



**DRAFT REGULATION
ON THE IMPLEMENTATION OF THE GENERAL AUTHORIZATION
REGIME**

Public Consultation Document

Approved Decision of Steering Council (DSC/VKD) of AKEP, No. 31, dated 22.12.2025

THE STEERING COUNCIL OF AKEP

DECIDED:

CHAPTER I

GENERAL PROVISIONS

Article 1

Purpose

The purpose of this Regulation is, through the implementation of the general authorization regime, to promote competition and encourage investment in the provision of electronic communications networks and services, as well as to ensure their provision in compliance with legal requirements and the protection of users’ rights.

Article 2

Scope

The scope of this Regulation is to define the rules for the implementation of the procedure for notifying the provision of electronic communications networks and services, and to determine in detail:

- a) the form and content of the notification and supporting documentation;
- b) the registration and deregistration of undertakings;
- c) the general and specific conditions of the general authorization applicable to the provision of the notified electronic communications networks and/or services;
- d) the form and content of the Register of Undertakings registered with AKEP.

Article 3

Definitions

The terms used in this Regulation shall have the same meaning as in Law No. 54/2024 “On Electronic Communications in the Republic of Albania”, as follows:

1. **“General authorization ”** means an act of a general nature consisting of the legal framework established by this Law and the rules issued by AKEP for its implementation, granting the rights to provide electronic communications networks or services and imposing specific obligations that may apply to all or to certain electronic communications networks and/or services in accordance with this Law.
2. **“Undertaking”** means any natural or legal person, registered in accordance with the legislation in force that provides electronic communications networks or electronic communications services in the Republic of Albania pursuant to this Law.

3. **“Provision of an electronic communications network”** means the establishment, operation, control, or making available of such a network.
4. **“Provider of public electronic communications services”** means an undertaking that provides public communications services, ensuring access to a public electronic communications network operator.
5. **“Electronic communications network”** means transmission systems, whether or not based on permanent infrastructure or centralized management capacity, and, where applicable, switching or routing systems and other resources, including non-active network elements, which enable the conveyance of signals by wire, radio, optical or other electromagnetic means, including satellite networks, fixed (circuit- or packet-switched) terrestrial networks, including the internet, mobile terrestrial networks, electricity cable systems where used for signal transmission, networks used for radio and television broadcasting, and cable television networks, irrespective of the type of information conveyed.
6. **“Public electronic communications network”** means an electronic communications network used wholly or mainly for the provision of electronic communications services available to the public and which supports the transfer of information between network termination points.
7. **“Electronic communications service”** means a service normally provided for remuneration via electronic communications networks which, excluding services that provide or exercise editorial control over transmitted content using electronic communications networks and services, includes the following types of services:
 - a) **“Internet access service”** means a publicly available electronic communications service that provides access to the internet and thereby connectivity to virtually all internet endpoints, irrespective of network technology and terminal equipment used;
 - b) **“Interpersonal communications service”** means a service normally provided for remuneration that enables direct interpersonal and interactive exchange of information via electronic communications networks between a limited number of persons, where the persons initiating or participating in the communication determine its recipient(s). This service does not include services enabling interpersonal and interactive communication merely as a minor ancillary feature intrinsically linked to another service;
 - c) services consisting wholly or mainly in the conveyance of signals, such as transmission services used for machine-to-machine communications and for radio and television broadcasting.
8. **“Number-based interpersonal communications service”** means an interpersonal communications service that connects with publicly assigned numbering resources, such as numbers from national or international numbering plans, enabling communication with another number or numbers from national or international numbering plans.
9. **“Number-independent interpersonal communications service”** means an interpersonal communications service that is not linked to publicly assigned numbering resources, such as a number or numbers in a national or international numbering plan, or that does not enable communication with a number or numbers in a national or international numbering plan.
10. **“Universal service”** means a defined minimum set of public electronic communications services of specified quality, available at affordable prices to all users throughout the territory of the Republic of Albania, regardless of geographical location.

11. **“Value-added service”** means an information service provided through premium-rate numbers, cost-sharing numbers, or green numbers via the public electronic communications network, normally against a payment.
12. **“Radio and television broadcasting”** means the transmission of radio and television service programs by terrestrial antenna, electronic communications networks, or satellite, whether encrypted or not, for reception by the public.
13. **“Personal data breach”** means any breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to personal data transmitted, stored, or otherwise processed in connection with the provision of a publicly available electronic communications service.
14. **“Interconnection”** means the physical and logical linking of public communications networks used by the same or different operators, in order to allow the users of one operator to communicate with users of the same or another operator, or to access services provided by another operator. Interconnection is a specific type of access between operators of public communications networks.
15. **“Emergency service”** means a service, pursuant to the legislation in force on civil protection, providing emergency and assistance services offering immediate and rapid aid before, during, or immediately after a disaster, to protect human life, living beings, property, cultural heritage, and the environment, ensuring public safety and meeting basic survival needs of affected persons.
16. **“Emergency service numbers”** means the numbers designated in the national numbering plan for emergency services, including police, Firefighters emergency medical services, alerting services, and declared services, including the single European emergency call number “112”.
17. **“National Frequency Plan”** means the document approved by decision of the Council of Ministers that determines frequency bands for different radiocommunication services and sets basic conditions for frequency assignment and use to ensure efficient spectrum use and avoid interference.
18. **“Numbering plan”** means the structure of numbers and number series and their allocation to ensure access to public electronic communications networks and services.
19. **“Conditional access system”** means any technical measure, authentication system, or arrangement whereby access to a protected radio or television broadcasting service in an intelligible form is conditional upon subscription or another form of prior individual authorization.
20. **“Broadband Competence Office”** means the structure established under the authority of the responsible minister to promote the development of broadband networks, including very high-capacity communications networks.

Article 4

Scope of application

1. Any undertaking is free to provide electronic communications networks and services in the Republic of Albania in accordance with the requirements of Law No. 54/2024.
2. The rules set out in this Regulation are mandatory on any undertaking that provides electronic communications networks and/or services in the territory of the Republic of Albania.
3. Notification and application of the procedures set out in this Regulation are also mandatory for entities subject to Law No. 97/2013 “On audiovisual media in the Republic of Albania”, as amended, where the provision of audio and/or audiovisual transmission networks requires or does not require the use of frequencies administered by AKEP.
4. The provision of electronic communications networks or services by undertakings may be restricted by AKEP where necessary for reasons of:
 - a) public interest;
 - b) public security;
 - c) public health.
5. Any restriction on the provision of electronic communications networks and services shall be justified, notified to the line ministry, and published in advance on AKEP’s official website.
6. For the exercise of rights deriving from the general authorization , undertakings are not required to obtain any decision or administrative act from AKEP.
7. The provisions of this Regulation shall not apply to number-independent interpersonal communications services.

CHAPTER II

GENERAL AUTHORIZATION REGIME

Article 5

Form, notification procedure, and accompanying documentation

1. Any undertaking intending to provide electronic communications networks or services available to the public in the territory of the Republic of Albania, with the exception of number-independent interpersonal services, is obliged to notify AKEP in accordance with the provisions of this regulation.
2. The list of electronic communications networks and services that may be provided under the general authorization regime is set out in **Annex 1**, attached to this regulation. This list may change depending on new networks and services that may enter the electronic communications market.
3. Notification by the undertaking is carried out by completing the Notification Form in the online application system, accessed through AKEP’s website www.akep.al. The required information and the notification format for electronic communications networks and services are set out in **Annex 2** of this regulation. When the online application system is under technical improvement, updating, malfunction, etc., the notification form and accompanying documentation shall be submitted to AKEP in written form.

4. The notification shall contain the following data:
 - a) the name and address of the undertaking's main headquarters and, where applicable, any secondary address;
 - b) legal registration details of the undertaking, legal status, form, and registration number;
 - c) the contact person and contact details of the undertaking;
 - d) the address of the undertaking's website related to the provision of electronic communications networks and/or services;
 - e) a brief description of the electronic communications network or service to be provided, according to the definitions set out in Annex 1 of this regulation;
 - f) the date on which the provision, modification, or termination of the service is planned; the geographic scope of the network and services to be provided, which shall be at least one administrative unit.
 - g) the declaration indicating the date by which the undertaking completes the construction of the network or commences the provision of its services.
5. The notification provided for in point 3 of this Article shall also contain:
 - a) a declaration that the information is accurate; and
 - b) a declaration that the undertaking possesses the necessary technical, legal, and financial capacities and shall comply with legal obligations.
6. When the notification is complete and in compliance with this regulation, AKEP shall, within 7 (seven) days from receipt of the notification, register it in the Register of Undertakings and notify the applicant in writing to submit to AKEP a copy of the Online Notification Form together with the original accompanying documentation, signed by the applicant.
7. When the notification is incomplete, based on points 4 and 5 of this Article, AKEP shall notify the applicant within 7 (seven) working days from the application date to complete the missing documentation. If the applicant does not complete the required documentation within 15 days, AKEP shall notify the applicant in writing that it will not register it. The applicant has the right to appeal this notification to the AKEP Steering Council.
8. If AKEP does not confirm in writing within the time limit set out in point 6 of this Article, or does not request completion of documentation pursuant to point 7, the notification and registration shall be deemed effective.
9. The undertaking shall submit to AKEP, within 3 months from the start date of service provision, the following documentation:
 - Employment contracts of employees, accompanied by documentation proving their education and professional qualifications, for the purpose of ensuring the provision of electronic communications networks/services;
 - Certificate of payment of social and health insurance contributions.

