Section 11-14, second paragraph shall justify the specifically beneficial public interest purpose and the need for conducting the exercise or the preparedness purpose.

When considering applications, the Norwegian Communications Authority shall weigh the applicant's need against the consequences for affected parties and right holders. The assessment shall take into account the impact on other frequency users, including the extent to which it may affect safety, stability, the coverage of electronic communications services, and any restrictions on emergency calls in public mobile networks.

The use shall result in as little harmful interference as possible and cause as few and as brief communications interruptions to users as possible.

Section 8-2. Application for authorisation to use frequencies for the Norwegian Correctional Service

The Norwegian Correctional Service shall submit an application for authorisation under Section 11-15 of the Electronic Communications Act to the Norwegian Communications Authority for each prison where authorisation is sought for the use of frequencies allocated to others. The application shall include an assessment of the possibility of using measures other than equipment capable of preventing, interfering with or manipulating electronic communications.

Authorisation may be granted within the geographic coverage area corresponding to the Norwegian Correctional Service's high-security prison facilities.

The choice of technical solution shall be made in consultation with the Norwegian Communications Authority and affected providers. The frequency use shall be established so that it causes the least possible harmful interference in public mobile communications networks outside the prisons.

Section 8-3. Design of small-cell base stations

EEA Agreement Annex XI point 5czsb (Commission Implementing Regulation (EU) 2020/1070 as amended by Commission Implementing Regulation (EU) 2024/2000) on conditions for wireless access points with limited range shall apply as regulations with the adaptations set out in Annex XI, Protocol 1 to the Agreement and the Agreement in general.

Chapter 9 — Numbers, names and addresses

Section 9-1. Implementation of number ranges

Providers of publicly available number-based interpersonal communications services shall mutually implement each other's number ranges free of charge so as to enable all-to-all communication.

Section 9-2. Supplementary features relating to publicly available voice communications services

Providers of publicly available voice communications services shall offer direct-dialling-in and call forwarding.

Providers of publicly available voice communications services shall, free of charge, enable the end-user to prevent third parties from forwarding calls to the end-user's terminal equipment.

Providers of publicly available voice communications services shall offer the use of tone signalling to the extent technically possible and economically reasonable. To the extent possible, the provider shall make data and signals available in order to facilitate tone signalling via interconnection with other providers and end-to-end signalling between terminal equipment.

Section 9-3. Information to directory enquiry services

Providers of publicly available number-based interpersonal communications services shall, free of charge and prior to listing in a directory enquiry service pursuant to Section 12-5 of the Electronic Communications Act takes place, inform the end-user about the purpose of the directory systems in which information about the end-user will appear, the possible uses of such information through search functions in electronic directory systems, and the right to opt out pursuant to Section 4-14.

The provider shall transmit the following directory information to businesses offering publicly available directory enquiry services:

- (a) the user's surname, given name and middle name for natural persons, or the company name. Where the legal subscriber and the user are not the same, only the user's name shall be transmitted; (
- (b) organisation number;

- (c) street name and postal address;
- (d) house number;
- (e) postal code;
- (f) post town;
- (g) telephone number, including indication of the main number where this is registered or notified by the end-user; and
- (h) type of usage, i.e. whether the number is used for a fixed-network terminal or a mobile terminal.

Where a child is registered as the user of a subscription, directory information shall not be transmitted to directory enquiry businesses unless express consent has been given by the end-user to such transmission. Where such consent has been given, a child who has reached the age of 15 may withdraw the consent. When the child reaches the age of 18, the provider shall transmit the information, but shall, prior to transmission, notify the registered user thereof and give the user an opportunity to opt out.

The provider shall not transmit directory information relating to end-users who have a secret number under Section 4-13 or who have opted out of disclosure of their number, name or address to publicly available directory enquiry businesses, cf. the first paragraph and Section 4-14. The directory enquiry business shall delete information about an end-user who has a secret number or has opted out of publication at the first subsequent update of information from the provider.

When transmitting information under the first to third paragraphs, it shall be stated whether the entry is new, an amendment of existing information, or a deletion of a registration. A deletion shall be indicated as an amendment to previously transmitted information. Where the end-user has several numbers, a change of number shall be indicated as deletion of the existing entry and a new entry.

The Norwegian Communications Authority may require a provider of number-based interpersonal communications services to document that the price for the information made available under the second paragraph is based on actual costs.

