

Further to Article 84, paragraph 4 of the Law on Electronic Communications, the Ministry of Transport, Maritime Affairs, and Telecommunications enacts the

**RULEBOOK**  
**on the methodology and the method of calculation of annual fees**  
**for the use of radio-frequencies**

**GENERAL PROVISIONS**

**Article 1**

This Rulebook stipulates the methodology and the method of calculation of annual fees for the use of radio-frequencies, which shall be paid to the Agency for Electronic Communications and Postal Services (hereinafter referred to as: the Agency)..

**Article 2**

The amount of the annual fee for the use of radio-frequencies is expressed in points, and the money value of the point is established on the basis of assessment of the total annual costs of supervision over and management of the radio-frequency spectrum.

**Article 3**

The annual fee for the use of radio-frequencies is determined according to the type of radio-service, radio-frequency range, the width of the assigned radio-frequency channel, area of coverage and zone of service, and the level of energy efficiency.

**FIXED AND MOBILE SERVICES**

**Article 4**

(1) For the use of radio-frequencies in fixed and mobile services, the number of points, on the basis of which the annual fee is established, is determined depending on the radio-frequency range, the width of assigned radio-frequency channel, and the maximum effective height of the transmission antenna.

(2) For the use of radio-frequencies in the fixed type of radio point-to-point connection, the number of points is determined according to the formula:

$$N = B \times K,$$

where B is the coefficient, which is obtained when the total width of the assigned radio-frequency channel (including the return radio channel in semi-duplex and duplex operating modes), expressed in kHz, is divided by 25 kHz, and K is the coefficient, which depends on the frequency range, the values of which are given in Table 1.

Table 1

<b>Radio-frequency range</b>	<b>K</b>
Up to and including 430 MHz	30
From 430 MHz up to and including 470 MHz	20
From 470 MHz up to and including 960 MHz	7.5
From 960 up to and including 2300 MHz	3
From 2300 MHz up to and including 5000 MHz	0.40
From 5000 MHz up to and including 10000 MHz	0.25
From 10 GHz up to and including 17.7 GHz	0.20
From 17.7 GHz up to and including 27.5 GHz	0.15
Above 27.5 GHz	0.10

(3) For the use of radio-frequencies in fixed and mobile types of radio point-to-multipoint connection, the number of points per base/repeater station is determined according to the formula:

$$N = 5 \times B \times K \times (1 + H),$$

where B is the coefficient, which is obtained when the total width of the assigned radio-frequency channels (including the return radio channel in semi-duplex and duplex operating modes), expressed in kHz, is divided by 25 kHz, K is the coefficient, which depends on the frequency range, the values of which are given in Table 1, and H is the coefficient, which depends on the maximum effective height of the transmission antenna of the base/repeater station, the values of which are given in Table 2.

Table 2

<b>Maximum effective height of the transmission antenna Heff(max)</b>	<b>H</b>
Heff(max) < 50 m	0.00
50 m < Heff(max) < 150 m	0.25
150 m < Heff(max) < 300 m	0.50
300 m < Heff(max) < 600 m	0.75
Heff(max) > 600 m	1.00

For the use of radio-frequency channels in simplex operating mode in the entire territory of Montenegro, the number of points is determined according to the formula:

$$N = 15 \times B \times K.$$

(4) For the use of radio frequencies from 880 – 960 MHz range for E-GSM/GSM public mobile electronic communication network on exclusive basis in the entire territory of Montenegro, the number of points is determined according to the formula:

$$N = 1000 \times B,$$

where B is the coefficient, which is obtained when the total width of the assigned direct and return radio-frequency channels, expressed in MHz, is divided by 1 MHz.

(5) For the use of radio frequencies from 1710 – 1880 MHz range for DCS 1800 public mobile electronic communication network on exclusive basis in the entire territory of Montenegro, the number of points is determined according to the formula:

$$N = 400 \times B,$$

where B is the coefficient, which is obtained when the total width of the assigned direct and return radio-frequency channels, expressed in MHz, is divided by 1 MHz.