Article 6

Confirmation Certificate

1. AKEP confirms the registration of the undertaking's notification in the electronic database relating to the provision of electronic communications networks or services through a Confirmation Certificate (CC).
2. The standard model of the Confirmation Certificate for undertakings providing electronic communications networks or services pursuant to Law No. 54/2024 and its implementing regulatory acts is set out in **Annex 3** of this regulation.

3. The Confirmation Certificate shall be sent to the undertaking by AKEP by post (original), electronically (scanned PDF), and/or collected in person.
4. For validity purposes, the Confirmation Certificate shall contain the following data:
 - a) the emblem of the Republic of Albania and the name of the issuing institution (AKEP);
 - b) the title "Confirmation Certificate", date, and reference number;
 - c) the name of the issuing authority, its signature, and the institutional seal;
 - d) the registered networks and/or services authorized to be provided;
 - e) the mandatory general conditions applicable depending on the type of network and/or electronic communications services provided;
 - f) information on registration in the electronic database.
5. In case of changes to the information notified by the undertaking pursuant to Article 5 of this regulation, the new Confirmation Certificate issued by AKEP shall bear on its first page the note: "*For confirmation of the registration of the notification dated xx.yy.zz (date, month, year) regarding the change(s) occurred in the registered data according to Confirmation Certificate No. ... dated xx.yy.zz (of the previous Certificate)*", and the notified changes shall be reflected on the following page(s).
6. The Confirmation Certificate shall be issued in two (2) original copies: one (1) for the undertaking and one (1) for AKEP.
7. The validity of the Confirmation Certificate issued by AKEP shall end upon deregistration of the undertaking in the event that one of the following legal grounds is verified:
 - a) at the request of the undertaking, when it ceases activity;
 - b) at AKEP's initiative, when:
 - i. closure or suspension of the undertaking's activity is established;
 - ii. in implementation of a final court decision or administrative decision, for reasons based on this law and its implementing acts.

Article 7

Notification of changes

1. Undertakings registered in the electronic database are obliged to report all changes to previously declared information to AKEP within 30 days from their occurrence.
2. Changes in the submitted information include changes related to:
 - a) provision of electronic communications networks and/or services;
 - b) geographic area of provision of electronic communications networks/services;
 - c) declared data (location, contact person, legal representative, etc.).
3. Reporting of changes by the undertaking shall be carried out according to the same procedure applied for notification. Except in the case of notification of complete cessation of provision of registered electronic networks or services, confirmation of registration of the change(s) shall be carried out by AKEP by amending the Confirmation Certificate issued for the initial registration.

Article 8

Administrative fees

Any undertaking providing public electronic communications networks and services under the General Authorization Regime, upon entry into force of this regulation, shall pay the administrative fees approved by Decision No. 13, dated 27.08.2025, of the Steering Council “On the determination of administrative fees for services performed by AKEP”.

Article 9 **Deregistration**

1. AKEP shall deregister an undertaking upon its own request when it notifies cessation of activity. Notification for deregistration shall be made by completing the Notification Form in the online application system. AKEP shall confirm deregistration in writing within 7 (seven) days from receipt of the cessation notification. When the online application system is under technical improvement, updating, malfunction, etc., the deregistration notification form shall be submitted to AKEP in printed form.
2. AKEP shall deregister an undertaking on its own initiative when:
 - a) closure or suspension of the undertaking’s activity is established;
 - b) in implementation of a final court decision;
 - c) in implementation of an administrative decision, for reasons provided for in Law No. 54/2024 and its implementing acts.
3. The decision for deregistration pursuant to Law No. 54/2024 and its implementing acts, removing the right to provide electronic communications networks or services, shall be taken by the AKEP Steering Council upon proposal of AKEP inspector(s). This decision may be appealed in court in accordance with the Code of Administrative Procedures, Law No. 49/2012, as amended, and Law No. 54/2024.
4. AKEP, for the cases provided for in points 1 and 2 of this article, verifies the fulfillment of all financial and legal obligations specified in the general authorization and notifies the entrepreneur for the settlement of unfulfilled financial obligations, if any.
5. In cases of deregistration under this article, AKEP shall update the electronic database according to the procedure set out in this regulation.

Article 10 **Electronic database**

1. For undertakings that have notified pursuant to this regulation, AKEP shall create and manage an electronic database containing the information specified in point 2 of this Article. The database shall be publicly available on AKEP’s official website.
2. The electronic database shall contain the information set out in **Annex 4**, including:
 - a) the name of the undertaking, legal registration data, legal form, and registration number (NUIS/NIPT);
 - b) geographic address of the provider’s main branch and, where applicable, any secondary branch;
 - c) networks/services provided by the undertaking;
 - d) geographic coverage of the networks and services provided, and where applicable, other countries covered in addition to the Republic of Albania;
 - e) the provider’s website address related to the provision of electronic communications networks or services, where available.

3. The electronic database for natural and legal persons providing electronic communications networks for audio and/or audiovisual broadcasting under Law No. 97/2013, as amended, shall be created and administered by AKEP in the same form and content as set out in point 2 of this Article.

Article 11

General conditions of general authorization

1. The general authorization is subject to the following general conditions:
 - a) payment of administrative fees and/or fees for rights of use of scarce resources, submission of the annual balance sheet and auditor's report, where applicable, within 15 days from AKEP notification, in accordance with applicable legislation;
 - b) protection of personal data and specific protection of privacy in electronic communications;
 - c) fulfillment of obligations notified to AKEP through the Notification Form, including obligations undertaken by self-declaration;
 - d) allowing interception by the competent authorities, as defined in the legislation in force on the interception of telecommunications and in accordance with the legislation in force on the protection of personal data and with Chapter XIX of Law No. 54/2024;
 - e) conditions for use by public authorities of communications to warn the public of imminent risks and measures to mitigate major disasters;
 - f) conditions for use during major disasters or national emergencies to ensure communication between emergency services and authorities;
 - g) access obligations pursuant to Law No. 54/2024, applicable to undertakings providing electronic communications networks and/or services;
 - h) measures designed to ensure compliance with standards or specifications under Article 53 of Law No. 54/2024;
 - i) transparency obligations toward providers of public electronic communications networks to ensure end-to-end connectivity, in accordance with the objectives of Article 5 of Law 54/2024 and, where necessary and proportionate, the obligation to access the information necessary to verify the accuracy of this condition
2. The general conditions of general authorization are set out in **Annex 5** of this regulation.
3. The general conditions set out in the general authorization pursuant to Annex 5 of the regulation are subject to review by AKEP, depending on the changes to the legal and regulatory framework in force. The amendment of the general conditions is carried out through the implementation of a public consultation procedure with interested parties pursuant to Articles 37 and 44 of Law No. 54/2024.

Article 12

Specific conditions of general authorization

1. Specific conditions that may be attached to a general authorization for electronic communications networks, are as follows:
 - a) obligation of network interconnection pursuant to Law No. 54/2024;
 - b) public health protection measures against electromagnetic fields in accordance with applicable legislation and ICNIRP guidelines for the limitation of exposure

- to electromagnetic fields, for the protection of people exposed to electromagnetic fields, when these conditions are different from those included in the general authorization;
- c) maintenance and integrity of electronic communications networks to prevent electromagnetic interference; in accordance with the legal requirements in force, for the prevention of electromagnetic interference between electronic communications networks or services;
 - d) security of public networks against unauthorized access pursuant to Chapter XIX of this law;
 - e) frequency usage conditions, according to the definitions in the technical regulation on essential requirements for radio equipment, approved by decision of the Council of Ministers, when the use of frequencies is not subject to individual authorization, according to the definitions of this law.
2. Specific conditions for electronic communications services, excluding number-independent interpersonal services, are:
- a) interoperability of services in accordance with this law;
 - b) access by the end user to numbers from the National Numbering Plan, numbers from universal international freephone numbers (UIFN) and, when technically and economically feasible, from numbering plans, under conditions in accordance with this law;
 - c) specific consumer protection rules for the electronic communications sector, including ensuring accessibility for users with disabilities;
 - d) compliance with restrictions regarding the transmission of illegal or harmful content, based on applicable legislation.
3. The specific conditions of the general authorization, according to points 1 and 2 of this article, are set by AKEP for electronic communications networks or services and they must not duplicate the conditions that apply to undertakings by other legal acts in force.