The provider and the directory enquiry business shall ensure quality of personal data in relation to the purpose of the processing. Directory information shall be provided electronically as bulk data and be in accordance with the standard format ISO 8859-1.

Without the data subject's consent, directory enquiry services may only be used to search for information based on the user's name, address, number and service address. The business offering directory enquiry services shall ensure that the directory system complies with the Personal Data Act and that information is not disclosed in breach of statutory confidentiality. Without the user's consent, directory enquiry

businesses shall not process directory information for purposes other than directory enquiry services, including for their own business purposes. The obligations under this provision do not limit end-users' rights laid down in or pursuant to the Personal Data Act.

Section 9-4. Number presentation

A provider of publicly available number-based interpersonal communications services shall offer number presentation to the extent technically possible, economically justifiable and not contrary to requirements laid down in or pursuant to the Personal Data Act.

The calling end-user shall be able to opt out of presentation of their own number (A-number), both generally and for individual calls. The end-user shall be able to pre-order call rejection where the calling end-user has opted out of A-number presentation.

The called end-user shall be able to opt out of presentation of their own number where the call is terminated (the B-number), including in the case of call forwarding.

A provider of publicly available number-based interpersonal communications services shall, to the extent possible, make data and signals available in order to ensure number presentation via interconnection with other providers.

The right to opt out under the second paragraph, first sentence, shall not apply to calls to emergency services, cf. Section 2-10 of the Electronic Communications Act. The right to opt out may be temporarily restricted at the request of an end-user who considers themselves to be subject to telephone harassment. The provider shall store the calling end-user's identification information and make such information available to the police where the legal conditions for access to such data are fulfilled. The provider shall inform the end-user of the rights under this provision.

Section 9-5. Blocking of calls and SMS

A provider of a public electronic communications network and a provider of publicly available number-based interpersonal communications services shall block calls and SMS where the calling end-user does not have the right to use the A-number, where the A-number cannot be routed, or where the call or the SMS is related to fraud. The provider referred to in the first sentence shall keep statistics of the numbers blocked, the number of blockings, and the grounds on which blocking has been carried out.

Section 9-6. Implementation of the Regulation on the .eu top-level domain

EEA Agreement Annex XI Nos. 5o (Regulation (EU) 2019/517), 5oac (Commission Implementing Regulation (EU) 2020/857), 5oad (Commission Delegated Regulation (EU) 2020/1083), and 5oaf (Commission Implementing Regulation (EU) 2022/1862) on the .eu top-level domain shall apply as regulations with the adaptations laid down in Annex XI, Protocol 1 to the Agreement and the Agreement as a whole.

Chapter 10 — Private electronic communications networks

Section 10-1. Interconnection between private and public electronic communications networks

A private electronic communications network means the electronic communications network from the connection point towards public or other electronic communications networks to the network termination point, where the owner of the private electronic communications network has the network for own use or lending and does not offer an electronic communications service to others. Interconnection of a private electronic communications network with public electronic communications networks shall, as far as possible, take place at a single physical connection point.

The private network owner shall ensure that the connection point is designed so that it is easy to change provider and so that more than one public electronic communications network can be connected to the private electronic communications network.

Section 10-2. Service offering in a private electronic communications network

A private electronic communications network shall be constructed so that services from different providers can be conveyed to each end-user.

The owner of a private electronic communications network is responsible for ensuring that electronic communications services are conveyed to each resident and other end-users with the same quality as that delivered by the provider of electronic communications services at the interface between the public and the private electronic communications network. The owner is also responsible for ensuring that each resident and other end-users have access to services and functionality covered by the universal service obligation if they so wish, on terms at least as favourable as those offered by the provider designated with the universal service obligation.

Section 10-3. Delivery of signals to other networks

An agreement on signal delivery, signal type and use for an electronic communications service shall specify the frequency range and capacity to be used for each service and signal type. The provider shall not deliver signals that use frequency range or capacity beyond what follows from the agreement with the network owner.

Section 10-4. Duty of confidentiality and security

The owner of a private electronic communications network shall maintain confidentiality regarding the content of electronic communications and the use of electronic communications by others, in accordance with Section 3-10, first and second paragraphs of the Electronic Communications Act.

The owner shall secure the network against unlawful interception and other unauthorised access to information in the network. Connection points and distribution frames shall be secured to prevent unauthorised access.

Chapter 11 – Supervision, complaints, etc.

Section 11-1. Supervision and sanctions

The Norwegian Communications Authority shall supervise the implementation of this Regulation, except Section 4-6 eighth paragraph, and may impose sanctions pursuant to Chapter 15 of the Electronic Communications Act.

