

Common Use of Electronic Communications Infrastructure in Montenegro - - Regulations and Mapping-

Montenegro

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COMMON USE OF ELECTRONIC COMMUNICATIONS INFRASTRUCTURE – THE LAW ON ELECTRONIC COMMUNICATIONS

For the purposes of the rational use of space, environmental protection and public health, national security, spatial planning and protection of cultural heritage, construction and the use of electronic communications network, electronic communications infrastructure and associated facilities, the operator shall perform its activity in the manner which enables a shared use of the elements of electronic communications infrastructure and associated facilities, in accordance with available capacities.

Operator shall publish and update the data relevant for the shared use of available capacities of electronic communications infrastructure and associated facilities on its website.

Operators shall agree on the shared use of electronic communications infrastructure and associated facilities provided that such use is technically feasible and does not cause interference with the use of such infrastructure and associated facilities.

Mutual rights and obligations of the operators in the shared use of electronic communications infrastructure and associated facilities shall be regulated by the contract.

The Agency have passed the regulation to lay down detailed conditions and manner of the shared use of electronic communications infrastructure and associated facilities, and the measures for increasing availability of free capacities in such infrastructure, upon the approval of the state administration body in charge of environmental protection and spatial planning.

THE LAW ON ELECTRONIC COMMUNICATIONS - ELECTRONIC COMMUNICATIONS INFRASTRUCTURE

Article 11 - Competences of the Agency: *The Agency promotes the national use of electronic communications infrastructure*

Article 29 - Agency registrie : *The Agency shall keep the register of electronic communications infrastructure and associated facilities of operators*

Article 39 - Construction and the use of electronic communications networks : *The terms of use and other conditions for planning, construction, maintenance and the use of particular types of electronic communications networks, electronic communications infrastructure and associated facilities shall be prescribed by the Agency.*

Article 41 - Electronic communications network in buildings : *More detailed technical and other requirements for the design, construction and the use of electronic communications network, electronic communications infrastructure and associated facilities in buildings are prescribed by the Agency.*

Article 53, 54– Shared use of electronic communications infrastructure: *The Agency has adopted the regulation laying down detailed conditions and the manner of shared use of electronic communications infrastructure and associated facilities and measures for the increased availability of free capacities in such infrastructure, upon the approval of the state administration body in charge of environmental protection and spatial planning.*

Article 55 - Data on electronic communications infrastructure and associated facilities : *The records on the type, availability and geographic location of the electronic communications infrastructure and associated facilities which may be of interest for the shared use shall be kept by the Agency, where Operators shall submit the data on quarterly basis; the Agency shall prescribe the type and the manner of data submission.*

THE RULE ON THE TYPE, THE MANNER OF DELIVERY AND DISCLOSURE OF DATA OF ELECTRONIC COMMUNICATIONS INFRASTRUCTURE AND ASSOCIATED FACILITIES WHICH MAY BE OF INTEREST FOR THE SHARED USE

The Rule prescribes the content and the form of data regarding the cable ducts, antenna masts and buildings. The forms include spatial and technical data regarding the electronic communications infrastructure and associated facilities.

Data are provided in various formats (text, dwg, PDF, photos or other).

Also, the Rule prescribes the Georeferenced database and the associated web portal, which will be dedicated to the records on the electronic communications infrastructure, will be made accessible to the Agency, operators, drafters of the spatial projects, and other stakeholders – depending on the authorization to access data.

The Georeferenced database and the web portal will use the maps and services of the Real Estate Administration of Montenegro.

THE RECORDS OF ELECTRONIC COMMUNICATIONS INFRASTRUCTURE - SPATIAL PLANNING NEEDS

The Agency provides data on electronic communications infrastructure and associated facilities and opinions on the draft spatial planning documents for their development and adoption in accordance with the Law on Electronic Communications and in accordance with the Law on Spatial Development and Construction of Structures.

AVAILABLE DATA ON THE ELECTRONIC COMMUNICATIONS INFRASTRUCTURE

Data on the antenna masts and buildings, as required by the Rule, consist of the data on geographical location, physical characteristics, and occupation of the space on the antenna masts and within buildings are already available.

Such data are kept in the database (Access) in various formats (text, photos, PDF, and dwg). These data are used by the Agency to provide the opinions as required by relevant laws used for the development of the spatial planning documents. Currently these data are not georeferenced.

Also, the already available data on the antenna masts and buildings will be exported to the new database which will be georeferenced.

Records on cable ducts are still not available, but they are planned to be made available by the end of this year.

GEOREFERENCED DATABASE AND ASSOCIATED WEB PORTAL

The Georeferenced database and associated web portal are expected to provide the efficient performance of the legal obligations of the Agency to provide access to data to the following various stakeholders:

- *Operators of electronic communications networks and services*
- *Drafters of the spatial planning documents*
- *Local level and national institutions*
- *Investors*
- *Other ...*

The Agency is in the procedure of the implementation of the Georeferenced database and associated web portal, which were the subject of the public procurement procedure, and this implementation is expected to be completed by the end of this year.

Thank you for your attention!