Article 13

Minimum list of rights deriving from general authorization

1. Undertakings subject to the general authorization regime have the right to:
 - a) provide electronic communications networks and/or services after registration with AKEP;
 - b) to apply for the necessary rights for the installation of facilities in accordance with article 57 of law 54/2024;
 - c) use radio frequency spectrum pursuant to Articles 28, 31, 66, and 75 of Law No. 54/2024;
 - d) apply for rights of use of numbering resources pursuant to Articles 131 and 132 of Law No. 54/2024.
2. When an undertaking is authorized under this law to provide electronic communications networks or services to the public, then the general authorization entitles it to:
 - a) to negotiate for interconnection and, where applicable, to obtain access from other undertakings to publicly available communications networks and services in accordance with this law;
 - b) to participate in the designation as a universal service provider for specific universal service services or to cover certain parts of the territory of the Republic of Albania, in accordance with the provisions of Law 54/2024.

Article 14
Administrative infringements

Failure to comply with legal and sub-legal requirements related to general authorization, when not constituting a criminal infringement constitutes an administrative infringement and is punishable by fine pursuant to Article 184 of Law No. 54/2024.

CHAPTER III

TRANSITIONAL AND FINAL PROVISIONS

Article 15
Transitional provisions

Within 3 (three) months from entry into force of this regulation, every existing undertaking registered under the current General Authorization register must notify AKEP using the new notification form and shall be issued a Confirmation Certificate pursuant to Law No. 54/2024, after fulfilling all financial obligations to AKEP.

Article 16
Repeal

Regulation No. 47, dated 26.10.2017 “On the implementation of the General Authorization regime” is repealed.

Article 17
Entry into force

This Regulation enters into force on the date of its approval by the AKEP Steering Council.

ANNEX 1

UPDATED LIST OF ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES THAT MAY BE NOTIFIED FOR PROVISION BY UNDERTAKINGS

I. GENERAL PROVISIONS

1. An undertaking registered with AKEP has the legal obligation to provide only those electronic communications networks and/or services that are registered in the electronic database and specified in the Confirmation Certificate, in full compliance with the general and/or specific conditions set by AKEP.
2. The electronic communications networks and services that may be provided by undertakings are defined in this Annex.
3. Electronic communications networks or services not defined in this regulation or in specific regulatory acts of AKEP, as well as the specific conditions for their provision, depending on demand and market developments, shall be determined by AKEP through individual or general regulatory acts and shall become part of the General Authorization.
4. The provision of electronic communications networks and/or services not previously notified to AKEP in accordance with this Regulation constitutes an administrative offense and shall be punishable by a fine pursuant to Article 184, paragraph 1, letter "a", item "i", of Law No. 54/2024.

II. ELECTRONIC COMMUNICATIONS NETWORKS

1. Electronic communications networks that allow the transmission of signals by means of wire, radio, optical means, or other electromagnetic means, for the provision of electronic communications services, are classified as:
 - a) Fixed terrestrial public electronic communications network;
 - b) Mobile terrestrial public electronic communications network;
 - c) Satellite public electronic communications network.
2. Electronic communications networks for the provision of audio and/or audiovisual transmissions are classified as follows:
 - a) Network for audio and/or audiovisual transmissions requiring the use of frequencies administered by AKEP pursuant to Law No. 54/2024;
 - b) Network for audio and/or audiovisual transmissions that does not require the use of frequencies:
 - i) Cable transmission network;
 - ii) Satellite transmission network.

III. ELECTRONIC COMMUNICATIONS SERVICES

1. Data transmission service available to the public.
2. Internet access service, fixed or mobile, available to the public.
3. Number-based interpersonal communications services provided on the fixed network, including nomadic/location-independent services.
4. Number-based interpersonal communications services provided on the mobile network.
5. Value-added service.
6. Leased lines service for the provision of electronic communications networks and/or services available to the public.
7. Machine-to-Machine (M2M) services, which involve the automatic transfer of data and information between devices or software-based applications, with limited or no human interaction.

ANNEX 2

ONLINE NOTIFICATION FORM FOR REGISTRATION OF THE PROVISION OF ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES



REPUBLIKA E SHQIPËRISË

AUTHORITY OF ELECTRONIC AND POSTAL COMMUNICATIONS (AKEP)

NOTIFICATION FORM



TABLE 1 – PURPOSE OF THE NOTIFICATION

1.1 Notification for the commencement of the provision of networks and/or ser-	
1.2 Notification of changes ¹ related to networks/services registered with AKEP	
1.3 Changes related to the identification details of the undertaking (contact details, ect) ²	
1.4 Changes related to the planned start date of electronic communications networks/services ³	
1.5 Notification of deregistration ⁴	

1 Refers to the provision of new networks and/or services, the expansion or reduction of the geographical area of provision, the discontinuation of the provision of networks and/or services, etc. If this option is selected, items **2.1** and **2.2** of **Table 2** and **Table 4** shall be completed.

2 If this option is selected, **Table 2** and/or **Table 3** shall be completed, as applicable.

3 If this option is selected, items **2.1** and **2.2** of **Table 2** and **Table 4** shall be completed.

4 If this option is selected, items 2.1 and 2.2 of Table 2 shall be completed, and the date of discontinuation of the activity shall be completed in the adjacent section.

TABLE 2 – IDENTIFICATION DATA

2.2 a) Tax Identification Number (NIPT/NUIS)	
b) Form of registration (JSC, LLC, sole trader, etc.)	
2.3 Address of the registered office and address of the secondary branch, if any	
2.4 Website dedicated to the provision of electronic communications networks and services	
2.5 E-mail	
2.6 Telephone number	
2.7 Fax	

TABLE 3 – CONTACT PERSON AND THEIR DETAILS

3.1 First and last name of the contact person, authorized by the undertaking to submit the notification or other documents on its behalf. Please attach the authorization of the undertaking to this form.	
3.2 Telephone number	
3.3 E-mail	
3.4 Full address ⁵	
Alternative contact person	
3.5 First and last name	
3.6 Telephone number	
3.7 E-mail	
3.8 Full address ⁶	

⁵ The correspondence address with AKEP, optional, shall be completed only if it differs from that declared in item 2.3.

⁶ The correspondence address with AKEP, optional, shall be completed only if it differs from that declared in item 2.3.

TABLE 4 – SHORT DESCRIPTION OF NETWORKS AND SERVICES

Types of electronic communications networks/services	Short description of the network/service	Geographical coverage area of the network and/or service National Region Municipality Administrative unit	Wholesale service	Planned start date of networks/services	Date of termination of networks/services
Metallic conductor		Network Descrip-			
Coaxial cable					
Optical fiber					
Power Line Communication system (PLC)					
Submarine cable					
Licensed radio spectrum (fixed microwave links)					
Unlicensed radi spectrum (WLAN 2.4/5.8 GHz)					
Cellular networks (2G, 3G, 4G, 5G)					
Other mobile networks (e.g. TETRAPOL emergency networks)					
Satellite networks					
Networks that enable audio/audi-ovisual transmissions					
Other types of networks					

Types of electronic communications networks/services	Short description of the network/service	Geographical coverage area of the network and/or service National Region Municipality Administrative unit	Wholesale service	Planned start date of networks/services	Date of termination of networks/services
Fixed Internet Access Service (Fixed IAS)	Resale -----				
Mobile Internet Access Service (Mobile IAS)	Resale -----				
Number-based interpersonal communications on fixed networks (including nomadic/location-independent) (Fixed NB-ICS)	Resale -----				
Number-based interpersonal communications on mobile networks (Mobile NB-ICS) – Resale	Resale -----				
Data transmission	Resale -----				
Leased lines	Resale -----				
Resale of television	Resale -----				
Telephony traffic transport between operators	Resale -----				
M2M (Machine-to-Machine)	Resale -----				

Types of electronic communications networks/services	Short description of the network/service	Geographical coverage area of the network and/or service National Region Municipality Administrative unit	Wholesale service	Planned start date of networks/services	Date of termination of networks/services
Other services	Retransmission of linear audiovisual media programme services Resale ----- Other types Specify _____ Resale -----				

TABLE 5 – SUPPORTING DOCUMENTATION

The notifying undertaking shall attach the following documentation, which shall form an integral part of the notification:

1. Copy of the registration extract and historical extract from the National Business Center (NBC). The legal form of an undertaking providing electronic communications networks and/or services shall be that of a legal person, with the exception of value-added service providers and audio and/or audiovisual network providers, which may also be natural persons, in accordance with the applicable legal framework.
2. Copy of the identification document of the administrator/legal representative.
3. Technical description of the electronic communication networks and/or services, including the list of main network equipment and network topology.
4. Information on the billing system.
5. Standard subscription agreement (general terms and conditions).
6. Preliminary interconnection/access agreement, where applicable, for the service/network provided.
7. Application form for allocation of NSPC Code, where applicable.
8. Application form for allocation of ISPC Code, where applicable.

9. Information on the security of networks and services, including equipment used, network security policies and procedures, as well as an action plan to ensure the security and integrity of electronic communications networks in the event of emergencies or natural disasters.
10. Organizational structure and qualified technical staff (CVs, diplomas, professional qualifications), at least one (1) engineer and one (1) technician for the minimum service area.

Application date: _____

Signature and stamp

Place: _____

DECLARATION¹

On behalf of the notifying undertaking, I hereby declare that the information provided in this notification is accurate, complete, and truthful in all respects.

