



# EU Broadband Cost Reduction Directive

***INFOFEST***  
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# INTRODUCTION

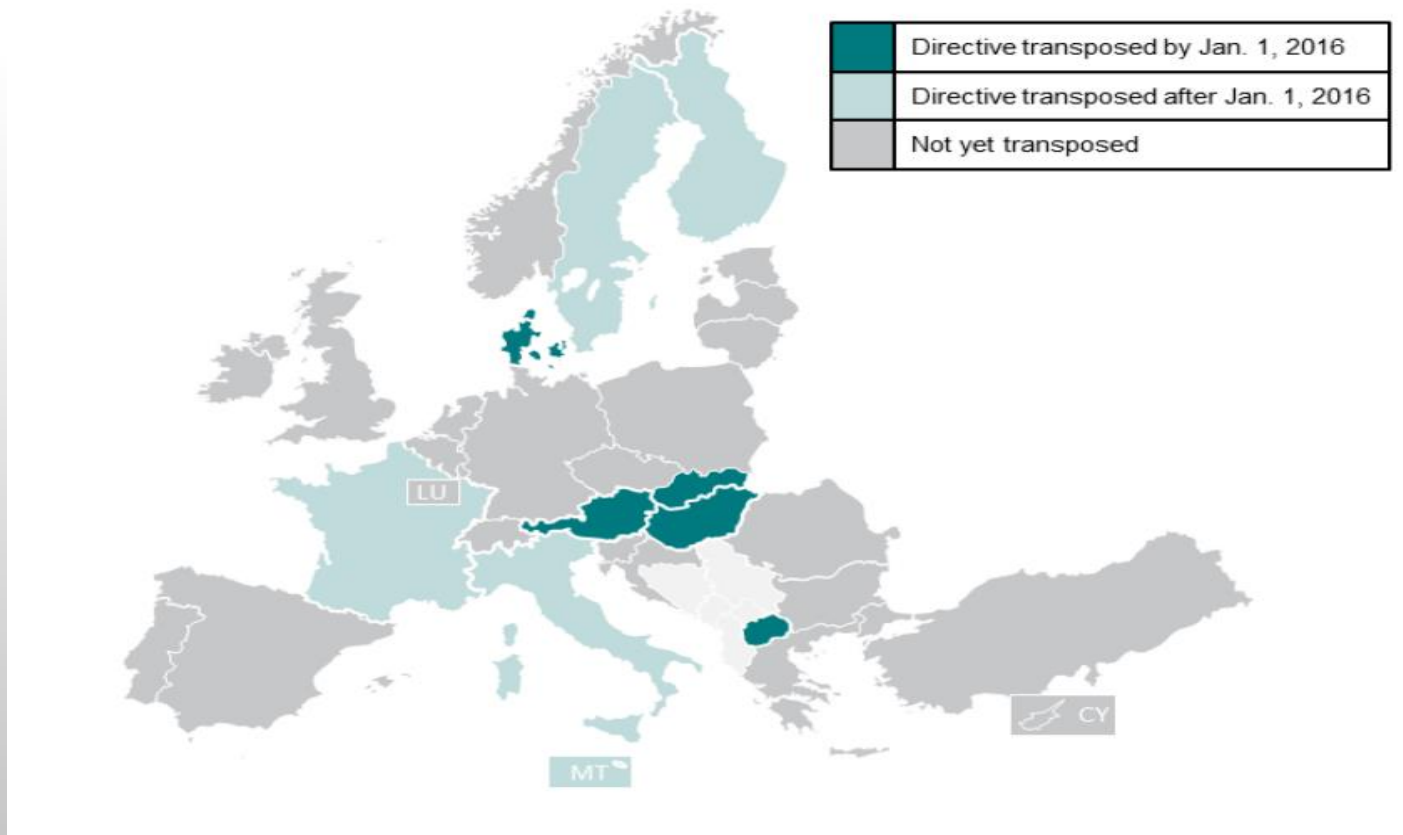
- ❖ DIRECTIVE 2014/61/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 15 May 2015 on measures to reduce the cost of deploying high-speed electronic communications networks
  - ❖ High speed BB networks = 30 Mbps and above
  
- ❖ Objectives:
  - ❖ Easier achievement of Digital Agenda goals
  - ❖ Lower cost of deploying
  - ❖ Less digging
  - ❖ Synergy across sectors

# TRANSPOSITION SCORE BOARD



❖ TRANSPOSITION into national law: January 1, 2016

❖ APPLICATION of national measures: July 1, 2016





## FOUR PILLARS

1. Access to and transparency of existing physical infrastructure
2. Coordination and transparency of planned civil works
3. Permit granting
4. In-building Infrastructure

# Access to and transparency of existing physical infrastructure



## Access to existing physical infrastructure

Network operators:

-  Energy
-  Water
-  Transport
-  Other utilities operators and providers of public communications networks

