

**BELGIAN INSTITUTE FOR POSTAL SERVICES  
AND TELECOMMUNICATIONS**

**B I P T**

---

**COMMUNICATION BY THE BIPT COUNCIL  
OF 27 FEBRUARY 2015  
ABOUT  
THE OBLIGATION TO NOTIFY ONESELF AS AN OPERATOR TO BIPT**

## TABLE OF CONTENTS

1. Purpose of the communication .....	3
2. Public consultation.....	3
3. Overview of the applicable principles.....	4
3.1. THE OBLIGATION TO NOTIFY THE PROVISION OR RESALE OF ELECTRONIC COMMUNICATIONS SERVICES OR NETWORKS TO BIPT .....	4
3.2. EXEMPTIONS FROM THE NOTIFICATION OBLIGATION .....	5
3.3. THE DEFINITION OF OPERATOR.....	6
3.4. WHAT RIGHTS AND OBLIGATIONS DOES THE OPERATOR STATUS ENTAIL? .....	6
4. In-depth investigation of the principles .....	8
4.1. SCHEMATIC PRESENTATION, FOR YOUR GUIDANCE, OF ARTICLE 9, §§ 1, 5 AND 6 OF THE ACT .....	8
4.2. EXPLANATIONS AND EXAMPLES FOR THE NOTIFICATION OF « ELECTRONIC COMMUNICATIONS SERVICE » .....	9
4.3. EXPLANATIONS AND EXAMPLES FOR THE NOTIFICATION OF « ELECTRONIC COMMUNICATIONS NETWORK » .....	13

## 1. Purpose of the communication

The purpose of this communication is to help third parties to determine whether they have to notify themselves as an operator to BIPT.

BIPT reminds its readers of the legislation and its practice, which are known or reputed to be known to companies active on the electronic communications market. However, companies wishing to enter the market or exercising electronic communications activities on a subsidiary basis only are probably less familiar with those rules.

That is why BIPT thought it would be useful to consolidate and, if possible, to popularise the answers to questions frequently asked to BIPT on this matter.

This communication is not exhaustive and will evolve according to the specific cases BIPT will be confronted with, the feedback from stakeholders, the need to develop or clarify certain notions, and technological and legal developments.

As regards technological developments, attention should be drawn to the growing role of OTT ("over the top") players<sup>1</sup> who use the infrastructure rolled out by others in order to provide their services<sup>2</sup>. The legal development may occur at two levels. On the one hand, BIPT will participate in the discussions at European level on the interpretation of the current regulatory framework in the light of technological developments. On the other hand, the European regulatory framework for telecommunications will, in principle, be modified in the following months or years<sup>3</sup>.

This communication establishes the principles that apply. This does not exclude the fact that in some specific cases BIPT may still adopt ad hoc decisions.

## 2. Public consultation

BIPT held a public consultation on the draft of this communication from 23 May 2014 to 25 June 2014 included. The following organisations gave a contribution to BIPT within the framework of this public consultation: Belgacom, ISPA<sup>4</sup>, Mobistar, the *Platform telecom operators and service providers* and the *Voice on the Net Coalition Europe* (VON).

---

<sup>1</sup> To date, there is no definition of OTT. This communication do not intend to define this notion.

<sup>2</sup> See BIPT's strategic plan 2014-2016, p. 12.

<sup>3</sup> See the proposal of the European Commission of 11 September 2013 for a "*Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) N° 531/2012*". On the publication date of this communication, this regulation is still under discussion.

<sup>4</sup> ISPA: Belgian Internet Service Providers Association.

### 3. Overview of the applicable principles

#### 3.1. The obligation to notify the provision or resale of electronic communications services or networks to BIPT

Among other things, Article 9 of the Electronic Communications Act of 13 June 2005 (the "Act") lays down what follows:

*"§ 1. "The provision or resale on one's own behalf and for one's own use of electronic communications services or networks shall only start, without prejudice to the provisions of Article 39, after having notified the following elements to the Institute:*

*1° the provider's name, address, VAT and trade register number or a similar identification number, which validly assembles these data;*

*2° the contact vis-à-vis the Institute;*

*3° a brief and accurate description of the service or network;*

*4° the date when the activities are likely to start.*

*§ 2. Following the notification, the operator in question can provide electronic communications services or networks and submit requests for the installation of resources in accordance with Articles 25 to 28.*

*§ 3. Each operator informs the Institute of:*

*1° any changes made to the elements referred to in § 1, except where an identification number validly assembling the data concerned, has been communicated;*

*2° the planned discontinuation of its activities. " (free translation)*

Article 9, § 1 of the Act therefore refers to:

- the provision or resale of electronic communications **networks**;
- the provision or resale<sup>5</sup> of electronic communications **services**; or
- the provision or resale of electronic communications **networks and services**.

It follows from the above that the notification of the network or service to BIPT has to be given before the network or service is provided or resold.

Article 2 of the Act includes, inter alia, the following definitions:

*"3° "electronic communications network" means transmission systems and, where applicable, switching equipment or routing equipment and other resources, including network elements which are not active, which permit the conveyance of signals by wire, by radio, by optical or by other electromagnetic means, including satellite networks, fixed (circuit- and packet-switched, including Internet) and mobile terrestrial networks, and electricity cable systems, to the extent that they are used for the purpose of transmitting signals, other than signals for radio and television broadcasting;*

---

<sup>5</sup> Article 9 of the Act mentions the resale of electronic communications services next to the provision of electronic communication services, while European directives on electronic communications only mention the provision of electronic communications services. However, it should be considered that reselling electronic communications services is a way to provide those services and that the resale of services is thus also part of the notion of service provision as referred to in European directives.