I declare that the undertaking possesses the necessary technical, legal, and financial capacities to provide the notified electronic communications networks and/or services.

I consent that the company's address and website be published in the Register of Providers of Electronic Communications Networks and Services.

Name and surname of signatory:

Position:

Signature / Company seal:

Date (day/month/year):

¹ The notification must be signed: a) in the case of a natural person, by him/herself or by a person authorized by a notarial deed (certificate of signature or power of attorney), b) in the case of legal persons by the administrator, or any person authorized by him/her.



REPUBLIC OF ALBANIA
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

CONFIRMATION
CERTIFICATE

Nr. _____/date ____ . ____ . ____

UNDERTAKING "XXXXXXXXX"

The Electronic and Postal Communications Authority confirms that the Undertaking "XXXXXXXXX" with address: XXXXXX, has submitted the Registration Notice according to Article 27 of Law No. 54/2024 "On electronic communications in the Republic of Albania" and has been registered in the Register of Undertakings for the provision of public electronic communications networks and services under the General Authorization Regime.

C H A I R P E R S O N

(signature & seal of authority)

Public electronic communications networks and services notified to AKEP by the Undertaking
“XXXXX”

A. Public electronic communications networks:

a)
.....

B. Public electronic communications services:

a)
.....

C. Geographical area:

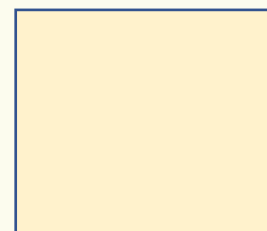
a)
.....

The registered undertaking for the provision of the above public electronic communications networks and services, which operates under the General Authorization regime, is obliged to implement the terms and conditions set out in Annex 5 of the General Authorization Regulation.

The undertaking has the right to install facilities, negotiate for interconnection or obtain access and interconnection, in order to facilitate the exercise of these rights when applying to other levels of government or to other undertakings².

On the official website, AKEP publishes an updated register of all undertakings that have notified the provision of electronic communications networks and services, including information on the types of networks and services they provide.

Nr. X-X / date XX.XX.20XX



² This paragraph will be added only for undertaking who provide electronic communications networks.

ANNEX 5

GENERAL AND SPECIFIC CONDITIONS FOR THE PROVISION OF ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

Any undertaking authorized pursuant to Law no. 54/2024, for the provision of public electronic communications networks and/or services, is obliged to fully or partially apply the general conditions and the specific conditions established by AKEP under the general authorization regime, depending on the public electronic communications networks and/or services that it will provide according to the registration notification.

GENERAL CONDITIONS

1. Making payments

Undertakings operating in the field of electronic communications under the General Authorization regime are obliged to make to AKEP the payments determined in Law no. 54/2024, the bylaws implementing it and the regulatory acts of AKEP. The payments made to AKEP are:

- a) payment for the supervision of the electronic communications market, according to the definitions in Article 20 of the Law. Undertakings that provide public communication networks and/or services are obliged to pay an annual payment for the supervision of the electronic communications market by AKEP. This payment must not be more than 0.5% of the annual income of the previous calendar year and must be carried out by 30 April of each year. The procedure and method of calculation are determined in the AKEP regulation on the procedure and method of calculation of the level of annual payments carried out for the supervision of the electronic communications market.
- b) payment for the use of frequencies according to the definitions in Article 21 of this Law and the Decision of the Council of Ministers for the approval of the payments carried out to the authority of electronic and postal communications, for the allocation and use of frequencies, numbers and numbering series;
- c) payment for the allocation and use of numbers, numbering series, including the allocation of domain names, according to the definitions in Article 22 of this Law.
- d) payment for fees for frequency spectrum usage rights (radiocommunication service fee). Based on Law no. 9975, dated 28.07.2008 “On National Taxes”, and the Joint Instruction of the Ministry of Finance and AKEP, No. 28, dated 06.10.2008, “On the determination of the service fee for radiocommunication services”, as amended, AKEP acts as a tax agent for the calculation, collection and transfer to the State Budget of the radiocommunication service fee.
- e) payment for the financing of the universal service, according to the definitions in Article 128 of the Law. AKEP determines the financing quota, which must not exceed 1% of the total of revenues secured from public electronic communications networks and the provision of public electronic communications services.
- f) payment for number portability according to the definitions of point 9, Article 145, of Law no. 54/2024 and the Regulation “On the manner of implementation of number portability”. Operators must pay the fee calculated by AKEP to cover the costs associated with the CRDB operator service and platform hosting.
- g) administrative fees/payments determined by Decision of the Steering Council (SCD) no. 13, dated 27.08.2025, within the framework of the implementation of the General Authorization regime.

Failure to fully and timely perform these payments constitutes an administrative offense and is punishable in accordance with the legal determinations provided for in Article 184 of Law no. 54/2024.

Failure to fully and timely perform payments for the allocation and use of frequencies and numbering, in addition to being punishable by a fine, also leads to the revocation by AKEP of individual authorizations for granting the right of their use.

Undertakings which according to Law no. 54/2024 and the AKEP Regulation “Inspection methodology of the activity of undertakings of electronic communications networks and services” have been sanctioned with a fine by inspectors for administrative offenses, in accordance with legal determinations are obliged to execute the payment of the fine within the deadline determined in Article 184 of Law no. 54/2024. The fine according to Law no. 10279, dated 20.05.2010 “On administrative offenses”, is an enforceable title.

2. Protection of personal data and privacy

Undertakings of electronic communications networks and/or services that administer personal and private data of users/subscribers of public electronic communications networks and/or services are legally obliged to protect these data and privacy in accordance with the determinations of Chapter XIX of Law no. 54/2024, the law on personal data protection in force, the AKEP regulation for the protection of consumers and subscribers of public electronic communications services, the AKEP regulation on technical and organizational measures to guarantee the security and integrity of electronic communications networks and/or services.

The rules determined in the regulation “On technical and organizational measures to guarantee the security and integrity of electronic communications networks and/or services” are mandatory to be applied by all undertakings that possess electronic communications networks and/or that provide public electronic communications services.

Undertakings must take appropriate organizational and technical measures regarding electronic communications systems and data processing, to protect the secrecy of electronic communications and personal data from unauthorized access to electronic communications systems and data processing.

The undertaking, its authorized persons and its employees are obliged to maintain the confidentiality of communications conducted via its networks and services during and after the provision of such services.

It is prohibited for undertakings to intercept, record, store, publish, or otherwise monitor communications or related traffic data without prior consent of the user or other communication participants, except where authorized by law.

In particular, measures must be taken to prevent and minimize the impact of security incidents on users of interconnected networks.

Undertakings that provide electronic communications networks and services pursuant to Law no. 54/2024, and the AKEP regulation “On the protection of consumers and subscribers of public electronic communications services”, must take measures regarding:

- a) confidentiality of communication;

- b) retention and administration of data for purposes of criminal prosecution and national security;
- c) detailed billing for telephone services valid for the public;
- d) identification of the calling and called line;
- e) location data;
- f) automatic call forwarding;
- g) unsolicited communications;
- h) end-user data;
- i) telephone directory;
- j) lawful interception of communications.

3. Fulfillment of obligations notified to AKEP with the Notification Form, including obligations undertaken by self-declaration

The registration notification for the provision of electronic communications networks and services must include the information required under Article 27 of Law No. 54/2024 and this Regulation..

The submission of information on:

- a) the name, address of the main headquarters of the undertaking and, as the case may be, any secondary address;
- b) the legal registration data of the undertaking, including legal form, status, and registration number;
- c) the contact person and contact data of the undertaking;
- d) the website address of the undertaking, related to the provision of electronic communications networks and/or services;
- f) the short description of the electronic communications network or service that will be provided, according to the determinations provided in Annex 1 of this regulation;
- g) the date when the start, modification or termination of the service is foreseen;

as well as any other information required in the Notification Form according to Annex 2, is legally required and mandatory.

When the provision of the foreseen electronic communications network and service is based on the use of frequencies according to the National Frequency Plan (NFP) and the Frequency Use Plan (FUP), the applicant is obliged to be equipped with the permit for their use from AKEP.

In these cases, the undertaking is obliged that simultaneously with the notification registration procedure according to this regulation, to also apply the procedure for the granting by AKEP of the right for the use of frequencies through individual authorization. The procedure for being equipped with individual authorization for the use of frequencies is determined in the regulation “On the granting of individual authorization for the use of frequencies”.

In cases where the provision of the foreseen electronic communications network and service needs the use of numbers and numbering series, then the applicant is obliged that simultaneously with the notification registration procedure according to this regulation, to also apply the procedure for the granting by AKEP of the right for the use of numbers. The procedure for being equipped with authorization for the use of numbers and numbering series is determined in the Regulation “On the allocation and use of numbers and numbering series”.

Undertakings that provide electronic communications networks or services are obliged to give AKEP, upon its request, any necessary information to fulfill the functional obligations of AKEP, according to Law no. 54/2024.