Section 11-2. Infringement fines

The Norwegian Communications Authority may impose an infringement fine on natural persons and undertakings pursuant to Section 15-12 of the Electronic Communications Act if the person, undertaking, or someone acting on behalf of the undertaking intentionally or negligently:

- a. infringes Section 1-1, first to third paragraphs (requirements for construction and documentation of electronic communications networks), Section 1-3, first paragraph (requirements for publication of interface specifications), Section 1-4, first to seventh paragraphs (requirements for information of emergency calls), Section 1-5, first to fourth paragraphs (use of emergency numbers), Section 1-6, first to third paragraphs (Cost sharing for eCall), Section 1-7, first or second paragraph (Requirement for written authorisation), Section 1-8, first or second paragraph (unique identification of natural persons), Section 1-9, first or second paragraph (unique identification where the end-user is an undertaking, etc.), Section 1-10 (registration of end-users), Section 1-11 (requirements for net neutrality), Section 1-12, first paragraph (plans for bankruptcy protection), Section 2-1, first to fourth paragraphs (security management), Section 2-2, first to third paragraphs (risk and vulnerability assessments), Section 2-3, first to fourth paragraphs (baseline protection damage limitation measures), Section 2-4, first or second paragraph (Requirements for security plans), Section 2-5, first to fifth paragraphs (Emergency Preparedness Planning and Exercises), Section 2-6 (security audit), Section 2-7 (duty to ensure compliance with security requirements by other parties), Section 2-8, first to third paragraphs (notification to the Norwegian Communications Authority of availability disruptions), Section 2-9 (national autonomy), Section 2-10, first or second paragraph (prioritisation of service provision), Section 3-1, first to third paragraphs (processing of traffic data), Section 3-2, first or second paragraph (processing of location data), Section 3-4, first to third paragraphs (information to subscriber or user regarding the routing of national traffic), Section 3-5, first to fifth paragraphs (requirements related to the retention of IP addresses, etc.), Section 4-1, first paragraph (terms of delivery), Section 4-2, first to fifth paragraphs (pre-contract information

obligations), Section 4-3, first or third paragraph (content of the contract summary), Section 4-4, second paragraph (itemised billing), Section 4-5, first or second paragraph (blocking of outgoing calls and messages), Section 4-6, first to sixth paragraphs or ninth paragraph (jointly billed services), Section 4-7, first or second paragraph (obligation to offer number portability), Section 4-8, first to fifth paragraphs (implementation of number portability), Section 4-9 (cost responsibility for number portability), Section 4-11, first or second paragraph (international roaming in mobile networks), Section 4-13, first or third to fifth paragraphs (secret number), Section 4-14, first or second paragraph (right to opt out of disclosure of number, name and address), Section 4-15, first, second or fourth paragraphs (equivalent access for end-users with disabilities), Section 4-17 (notification prior to planned outage), Section 6-4 (maximum price for termination), Section 6-6, first to third paragraphs (maximum prices for international number-based interpersonal communications services within the EEA), Section 7-1, first paragraph (requirements for providers of conditional access services, etc.), Section 7-2 (requirements for holders of intellectual property rights to conditional access products and services), Section 7-3 (requirements relating to common encryption algorithm and reception of unencrypted signals), Section 7-4, first or second paragraph (interoperability requirements for digital television sets and car radio receivers), Section 9-1 (implementation of number ranges), Section 9-2, first to third paragraphs (supplementary features relating to publicly available voice communications services), Section 9-3, first to ninth paragraphs (information to directory enquiry services), Section 9-4, first to sixth paragraphs (number presentation), or Section 9-5, first paragraph (blocking of calls and SMS); or

- b. infringes regulations issued pursuant to this Regulation, where the regulation stipulates that such infringement may result in an infringement fine.

Section 11-3. Determination of infringement fines

When assessing the seriousness of an infringement, cf. Section 15-13 of the Electronic Communications Act, particular regard shall be had to:

- a. the nature of the infringement;
- b. the undertaking's profit;
- c. the actual impact on the market;
- d. the scope of the market affected; and
- e. whether the offender has played a leading or passive role in the infringement.

Other factors that may influence the determination include:

- a. whether agreements or corrective measures have been implemented;
- b. whether the undertaking, through internal guidelines, training, control or other measures, could have prevented the infringement;
- c. the financial situation of the group to which the undertaking belongs; and
- d. whether the undertaking has assisted the authorities in investigating the infringement.

