

Competencies of the Digital Agency (DA) in relation to the provision of electronic communication networks and services for public institutions

Article 24

(1) DA shall hold the following competences:

1. Shall secure electronic communication services for the needs of public institutions, by utilization of the National Transport Optic-fibre Network (NTON) under the competence of PE MB;
2. Shall provide communication channels (temporary, upon request or permanent) through which public institutions, OTA and other security services (to be legally defined) would provide security communications;
3. Shall provide service for electronic monitoring, management, operation and maintenance thereof of installed active equipment and other means;
4. Shall provide support and information service for the needs of public institutions about services it offers;
5. Shall conduct public procurements for needed active equipment and other means, installation, management and ongoing maintenance thereof, with a view to implement its competences set forth under this Law;
6. Shall ensure security, integrity, confidentiality and continuity of electronic communications it provides and measures to provide lawful interception of communications, pursuant to law;
7. Shall promote measures, activities and shall secure access for utilization of public electronic communication services provided by operators, particularly for the service securing public internet access.
8. Shall define needs of optic fibre for provision of electronic communication services pursuant to this law, shall issue opinions and/or shall participate in planning optic fibre infrastructure (optic cables/fibers and underground cable systems for installing optic fibre cables) that shall be constructed with public funds across the country's territory.

9. Shall manage utilization of optic fibres and other NTON capacities intended to connect public institutions and locations on free WiFi internet access.
 10. Shall inform PE MB on implementation of needed infrastructure optic fibre connection with a view to implement DA competences pursuant to this law;
 11. Shall inform PE MB on potential defects in the infrastructure thereof on which public institutions are connected,
 12. Shall issue opinions, recommendations, and shall cooperate with public institutions regarding implementation of competences thereof pursuant to provisions under this law.
- (2) DA shall determine needed active equipment and other means, stipulated under Item 5 of paragraph (1) and under this article, in cooperation with public institutions, taking into account competences, current and future needs thereof, provision of new innovative ICT platforms and solutions, as well as meeting of national broadband targets set forth under strategic documents and plans adopted by the Government;
- (3) When managing utilization of optic fibres and other NTON capacities stipulated under Item 9 of paragraph (1) of this article, account should be taken of public institutions' competences, current and future needs, securing new innovative ICT platforms and solutions as well as meeting national broadband targets.
- (4) To implement competences set forth under items 7, 8, 9 and 10 of paragraph (1) of this Article, DA shall cooperate with the National Broadband Competence Office (NBCO), PE MB, MARnet, legal entities that manage optic fibre infrastructure constructed by utilization of public funds, and with other competent institutions.

Article 25

- (1) DA shall implement competences set forth under Article 24 of this Law, based on a study previously adopted by the Government.

- (2) The Study mentioned under paragraph (1) of this Article shall be proposed by DA, upon previous approval from MISA. When conducting the study, DA shall cooperate with NBCO, PE MB, MARnet, other competent institutions, legal entities that manage optic fibre infrastructure constructed by utilization of public funds. In this, external expert assistance may also be used.

- (3) In addition to proposed measures and activities on implementation of DA competence^{4s} set forth under Article 24 of this Law, the Study mentioned under paragraph (1) of this Article should also cover proposed list of public institutions to which DA would provide internal electronic communication services; proposed list of electronic communication services it would provide (per type of public institution); utilization of public electronic communication services provided by operators; needed technical, physical and human capacities, implementation timeframe and funds, etc.