AKEP, based on the regulation “On periodic statistical and financial data of undertakings of electronic communications networks and/or services”, determines the information which undertakings are obliged to send to AKEP according to the required form, deadline and procedure for statistical purposes, carrying out market analysis, monitoring and evaluation of market development, etc.

Information on the manner of publication of tariffs and services is sent by undertakings to AKEP according to the determinations provided in the Regulation “On the publication of information on tariffs as well as the conditions of access and use of public electronic communications services”.

Information with data on the quality of the provision of public electronic communications networks and services for users is submitted and sent by undertakings to AKEP according to the deadlines, procedure and form determined in the Regulation “On service quality indicators”.

Information on electronic communications networks data is submitted and sent to AKEP in accordance with the procedure and form determined in the Regulation “On the content, form and functioning of the electronic register of public electronic communications networks in the Republic of Albania”.

Information on network security and security incidents is sent by undertakings of electronic communications networks and services according to the procedure determined in the Regulation “On technical and organizational measures to guarantee the security and integrity of electronic communications networks and/or services”.

Undertakings which provide electronic communications networks or services are obliged to submit to the Minister, upon his request, all necessary information to fulfill the functional duties of the Minister, according to Law no. 54/2024.

4. Retention and administration of data for purposes of criminal prosecution and national security

Undertakings of electronic communications networks and services must promptly provide, including electronically, the requested subscriber data to authorities designated by the Code of Criminal Procedure, in accordance with Article 160 of Law No. 54/2024.

For the purpose of protecting national security, combating serious crimes and preventing serious threats to public security, undertakings shall retain traffic data of electronic communications.

Data files, for the purpose of enabling investigation, detection and criminal prosecution, in accordance with criminal procedure and for purposes of protection and national security, must be retained and managed by undertakings for a minimum period of one year and a maximum of two years, in accordance with applicable law.

These files must contain data that enable:

- a) identification of subscribers, ensuring the collection and registration of their full identity;
- b) identification of the terminal equipment used during communications;
- c) determination of location, date, time, duration of communication and the called and calling number, including data on unanswered calls.

In the case of internet communications, the file must contain:

- a) data necessary for tracing and identifying the source of communication:
 - i. the identity of the subscriber to whom the IP address or service is assigned;
 - ii. the identity of the subscriber and the assigned telephone number for communications entering the public telephone network;
 - iii. the name and address of the registered subscriber or user to whom an IP address has been assigned, the identity of the user or telephone number assigned during the time of communication;
- b) data necessary for identifying the destination of communication:
 - i. in the case of internet telephony, the identity of the user or telephone number of the called number;
 - ii. in the case of electronic mail or internet telephony, the name and address of the registered subscriber or user and the identity of the user of the intended recipient of the communication;
- c) data necessary for identifying the date, time and duration of communication:
 - i. the date and time of connection and disconnection of the internet access service, according to local time;
 - ii. the IP address, specifying whether it is dynamic or static, assigned by the internet service provider;
 - iii. the identity of the registered subscriber or user of the internet access service.

The data in these files must be retained in accordance with applicable personal data protection legislation. These files must be promptly provided electronically to the authorities designated under the Code of Criminal Procedure, the courts, prosecution, or other competent public authorities with the legal right to access such data for the prevention, investigation, or prosecution of criminal offenses or protection of national security.

Operators of electronic communications networks and services are obliged to destroy the retained data at the end of the retention period, unless retention is otherwise required by law.

5. Allowing interception by competent national authorities

Undertakings of electronic communications networks and/or services have the obligation to apply the requirements and conditions related to lawful interception of electronic communications, determined in Article 168 of Law no. 54/2024, the Law “On interception of telecommunications”, in force, and the law on personal data protection.

6. Conditions for use by public authorities of communications for the general public, for warning the public of imminent risks and for measures for avoiding major disasters

Undertakings of electronic communications must enable responsible public authorities to use electronic communications networks to warn the public of risks that are occurring or are very close (earthquake, floods, fires, explosions, chemical attacks, etc.), by sending urgent notifications for evacuation, avoidance of areas, protective measures, road closures, interruption of critical services, etc.

7. Conditions of use during major disasters or national emergencies to ensure communication between emergency services and authorities

Undertakings are obliged, through their networks and services, to meet the needs of the State in extraordinary situations and when required by the interests of national defense and public order security.

Within the meaning of Law no. 54/2024, by extraordinary situation we mean an extraordinary situation means severe damage to the network, natural disasters, a state of civil emergency, or a state of war.

Undertakings that provide access to public electronic communications networks and publicly available electronic communications services, shall draft and submit to AKEP a plan ensuring the integrity of the public communications network and access to public communications services, applicable in an extraordinary situation.

The plan submitted by undertakings must ensure uninterrupted access and the use of emergency numbers and obliges undertakings to apply emergency measures throughout the entire duration of the extraordinary situation.

The plan shall be drafted in accordance with the decision of the Council of Ministers (DCM), on ensuring the continuity of the provision of electronic communications services in extraordinary situations.

Undertakings are obliged to cooperate with each other and with governmental, intergovernmental and non-profit organizations for the use of electronic communications resources, for facilitating and coping with special cases, by:

- a) installing terrestrial and satellite communication equipment for the prevention, monitoring and mitigation of natural damages, disasters in general and health-related disasters in particular;
- b) distributing notifications on natural destruction, health disasters among bodies related to them and disseminating data to the public, especially to communities that are more at risk;
- c) installing and putting into operation flexible electronic communications services used by humanitarian organizations.

To facilitate the implementation of the above measures, undertakings may conclude special agreements and establish special payments or sign amendments to existing agreements to existing agreements.

Universal service providers are obliged to predefine their personnel, which ensures uninterrupted universal service in the event of strikes, as well as for the fulfillment of the undertaking's obligations in accordance with the provisions of this point.

8. Numbering for emergency call services

Undertakings must ensure that all end-users, including users of public pay telephones, have access to emergency services through emergency communications free of charge and without the need to use any means of payment, by using the single European emergency number "112" and any national emergency number, assigned in accordance with the applicable national legislation.

Providers of number-based interpersonal communications shall ensure that the location information of the calling party is provided without undue delay to the appropriate PSAP (Public Safety Answering Point) once the emergency communication is established. This shall include network-based location information, and, where available, location information of the calling party generated by the mobile terminal equipment. Providers must ensure that the creation and

transmission of location information of the calling party is free of charge to end-user and PSAPs for all emergency communications to the single European emergency number “112”.

Undertakings must ensure that every subscriber of their mobile services, who has hearing impairments or speech difficulties, through SMS, free of charge, has access to emergency services at the single number 112 and other emergency numbers according to the determinations of the Regulation “On the protection of consumers” and subscribers of public electronic communications services.

9. Obligation to provide access

Undertakings with SMP (Significant Market Power) on which AKEP has imposed an access obligation must meet reasonable requests for access, in particular in cases when AKEP assesses that refusal of access or unreasonable terms and conditions hinder sustainable competition in the retail market, or when the interests of end-users are harmed.

Undertakings with SMP are in particular required to:

- a) provide third parties with access to specific network elements and/or facilities, including access to network elements that are not active and/or open access to the local loop, allowing, among others, carrier selection and/or pre-selection and/or resale offers of the subscriber line;
- b) provide specific wholesale-level services for resale by third parties;
- c) not withdraw access to facilities once it has been granted;
- d) negotiate willingly and in good faith with entities requesting access; provide open access to technical interfaces, protocols or other key technologies necessary for service interoperability;
- e) provide open access to technical interfaces, protocols or other important technologies necessary for the interoperability of services;
- f) provide co-location or other forms of shared use, including buildings, cable ducts or poles, towers;
- g) provide access to operational support systems or similar systems or similar information systems (software), necessary to ensure fair competition in service provision;
- h) create the necessary conditions to ensure end-to-end service interoperability, including facilities for intelligent network services and/or roaming on mobile networks;
- i) interconnect networks or network facilities;
- j) provide access to ancillary services.

For the provision of access to the network at wholesale level for third parties, undertakings are obliged to apply the rules determined by AKEP in the Regulation “On access and interconnection”.

The undertaking with SMP, on which an access obligation has been imposed, pursuant to Article 98 of Law no. 54/2024, must provide to other undertakings requesting access to its network an offer enabling them to provide electronic communications services. The access offer must be submitted without delay, but in any case, no later than 15 days from the date of receipt of the request.

Undertakings ensure the connection or access to the public electronic communications network, on the basis of the contract concluded with subscribers in accordance with the applicable legislation. For the drafting and conclusion of the contract with the subscriber for the purpose of enabling access to the network and public electronic communications services they provide, undertakings are obliged to apply the determinations provided in Law no. 54/2024 and the Regulation “On the protection of consumers and subscribers of public electronic communications services”.

All end-users who have access to the public electronic communications network must have access to the assistance services of the undertaking.

Providers of the public telephone service are obliged to ensure access for every end-user connected through their public telephone network to voicemail services.