(6) For the use of radio frequencies from 1900 – 2170 MHz range for IMT-200/UMTS public mobile electronic communication network on exclusive basis in the entire territory of Montenegro, the number of points is determined according to the formula:

$$N = 250 \times B,$$

where B is the coefficient, which is obtained when the total width of the assigned direct and return radio-frequency channels, expressed in MHz, is divided by 1 MHz.

(7) For the use of radio frequencies from 3400 – 3800 MHz range for Fixed Wireless Access (FWA) in the entire territory of Montenegro, the number of points is determined according to the formula:

$$N = 150 \times B,$$

where B is the coefficient, which is obtained when the total width of the assigned direct and return radio-frequency channels, expressed in MHz, is divided by 1 MHz.

## **RADIO-BROADCASTING SERVICE**

### **Article 5**

#### **Broadcasting of radio and television programs in parts of VHF and UHF ranges**

(1) For the use of radio frequencies from parts of VHF and UHF ranges intended for radio-broadcasting service for broadcasting of radio and television programs, the number of points on the basis of which the annual fee is fixed for each radio or television transmitter, is determined depending on the number of inhabitants in the zone of coverage by the transmitter, economic development level of the covered area, and the type of radio-broadcasting service, according to the following formula:

$$N = 300 \times A \times C \times D,$$

where A is the coefficient, which depends on the number of inhabitants in the zone of coverage by the transmitter, the values of which are given in Table 3; C is the coefficient, which depends on the economic development level of the covered area, the values of which are given in Table 4, and D is the coefficient, which depends on the type of the radio-broadcasting service, and it is 1.00 for a radio program, and 1.50 for a television program.

Table 3

<b>Number of inhabitants in the zone of coverage</b>	<b>A</b>
Below 10 000	1.00
From 10 000 to 50 000	1.25
From 50 000 to 100 000	1.50
From 100 000 to 200 000	1.75
From 200 000 to 300 000	2.00
Over 300 000	2.50

Table 4

<b>Covered area</b>	<b>C</b>
Municipalities of Andrijevica, Plužine, Šavnik, Mojkovac, and Plav	1.00
Municipalities of Berane, Bijelo Polje, Cetinje, Danilovgrad, Kolašin, Pljevlja, Žabljak, and Rožaje	1.25
Municipalities of Bar, Budva, Herceg Novi, Kotor, Nikšić, Tivat, and Ulcinj	1.50
The municipality of Podgorica	1.75

(2) If one transmitter covers the areas of two or more municipalities of different levels of the economic development coefficient, the coefficient of the most developed municipality is taken.

(3) For any additional coverage with radio or TV signal of a particular area, the fee is fixed in the amount of 25% of the fee for the main transmitter's coverage zone.

(4) The annual fee for broadcasting of radio and television programs for one radio, or one television program is obtained by adding the annual fees for all the transmitters, which are used to cover the areas of individual municipalities, either for individual operation or for operation in the network.

(5) If the same radio or television transmitter is used by two or more emitters for broadcasting of radio or television programs on the same frequencies/channels, the annual fee established in compliance with paragraph (1) or (2) of this Article is distributed to those emitters proportionally to the total duration of broadcasting of their respective programs in the course of a week.

(6) In case of frequencies for digital broadcasting.

## **Article 6**

### **Transmission and broadcasting of signals via wireless distribution networks in 11.7 – 12.5 GHz range**

For the use of radio frequencies from 11.7 – 12.5 GHz range for transmission and broadcasting of signals via wireless distribution networks on exclusive basis in the entire territory of Montenegro, the number of points is determined according to the formula:

$$N = 50 \times B,$$

where B is the coefficient, which is obtained when the total width of the assigned radio-frequency channels, expressed in MHz, is divided by 1 MHz.

## Article 7

### Transmission of radio and television programs

The annual fee for the use of radio frequencies for transmission of radio and television programs is fixed subject to Article 4, paragraph (2) of this Rule Book.