The Norwegian Communications Authority may impose an infringement fine of up to 5 per cent of the undertaking's turnover if the undertaking, or someone acting on its behalf, commits infringements pursuant to Section 15-12 of the Electronic Communications Act. Turnover means the undertaking's total sales revenue for the last financial year. Where an association of undertakings is the offender and the infringement concerns its members' activities, "turnover" means the combined sales revenue of those members active on the markets affected by the infringement.

The Norwegian Communications Authority may impose standardised infringement fines of up to 30 times the court fee on natural persons for intentional or negligent infringements referred to in Section 15-12 of the Electronic Communications Act.

Section 11-4. Exemptions

In exceptional cases, or where application would be unreasonable, the Norwegian Communications Authority may grant exemptions from the provisions of this Regulation. Conditions may be attached to such exemptions.

Section 11-5. Trial operation

Upon application, the Norwegian Communications Authority may grant temporary exemptions from provisions of this Regulation for offers of access to electronic communications networks used for publicly available electronic communications services, and for offers of such services, for development and testing purposes. Conditions may be attached to an exemption under the first sentence.

The application shall include a technical description, identification of the provisions from which exemption is sought, the purpose of the trial operation, terms and prices during the trial period, the duration of the trial project, and information on any other participants. The Authority may require further information for processing the application. A provider granted permission for trial operation shall, upon expiry of the

trial period, submit a report to the Authority on the experiences gained from the trial operation.

Section 11-6. Consumer Complaints Board for Electronic Communications

The provider shall inform the end-user in writing of the right to complain to the Consumer Complaints Board for Electronic Communications, cf. Section 16-5 of the Electronic Communications Act, upon rejecting a complaint,

The right of appeal is subsidiary, meaning the end-user must first submit the complaint to the provider. Nevertheless, the end-user may bring the dispute directly before the Board if

- a. the provider has not, within two weeks after receiving the complaint, informed the complainant in writing of the expected processing time; or
- b. the provider has not given a final response within a reasonable time.

While a dispute is pending before the Board, it may not be brought before the ordinary courts.

New providers shall notify the Board as soon as they begin offering services referred to in Section 16-5, first paragraph of the Act.

The Norwegian Communications Authority may adopt statutes on the organisation and procedures of the Board.

The Board shall satisfy the requirements of the Act of 17 June 2016 No. 29 on approval of complaints bodies for consumer cases.

Section 11-7. Financing of the Consumer Complaints Board for Electronic Communications

The Board shall be financed by providers covered by Section 16-5, first paragraph, through:

- a. an annual basic fee of up to 10 court fees; and
- b. a complaints fee apportioned among providers based on their proportional share of the number of written complaints the Board has received concerning the provider in question.

The Board's executive committee may set a higher amount than under letter for providers with high relevant turnover and may differentiate the fee for such providers.

Each year by 1 December, the executive committee shall prepare and adopt a budget for proper operation in the following calendar year. The adopted budget shall immediately be sent to the Norwegian Communications Authority for information.

Complaint fees shall correspond to budgeted expenses. For new providers, the fee is calculated on the basis of the average fees paid in the last tertial budget and is adjusted for the remaining months of the budget period. Where necessary to ensure proper operation, the executive committee may require additional payments during the year. Decisions about additional payments shall immediately be sent to the Authority for information.

Section 11-8. Appeal body

Appeals against individual decisions made by the Norwegian Communications Authority pursuant to this Regulation may be lodged with the Ministry.

Chapter 12 — Final provisions

Section 12-1. Entry into force

This Regulation shall enter into force on 1 January 2025, with the exception of Section 3-7, Section 3-8 and Section 4-15, first paragraph, second sentence, which shall enter into force on the date determined by the Ministry. From the same date, the Regulation of 16 February 2004 No. 401 concerning electronic communications networks and electronic communications services (ekomforskriften), and the Regulation of 3 October 2000 No. 994 concerning licences for providers authorised to use frequencies under Chapter 5 of the Telecommunications Act for the establishment and operation of telecommunications networks of vital societal importance, shall be repealed.

Section 12-2. Transitional provision

Individual decisions adopted pursuant to the Regulation of 16 February 2004 No. 401 on electronic communications networks and electronic communications services (ekomforskriften) that are in force when this Regulation enters into force shall remain in effect until new individual decisions adopted pursuant to this Regulation take effect.