10. Measures designed to ensure compliance with standards and technical specifications of networks and equipment

Any undertaking that provides public electronic communications networks and/or services must apply the standards and technical requirements determined in accordance with national standards defined in the law on standardization, and the regulatory acts of AKEP issued in accordance with Law no. 54/2024. When the technical standard of networks and equipment is not reflected in national, bylaw, or regulatory acts of AKEP, the standards approved and recommended by international institutions ITU, CEPT, ISO, IEC, and ETSI shall apply.

11. Obligation for transparency towards providers of publicly available electronic communications networks, for ensuring end-to-end connectivity, and where necessary and proportionate, the obligation for access to information necessary to verify compliance with this condition

Transparency and publication of information by undertakings that provide electronic communications networks and services on the conditions of service provision in the retail market for subscribers and services at wholesale level, constitutes a legal obligation and undertakings are obliged to apply the determinations provided in Law no. 54/2024, the bylaws and regulatory acts for this purpose.

Undertakings that provide public communications networks and/or publicly available telephone services are obliged to publish on their electronic website the information determined in Article 141 of Law no. 54/2024 and the Regulation “On the publication of information on tariffs as well as the conditions of access and use of public electronic communications services” regarding:

- a) the name and address of the undertaking;
- b) the scope of the service provided and the geographical availability of services (service coverage area);
- c) standard tariffs, indicating the services provided and the content of each tariff element (e.g. access charges, all types of usage charges, maintenance charges), specifying details of applied standard discounts, special and targeted tariff plans, any additional charges, as well as costs related to terminal equipment;
- d) compensation/refund policies, including specific details of each compensation/refund plan offered;
- e) types of maintenance services offered;
- f) general conditions of the standard contract, including the minimum contractual period, contract termination, procedures and direct obligations related to number portability and other indicators determined by AKEP in the Regulation “On the protection of consumers and subscribers of public electronic communications services”;
- g) dispute resolution mechanisms provided in Article 46 of Law no. 54/2024 and the AKEP Regulation “On the resolution of disputes between subscribers and electronic communications undertakings”;
- h) rights related to the universal service, etc.

Undertakings that provide public communications networks and/or publicly available telephone services are obliged to:

- a) provide subscribers with information on applicable tariffs for each number or service subject to special tariff conditions, and for individual categories of services this information must be provided immediately before the call is connected;
- b) inform subscribers of any change in access to emergency services or location information of the calling number in the service to which they are subscribed;
- c) inform subscribers of any change in conditions that restrict access to and/or use of services and applications, where such services are permitted under the applicable legislation;
- d) provide information on any procedure established by the provider to measure and manage traffic, to avoid congestion or overloading of network connections and how such procedures may affect service quality;
- e) inform subscribers of their right to decide whether or not to include their personal data in the directory, as well as the type of data, in accordance with Article 167 of Law no. 54/2024;
- f) regularly inform subscribers with disabilities about details of products and services designed for them.

Undertakings that provide access to public electronic communications networks may limit or temporarily interrupt access to their services, without prior approval of users, if this is necessary for improvement, modernization, maintenance or technical problems in the network.

Undertakings must notify AKEP and users of service limitations or interruptions that will last more than 30 minutes. This notification is made:

- a) at least 48 hours in advance, in the case of planned network improvement, modernization or maintenance;
- b) as soon as possible, but no later than 48 hours, after the occurrence of the limitation or interruption caused by network defects or damage.

Undertakings must take all necessary measures to make the duration of limitation or interruption as short as possible.

Undertakings may limit access to their services and/or may interrupt the subscriber's connection, or may terminate the contract with the subscriber only in cases where the subscriber does not fulfill the conditions of the contract or does not make payments, according to the conditions determined in the contract.

Undertakings must clearly and in detail define in the contract conditions the cases when limitation, interruption of service or termination of the contract occurs.

If technically possible, operators must limit access only to those services for which the subscriber has breached the contract conditions, except in cases of abuse, repeated delay, or non-payment of bills..

It is prohibited to limit access for the use of emergency numbers.

The Internet access subscriber must in particular be notified by electronic means (such as SMS, message on PC, telephone) when the level of 80% of the data usage threshold is reached (if any). The undertaking may limit the Internet Access speed after exceeding the download/upload limit, to reduce the possibility of very high expenses for the subscriber after exceeding the quota/limit.

12. Universal Service

Any undertaking offering public electronic communications networks and/or services shall apply all obligations that may be imposed regarding the provision of universal service, in accordance with the requirements of Law No. 54/2024, the Council of Ministers Decision “On the designation of the universal service provider,” and the rules approved by AKEP.

13. Environmental Protection, Spatial Planning, Access to Immovable Property, Co-location or Shared Use of Equipment

Electronic communications networks and their associated infrastructure must be built and operated in accordance with Law No. 54/2024 and its implementing acts, territorial planning and construction legislation in force, environmental protection legislation, and other applicable technical standards.

The undertaking has the right to use land, plots, or property owned by the state, including buildings and ducts constructed on or under them, underwater rights, airspace rights, roads, lakes, forests, etc., for the installation and maintenance of electronic communications equipment.

AKEP, either independently or in cooperation with other competent authorities as specified in Article 3 of Law No. 120/2016 “On the development of high-speed electronic communications networks and ensuring the right of way,” imposes co-location and shared use of network elements and associated facilities installed on this basis to protect the environment, public health and safety, or to fulfill urban planning requirements. Undertakings shall apply the rules defined by AKEP for the sharing of costs related to the shared use of network facilities or property and the coordination of civil works.

Public electronic communications networks must be planned in such a way as to minimize risks and disturbances to private property.

Before commencing construction or maintenance works on public electronic communications networks, undertakings must obtain the relevant permits from the competent authorities based on the provisions of Law No. 107/2014 “On territorial planning and development,” as amended, Law No. 10448/2011 “On environmental permits,” as amended, and their implementing by-laws in force.

The undertaking is obliged to use the above-mentioned properties in accordance with Law No. 10431, dated 09.06.2011 “On environmental protection,” and its implementing by-laws. Upon completion of works, where objectively possible, the environment must be restored to its previous condition. Where property is damaged or its function altered due to the installation or maintenance of electronic communications equipment, the undertaking is obliged to compensate for the damage in accordance with the applicable legislation.

Undertakings are obliged, in cases of construction of urban cable network infrastructure and interurban fiber-optic electronic communications networks, to apply the AKEP Regulation “On the technical conditions for the construction of urban cable network infrastructure and interurban fiber-optic electronic communications networks.”

Where economic use of space, urban planning, and environmental protection require it, undertakings of public electronic communications networks that have the right to build and install communications equipment in private or public areas must construct or install such equipment in a manner that enables shared use. For shared use of facilities and assets of public electronic communications networks, undertakings must apply the regulation on shared use of such facilities and assets.

Public communications network undertakings are obliged to conclude agreements for shared use of facilities and assets under the conditions specified above. Where such undertakings fail

to reach an agreement, AKEP, upon request of any party, initiates a dispute resolution procedure in accordance with the Regulation on dispute resolution procedures and the regulatory acts in force.

Public electronic communications network undertakings are obliged to submit information to AKEP regarding network infrastructure and associated facilities and to update it in accordance with the regulation “On the content, form, and functioning of the electronic register of public electronic communications networks in the Republic of Albania.”

14. Obligation to Allow Inspection

Compliance with general and/or specific conditions by the undertaking is subject to supervision, control, and monitoring by AKEP, based on its legal competence defined in Article 12 of Law No. 54/2024, within the framework of inspection of activities pursuant to Articles 181–185 and subsequent provisions of this law, the AKEP Regulation “Methodology for the inspection of activities of undertakings of electronic communications networks and services,” and the Regulation “On frequency spectrum monitoring.”

The undertaking or any other natural or legal person carrying out activities in the field of electronic communications is obliged to allow AKEP inspectors to conduct inspections wherever electronic communications equipment is located and to provide all data and documentation requested by them.

Where AKEP inspectors establish that an undertaking of electronic communications networks and services or any other natural or legal person operating in this field has violated Law No. 54/2024 and the regulations issued by AKEP for its implementation, administrative measures provided for in Article 184 of Law No. 54/2024 shall be taken.

SPECIFIC CONDITIONS

1. Obligation for Access and Interconnection

Undertakings of public electronic communications networks have the right and obligation, even when requested by another undertaking authorized under this law, to negotiate interconnection with each other in order to provide public electronic communications services and ensure service provision and interoperability.

Undertakings must provide access and interconnection to other undertakings under terms and conditions in accordance with obligations imposed by AKEP pursuant to Chapter XIII and Article 92 of Law No. 54/2024.

Each electronic communications network undertaking shall, within 30 days from the date of receipt of a request, provide an interconnection offer to other public electronic communications network undertakings, in order to ensure user communication, the provision of electronic communications services and the interoperability of services.

Regardless of the right of undertakings to negotiate freely, where competition conditions require it, negotiations shall be conducted through a neutral intermediary with AKEP approval. Interested parties shall submit relevant information to AKEP for documentation.

Service interoperability and network interconnection constitute, in principle, a legal obligation for all undertakings providing public electronic communications networks and services. AKEP supplements the regulatory framework with the necessary acts to ensure implementation of this obligation.