## AERONAUTICAL, MARITIME, AND RADIO-NAVIGATION SERVICES

### Article 8

In aeronautical and maritime services (except for the aeronautical and maritime mobile satellite services) and radio-navigation services, the number of points on the basis of which the annual fee for the use of radio-frequencies is determined, is determined per radio-station, specifically:

- 1) For a radio-station on the ground, the number of points is  $N = 50$ ;
- 2) For a radio-station aboard a vessel, the number of points is  $N = 25$ ;
- 3) For a radio station aboard an aircraft, the number of points is  $N = 50$ ;
- 4) For a radio-station on the ground or a radio-station aboard an aircraft or a vessel, which serves for navigation, identification, fixing the position, signaling, measurement and the like, the number of points is  $N = 50$ .

## SATELLITE SERVICE

### Article 9

(1) For the use of radio-frequencies in fixed satellite connection, the number of points on the basis of which the fee for the use of radio-frequencies is established, is determined according to the width of the assigned radio-frequency channels, in accordance with Table 5.

Table 5

Width of radio-frequency channels	N
$B \leq 2$ MHz	600
$2$ MHz $< B \leq 7$ MHz	900
$7$ MHz $< B \leq 15$ MHz	1200
$15$ MHz $< B \leq 30$ MHz	1800
$B > 30$ MHz	2400

(2) For the use of radio-frequencies for VSAT hub radio-station (*Very Small Aperture Terminal hub station*) located in the territory of Montenegro, the number of points on the basis of which the amount of the annual fee is fixed is  $N = 1000$ .

(3) For the use of radio-frequencies for VSAT terminal radio-station (*Very Small Aperture Terminal terminal station*) located in the territory of Montenegro, the number of points on the basis

of which the amount of the annual fee is established, is determined according to the width of the assigned radio-frequency channel, in accordance with Table 6.

Table 6

<b>Width of radio-frequency channel</b>	<b>N</b>
B ≤ 100 kHz	150
100 kHz < B ≤ 500 kHz	300
500 kHz < B ≤ 1 MHz	450
B > 1 MHz	600

(4) For the use of radio-frequencies for a transportable earth radio-station, which is used for Satellite News Gathering (SNG), the number of points on the basis of which the amount of the annual fee is fixed is N = 1500.

(5) For the use of radio-frequencies for a transportable earth radio-station, which is used for Satellite News Gathering (SNG), and which exclusively transmits audio signals, the number of points on the basis of which the amount of the annual fee is fixed is N = 300.

## **FEE FOR TEMPORARY USE OF RADIO-FREQUENCIES**

### **Article 10**

For the use of radio-frequencies for a period shorter than a year, the number of points on the basis of which the amount of the fee is fixed is determined according to Table 7 (N is the number of points on the basis of which the annual fee for the use of radio-frequencies is determined).

Table 7

<b>Period of use of radio-frequencies</b>	<b>Number of points</b>
Up to 3 months	0.25 x N
Up to 6 months	0.50 x N
Up to 9 months	0.75 x N
Up to 12 months	1.00 x N

## **ENERGY EFFICIENCY**

### **Article 11**

If, for the electric power supply of radio-transmitters, renewable sources of energy are used (solar sources, wind generators, hydrogen fuel cells, natural gas-operated generators, and others), the amount of annual fee for the use of radio-frequencies is multiplied by the coefficient 0.75, except for the transmitters for broadcasting of radio-broadcasting signals, where it is multiplied by the coefficient 0.5.

In case of electronic communication networks referred to in article 4 paragraph 4, 5, 6 and 7 of this Rule Book, reduction of the fee based on use of renewable sources shall be calculated proportionally to the number of base/repeater station supplied from such resources.

## **FINAL PROVISION**

### **Article 12**

This Rulebook shall come into force on the eighth day from the date of its publishing in the *Official Gazette of Montenegro*.