RIGHT	OBLIGATION
<p><b>...to offer access to physical infrastructure</b></p>	<p>...to meet reasonable requests to access it for deploying high-speed broadband</p> <p><b>How?</b> Access granted on <b>commercial basis</b>, on specified request, <b>under fair terms &amp; conditions including price</b></p> <p><u>Refusal of access</u> (exceptions): Objective transparent and proportionate reasons</p> <p><i>e.g. technical suitability, safety, security, availability of space, existence of alternatives</i></p>

Dispute resolution within 4 months

# Access to and transparency of existing physical infrastructure



## Transparency of existing physical infrastructure

Public sector bodies and network operators

Single Information Point (SIP)

Minimum information regarding infrastructure	How?	Possibility of limited access to information
<ul style="list-style-type: none"> <li>▪ Location &amp; route</li> <li>▪ Type &amp; current use of existing infrastructure</li> <li>▪ Contact point</li> </ul>	<ul style="list-style-type: none"> <li>▪ Via SIP</li> <li>▪ Upon specific request</li> <li>▪ On proportionate, transparent and non-discriminatory terms and conditions</li> </ul>	<ul style="list-style-type: none"> <li>▪ Network security</li> <li>▪ National defence</li> <li>▪ Public safety</li> <li>▪ Confidentiality reasons</li> </ul>

Dispute resolution within 2 months

# Coordination and transparency of planned civil works



## Coordination of planned civil works

Network operators performing civil works

RIGHT	OBLIGATION
<p>...to negotiate coordination of civil works with electronic communication providers</p> <p>Who? Any network operator</p>	<p>...to meet reasonable requests to coordinate civil works</p> <p>Conditions:</p> <ul style="list-style-type: none"> <li>▪ Any additional cost covered by communication provider</li> <li>▪ Request is made timely</li> </ul> <p>Who? Undertakings performing civil works fully or partially <b>financed by public means</b></p>

Dispute resolution within 2 months



# Coordination and transparency of planned civil works



## Transparency of planned civil works

Network operators

Single Information Point (SIP)

Minimum information regarding planned civil works	How?	Refusal or limitation of access to information
<ul style="list-style-type: none"> <li>▪ Location</li> <li>▪ Type</li> <li>▪ Network elements</li> <li>▪ Starting date</li> <li>▪ Duration</li> <li>▪ Contact point</li> </ul> <p>Planned civil works must be made public <u>6 months in advance</u> in order to enable agreements on coordination of civil works</p>	<p>Upon specific written request</p>	<p><u>Right to refuse access:</u></p> <ul style="list-style-type: none"> <li>▪ Information already publicly available</li> <li>▪ Information available via SIP</li> </ul> <p><u>Possibility of limited access:</u></p> <ul style="list-style-type: none"> <li>▪ Security and integrity of the networks</li> <li>▪ National security</li> <li>▪ Public health or safety</li> <li>▪ Confidentiality or operating and business secrets</li> </ul>

Dispute resolution within 2 months



# Permit granting

- ❖ All relevant information on procedures for granting permits for civil works – via SIP
- ❖ Application for permits by electronic means
- ❖ Grant or refuse permits by a motivated decision - within 4 months



# In-building infrastructure

WHO	OBLIGATION
<b>Building owners or developers</b>	<p>Equip new buildings (major renovations) with:</p> <ol style="list-style-type: none"> <li><b>1. In-building physical infrastructure</b> (such as mini ducts) capable of hosting high-speed networks</li> <li><b>2. Access point</b> easily accessed by the providers of ECN</li> </ol> <p><u>Possible exemptions:</u></p> <ul style="list-style-type: none"> <li>▪ On proportionality grounds (<i>e.g. monuments, military buildings...</i>)</li> </ul>
<b>Holder of right to use the access point and/or the in-building physical infrastructure</b>	<p>Meet reasonable requests for access from a provider of public communication networks</p> <ul style="list-style-type: none"> <li>▪ Under fair and non-discriminatory terms and conditions including price</li> <li>▪ Without prejudice to ownership rights</li> </ul> <p><u>Granted exemptions:</u></p> <ul style="list-style-type: none"> <li>▪ access to an in-building network is ensured on objective , transparent proportionate and non-discriminatory terms and conditions</li> </ul>

Dispute resolution within 2 months



## IMPLEMENTATION

### **1. Law on measures to reduce the cost of deploying high-speed electronic communications networks**

- Public consultations: April 4, 2016 – May 22, 2016

### **2. Electronic Communications Act (OG 73/08, 90/11, 133/12, 80/13, 71/14)**

- In-building physical infrastructure

### **3. Law on State Survey and Real estate Cadastre (State Geodetic Administration)**

- Public consultations: April 7–22, 2016
- SIP information on:
  - Existing and planned infrastructures
  - Planned civil works



## COMPETENT BODIES

### 1. Croatian Regulatory Authority for Network Industries (HAKOM)

- ❖ Dispute Resolution Body
- ❖ Performing inspection supervision

### 2. State Geodetic Administration

- ❖ SIP (existing and planned infrastructure and planned civil works)

### 3. Ministry of Construction and Physical planning

- ❖ SIP (permit granting)?



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