Any undertaking authorized by AKEP to provide public electronic communications networks and/or services has the right to negotiate interconnection and obtain access or interconnect with other undertakings operating under the General Authorization regime.

Procedures and rules for access and interconnection shall be applied in full compliance with Law No. 54/2024 and AKEP regulatory documents, including:

- i. Regulation “On Access and Interconnection”
- ii. Published RIO of operators with SMP
- iii. Published RUO of operators with SMP
- iv. Any AKEP decision issued for this purpose

For the realization of interconnection and/or access, undertakings shall conclude interconnection and/or access agreements, copies of which must be submitted to AKEP within 15 days of signing.

In all cases, interconnection and access agreements must comply with Law No. 54/2024, other applicable legislation, and AKEP acts.

Every public electronic communications network operator shall, within 30 days from the date of receipt of a request, make an interconnection offer (RIO) to other public electronic communications network operators, in order to ensure the communication of users, the provision of electronic communications services and the interoperability of services throughout the community.

AKEP, in accordance with regulatory objectives, shall encourage and, if necessary, oblige the implementation of access and interconnection, as well as the interoperability of services, aiming at promoting sustainable and efficient competition, for the maximum benefit of end-users.

Regardless of the measures that may be taken against undertakings with FNT, AKEP shall impose:

- a) to the extent necessary, obligations to ensure end-to-end connectivity on undertakings subject to general authorization and those providing access to end-users, including in justified cases the obligation to interconnect their networks;
- b) in justified cases and to the extent necessary, obligations on undertakings subject to general authorization and providing access to end-users to make their services interoperable;
- c) in justified cases where end-to-end connectivity between end-users is jeopardized due to a lack of interoperability, between interpersonal communications services and to the extent necessary to ensure end-to-end connectivity between end-users, obligations on the relevant providers of interpersonal communications services, independent of the number, who achieve a significant level of coverage and user acceptance to make their services interoperable;
- d) to the extent necessary to ensure end-user access to digital radio services and related complementary services, specified in the legislation in force, obligations on operators to provide access to other facilities on fair, reasonable and non-discriminatory terms.

Assignment of national signaling codes (NSPC) and international signaling codes (ISPC):

- a) The undertaking who wants to provide networks and/or public electronic communications services, before starting their provision, must be provided with an NSPC for the implementation of the interconnection.
- b) If the undertaking will implement international interconnection based on SS7 signaling, it must also be assigned an ISPC code.

- c) The assignment by AKEP of NSPC and ISPC is made on the basis of the Regulation “Rules for the administration of national signaling point codes (NSPC) and international signaling point codes (ISPC) for the interconnection of networks”.
- d) For the assignment by AKEP of NSPC and ISPC, the undertaking must apply simultaneously with the application for the Registration Notice, specified in this Regulation. For the assignment of ISPC, the undertaking must have secured and have a prior agreement with the international operator(s) before the start of the application, where the ISPC provided by this international operator will be located.
- e) Undertaking provided by AKEP with NSPC and ISPC must use the codes assigned by AKEP in accordance with the conditions set out in the relevant AKEP decisions, the Rules for the Administration of National Signaling Point Codes (NSPC) and International Signaling Point Codes (ISPC) for the interconnection of networks, and the provisions of this Regulation as well as the relevant financial obligations.

2. Measures for the protection of public health against electromagnetic fields

Undertakers providing electronic communications networks are obliged to ensure the protection of citizens against the harmful effects of electromagnetic radiation spread by electronic communications networks in accordance with Law No. 54/2024, the Law “On Protection from Non-ionizing Radiation”, as amended, the Law “On the Trade and Supervision of the Market of Non-Food Products”, as amended, Council of Ministers No. 743, dated 16.10.2012, “On the Protection of the Public from Non-ionizing Radiation” and the sub-legal acts in their implementation.

Undertakers providing electronic communications networks, for radio and telecommunications terminal equipment, are obliged to implement the technical regulation in accordance with Council of Ministers No. 378, dated 05.06.2019 “On the approval of the technical regulation for radio equipment, mutual recognition of their conformity assessment and determination of the list of harmonized standards”, as amended, for the protection requirements related to electromagnetic compatibility, in accordance with applicable electromagnetic compatibility legislation. Radio equipment according to the definitions in VKM no. 378/2019, as amended, which is imported and placed on the market and/or in service, must not create electromagnetic fields above the values provided for in the regulations on radio equipment and telecommunications terminal equipment.

The limit values of the electromagnetic field, the limit values of the radiated power, as well as other conditions, which must be met by the devices as a source of electromagnetic radiation of radio frequencies, must be according to the approved values.

3. Maintaining the integrity of public electronic communications networks

The undertaking shall maintain complete and accurate documentation for its network. Upon official request, the undertakings shall provide the bodies charged by law with urban planning and relevant authorities with data on parts of this network, in order to avoid damage to the network from underground or construction works or from possible electrical impacts caused by the commissioning of other equipment near the electronic communications network.

The undertaking shall maintain the electronic communications equipment in good working order, respecting the relevant technical conditions and standards.

When fulfilling the tasks of maintaining electronic communications equipment, employees authorized by the undertaking shall have the right to enter public and private properties, to carry out the necessary work and to place various signs indicating the presence of electronic communications facilities.

In order to ensure the normal functioning of electronic communications equipment, the undertaking has the right to cut down trees, bushes, branches and roots that endanger the above equipment, in accordance with the requirements of legal acts, such as Law No. 120/2016, Law No. 10 448, Law 107/2014 and the sub-legal acts in their implementation.

The maintenance of electronic communications networks and associated infrastructure shall be in accordance with the construction regulations for:

- a) completion and improvement of existing facilities and equipment of public communications networks;
- b) reconstruction of existing antenna systems;
- c) renovation and reconstruction of existing facilities of electronic communications networks;
- d) expansion of existing capacities or installation of new communication systems and public access networks;
- e) expansion of existing electricity supply systems.

4. Security of public networks against unauthorized access

Undertakers must take appropriate organizational and technical measures for electronic communications and data processing systems to protect the confidentiality of electronic communications and personal data from unauthorized access or processing of data. Before the start of the provision of electronic communications networks and services, along with the information for registering the Notification, undertakings shall submit to AKEP information on the measures they will implement to protect the network to prevent unauthorized access in accordance with the AKEP regulation “On technical and organizational measures to ensure the security and integrity of electronic communications networks and/or services”.

After the start of the provision of the electronic communications network and services, AKEP shall verify the implementation by the undertaking of the protective measures to prevent unauthorized access in accordance with the document filed with AKEP.

5. Conditions for the use of frequencies

The allocation and use of frequencies is carried out by AKEP in accordance with the definitions provided for in Law No. 54/2024, the National Frequency Plan (PKF), the Frequency Usage Plan (PPF), as well as the ITU and ECA acts – Table for the Common European Frequency Assignment.

Natural or legal persons may use frequencies only after having been provided, in advance, with an authorization from AKEP according to the provisions of Law No. 54/2024 and the AKEP Regulation “On the granting of individual authorization for the use of frequencies”. The right to use frequencies is limited only if this is conditioned by the insufficiency of frequencies and the obligation to ensure their efficient use.

For the use of frequencies specified in the PKF, for the purposes of national security and national defense, no authorization from AKEP is required.

Some frequencies may be used without authorization, in accordance with the provisions of Law No. 54/2024, ITU rules and AKEP Regulation “On the conditions for the use of frequencies without individual authorization and technical requirements for radio equipment used in these bands”.

When the use of frequencies is not subject to general authorization, pursuant to point 8 of Article 68 of Law No. 54/2024 and the Regulation “On the conditions for the use of frequencies without individual authorization and the technical requirements for radio equipment used in these bands,” or when it is not subject to a public competitive procedure pursuant to Articles 75 and 76 of this law, AKEP issues individual authorizations, in accordance with the procedure

defined in Law No. 54/2024 and the AKEP Regulation “On granting individual authorization for the use of frequencies.”

When the use of frequencies is subject to a public competition pursuant to Articles 75 and 76 of Law No. 54/2024, frequencies are assigned by AKEP in accordance with the procedure defined in Council of Ministers Decision No. 496, dated 22.07.2014, “On the approval of the rules for conducting a public tender for granting the right to use frequencies,” as amended.

The conditions that must be fulfilled by the user for the exploitation of frequencies also apply to the electronic communications services or electronic communications networks for which the frequencies have been assigned.

Undertakings shall apply the frequency use conditions set by AKEP regarding:

- a) measures to ensure the efficient use of frequencies and, where necessary, obligations relating to coverage and signal strength (transmission power);
- b) technical operating conditions necessary to avoid harmful interference and limit public exposure to electromagnetic fields;
- c) the validity period of frequency use;
- d) the transfer of ownership rights for frequency use and the conditions for such transfer;
- e) payment obligations;
- f) other obligations undertaken by the winner during participation in the public tender, such as network rollout dynamics, coverage areas, etc.;
- g) obligations arising from international acts and agreements to which the Republic of Albania is a party;
- h) obligations arising from agreements concluded by AKEP with regulatory authorities of neighboring countries to prevent interference in border areas, etc.

An undertaking holding an individual authorization for the use of the frequency spectrum may transfer or lease the frequency usage rights to another undertaking, subject to AKEP approval, in accordance with Article 71 of Law No. 54/2024.

The individual authorization for the use of frequencies may be amended by AKEP on its own initiative or at the request of the holder, in the cases provided for in Article 38 of Law No. 54/2024.

The individual authorization for the use of frequencies may be revoked by AKEP on its own initiative or at the request of the holder, in the cases provided for in Article 40 of Law No. 54/2024.

At the request of the holder of the individual authorization, its validity may be extended only if, upon expiration, all conditions for the use of the relevant frequencies have been fulfilled.

The rules and procedures for renewal of individual authorizations for frequencies granted through public competition are determined by a decision of the Council of Ministers.

Every undertaking:

- a) is obliged, during network construction and provision of electronic communications services, to use radio equipment manufactured in a manner that enables effective use of the assigned spectrum, in order to avoid harmful interference;
- b) is obliged to cooperate with any other undertaking using radio frequencies assigned by AKEP in order to eliminate harmful interference that may affect the quality of electronic communications services provided to users or that may affect legally operating radiocommunication stations within the territory of Albania or in neighboring countries.

If AKEP determines that harmful interference has been caused to radiocommunication stations or users due to non-compliance with assigned frequency conditions and specifications or due

to malfunctioning equipment, the undertaking is obliged to immediately suspend the operation of its system upon receipt of notification. Otherwise, sanctions provided for in Law No. 54/2024 shall be applied.

Every undertaking is obliged to comply with equipment standards established by competent Albanian authorities and ETSI, as well as criteria set by AKEP regarding transmission characteristics, in order to ensure effective and harmonized coexistence of all wireless telecommunications applications on the same or neighboring frequencies. The undertaking must comply with the technical conditions set out in the individual authorization granted to it.

Each undertaking must ensure that its network is designed, installed, maintained, and operated in such a way that it does not cause harmful interference to other undertakings or lawful users of the frequency spectrum.

AKEP monitors the use of frequencies in accordance with the Regulation “On frequency spectrum monitoring” and applies sanctions provided for in Law No. 54/2024 in cases of use contrary to the law, sub-legal and regulatory acts, or individual authorizations issued by AKEP.

Holders of frequency usage rights shall pay AKEP an annual fee for the allocation and use of frequencies, pursuant to Article 19 of Law No. 54/2024. The level of the fee is determined by a decision of the Council of Ministers.

The holder of the right to use frequencies granted through a public competitive procedure, pursuant to Article 76 of Law No. 54/2024, shall pay the amount achieved during the competition process, which is deposited into the State Budget (Article 75, point 9 of Law No. 54/2024).

Undertakings may not refuse, for technical reasons, a reasonable request to connect radio equipment and telecommunications terminal equipment. Technical rules for essential requirements and conformity assessment of radio and telecommunications terminal equipment are defined in Council of Ministers Decision No. 378, dated 05.06.2019, “On the approval of the technical regulation for radio equipment, mutual recognition of conformity assessment, and the list of harmonized standards,” as amended, and the Regulation “On the implementation of the technical regulation for radio equipment.”

6. Ensuring Availability and Conditions for the Use of Numbering

Numbers for access to electronic communications networks and services are finite natural resources; therefore, their management must ensure efficient use, in accordance with relevant decisions of international organizations and obligations arising from conventions or agreements to which the Republic of Albania is a party.

The numbering plan determines the structure, length, and assignment of numbers for access to public electronic communications networks and services.

AKEP administers the numbering plan in order to:

- a) ensure structuring and efficient use of numbers and number series;
- b) meet the reasonable needs of operators and public electronic communications service providers for number assignment under this law;
- c) ensure that number assignment and use are carried out in a fair, transparent, and non-discriminatory manner.

Numbers and numbering series may be used only after approval by AKEP, in accordance with applicable rules.

If an undertaking providing public electronic communications networks and/or services intends to use numbers or numbering series, it must apply to AKEP together with the registration notification, in accordance with the Regulation “On the assignment and use of numbers and numbering series.”

The holder authorized by AKEP to use numbers is obliged to use them only under the conditions set by AKEP, in accordance with Law No. 54/2024, the National Numbering Plan, and the Regulation “On the assignment and use of numbers and numbering series.”

The authorized holder of numbering rights:

- a) must return assigned numbers or numbering series if they are not in use;
- b) may not use numbers or numbering series for purposes other than those for which they were assigned;
- c) may not transfer or lease assigned numbers or numbering series without prior approval from AKEP;
- d) may transfer numbers or numbering series together with the activity carried out, provided that the new holder meets the requirements for their use, in accordance with AKEP decisions;
- e) is obliged to pay numbering fees as provided by law;
- f) must comply with number portability requirements in all cases where requested;
- g) must use numbers or numbering series only for their intended purpose and not adversely affect to any specific group of users;
- h) must fulfill obligations arising from international acts applicable in the Republic of Albania regarding numbering assignment and use;
- i) must not make unjustified discrimination regarding number sequences or groups of numbers among subscribers.

AKEP may withdraw the right to use numbers and numbering series if it finds that the holder:

- a) does not meet the requirements set out in Law No. 54/2024;
- b) has failed to pay the annual numbering fee on time;
- c) has not started using the numbers within three years from the date of assignment.

AKEP may also withdraw the right to use numbers and numbering series at the request of the holder.

Holders of numbering rights shall pay AKEP an annual fee for the assignment and use of numbers and numbering series, pursuant to Article 19 of Law No. 54/2024. The level of the fee is determined by a decision of the Council of Ministers.

7. Number Portability

Undertakings are obliged to enable all end users who have numbers from the National Numbering Plan and wish to retain their numbers, regardless of the service provider, to port their numbers:

- a) for geographic numbers – to a specific location;
- b) for non-geographic numbers – to any location.

AKEP, in fulfillment of its legal obligation, has defined the manner of implementing number portability through the Regulation “On the implementation of number portability.”

8. Consumer Protection

Undertakings providing electronic communications services have a legal obligation to protect consumers in accordance with Chapter XVIII of Law No. 54/2024, the Law “On consumer protection,” and the AKEP Regulation “On the protection of consumers and subscribers of public electronic communications services.”

Undertakings of public electronic communications networks and services must publish transparent, comparable, appropriate and up-to-date information on the tariffs and prices applied, any obligations at the end of the contract, as well as the general conditions for access to and use of the services provided by them to end-users in accordance with Law No. 54/2024 and the

Regulation “On the publication of information on tariffs and conditions of access to and use of public electronic communications services.

Connection or access to public electronic communications networks shall be provided based on a contract concluded with subscribers, in accordance with Law No. 54/2024 and the Regulation “On consumer and subscriber protection,” and shall be based on the principle of equality between the parties.

A standard copy of the subscription contract, as well as any subsequent amendments, must be submitted to AKEP 15 days prior to their entry into force.

Undertakings and/or their authorized distributors selling SIM cards must register subscribers before service activation, whether by subscription contract or prepaid card. The subscriber identification registration form is determined and approved by AKEP in accordance with Law No. 54/2024.

Undertakings must comply with the requirements set out in Law No. 54/2024, applicable Albanian legislation, and AKEP acts regarding:

- a) data retention for criminal prosecution purposes;
- b) destruction of retained data;
- c) ensuring equal access and choice for users with disabilities;
- d) publication of appropriate, comparable, and updated information on service quality;
- e) broadband speed testing;
- f) inclusion of subscribers in the public telephone directory;
- g) organization and operation of end-user assistance services;
- h) provision of detailed bills free of charge;
- i) ensuring subscribers’ right to lodge complaints regarding contractual terms, billing, and service quality.

Before commencing service provision, all public electronic communications service providers must establish and maintain a website for publishing information required by Law No. 54/2024.

Public telephone service providers must have procedures for handling consumer issues and customer service departments or specially trained staff at sales points.

Undertakings must have clearly defined procedures for handling subscriber complaints, including those of users with disabilities.

In cooperation with AKEP, public telephone service providers should compile a list of problems/questions that have been addressed to the customer service department by users and should train customer service personnel to be able to effectively handle, in a standardized manner, at least the most frequently encountered issues included in each category.

Undertakings must annually report to AKEP on complaint handling activities, including statistics on resolved cases.

Additionally, public telephone service providers must assist users with fault-related issues via a free dedicated line operating at least 12 hours per day, Monday to Saturday.

9. Compliance with Restrictions on Illegal or Harmful Content Transmission

Undertakings providing electronic communications services are legally obliged to comply with restrictions related to the transmission of illegal or harmful content, based on applicable legislation.

Upon receipt of a request from the competent authority regarding restriction of illegal or harmful content, AKEP shall instruct electronic communications service providers to suspend or block such transmissions.

Upon receipt of AKEP's request, undertakings are obliged to take the necessary legal and technical measures to implement the required restriction.