4° "provision of an electronic communications network" means the establishment, operation, control or making available of such an electronic communications network;

5° "electronic communications service" means a service normally provided for remuneration which consists wholly or mainly in the conveyance, including switching and routing operations, of signals on electronic communications networks, but excludes (a) services providing, or exercising editorial control over, content transmitted using electronic communications networks and services and (b) information society services, as defined in Article 2 of the Act of 11 March 2003 regarding certain legal aspects of information society services, which do not consist wholly or mainly in the conveyance of signals on electronic communications networks, and (c) radio and television broadcasting." (free translation)

In certain cases, a notification to BIPT is required from several parties. For example, a person has to submit a notification to BIPT for the provision of an electronic communications network and another person for the provision of the electronic communications service based on that network.

If a company intends to provide or resell several types of electronic communications networks or services, each type of network or service provided or resold has to be notified to BIPT. However, those different notifications may be gathered in one notification to BIPT. It follows from paragraph 3 of Article 9 of the Act that any changes in the provision or resale of the electronic communications network or service (new service/network, termination of the provision or resale of a network/service) has to be notified to BIPT.

BIPT only has competence for electronic communications networks established in Belgium and for electronic communications services provided or resold in Belgium.

### 3.2. Exemptions from the notification obligation

Paragraphs 5 and 6 of Article 9 of the Act lay down the following:

*"§ 5. The notification referred to in § 1 is not required in case of provision or resale of electronic communications services or networks which are not in the public domain.*

*§ 6. The notification referred to in § 1 is not required for the provision or resale of electronic communications services or networks exclusively intended for a legal person, in which the provider or reseller has a majority share, or intended for natural or legal persons within the framework of a convention according to which electronic communications services or networks are made available secondarily and only by way of assistance." (free translation)*

As a result, a person who is subject to one of the exemptions provided for in Article 9, §§ 5 and 6 of the Act is under no obligation to notify the provision of the electronic communications service or network concerned to BIPT. However, this person can do so on a voluntary basis<sup>67</sup>.

---

<sup>6</sup> Bill pertaining to various provisions, Government amendment No 3, *Parl. Doc.*, Chamber, 2005-2006, No 51-2518/007, pp. 4-5.

<sup>7</sup> Article 9 of the Act does not provide for an exemption in case of occasional provision or resale of electronic communications services or networks in the public domain (for example, the provision of Wi-Fi during major events), so that even in these cases, a notification to BIPT for the provision or resale of the service or network concerned is required.

### 3.3. The definition of operator

Article 2, 11°, of the Act defines an "operator" as "*a person who is subject to the obligation to make a notification in accordance with Article 9*". This means that a person who has to notify the provision or resale of an electronic communications network or service to BIPT in accordance with Article 9, § 1, of the Act already is an operator, even if he forgets to make such a notification to BIPT. BIPT reminds its readers that the absence of notification may be sanctioned, among others, by imposing administrative fines<sup>8</sup>.

Hereafter, we will call "network operators" the persons who have to notify the provision or resale of an electronic communications network to BIPT. Hereafter, we will call "service operators" the persons who have to notify the provision or resale of an electronic communications service to BIPT.

The persons who are eligible for the exemptions provided for in Article 9, §§ 5 and 6 of the Act and intend to enjoy that exemption are no operators<sup>9</sup>, so that they are not subject to the obligations that have to be met by operators.

However, persons who provide or resell an electronic communications service or network and can benefit from the exemptions provided for in Article 9, §§ 5 and 6 of the Act but renounce it by notifying the provision or resale of networks or services to BIPT on a voluntary basis, are operators. They can enjoy the rights pertaining to the status of operator, but they also have to carry out the obligations that operators have to meet<sup>10</sup>.

### 3.4. What rights and obligations does the operator status entail?

The law imposes a number of obligations on operators, but also grants them a number of rights. The purpose of this communication is not to sum up those rights and obligations. However, the public consultation on the draft of this communication shows that such a summary would be very useful for the sector. BIPT intends to add this summary on the occasion of a later revision of this communication. Nevertheless, BIPT already invites the reader to go through the following basic legislations:

- 1) The Act of 13 June 2005 on electronic communications;
- 2) The Act of 21 March 1991 on the reform of certain economic public companies;
- 3) The Act of 15 May 2007 on consumer protection regarding radio transmission and broadcasting services;
- 4) The Act of 30 March 1995 on the electronic communications networks and services and the audiovisual media services in the bilingual Brussels-Capital Region<sup>11</sup>.

---

<sup>8</sup> See Article 21 of the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors.

<sup>9</sup> Therefore, it is not correct, in the eyes of the law, to consider that these persons are private operators. The law only knows the notion of operator, not that of private or public operator.

<sup>10</sup> Above-mentioned bill.

<sup>11</sup> Those different legislations are available on the BIPT website. See [www.ibpt.be/en](http://www.ibpt.be/en)»Operators»Telecoms» Consolidated legislation»National framework»Basic legislation.

For persons who intend to offer Wi-Fi in the public domain, BIPT refers to the [letter](#) it addressed to all the Belgian municipalities, which sums up the rights and obligations of operators for this kind of activities (it consists mainly of obligations regarding end-users' identification, data retention and cooperation with the legal authorities and the intelligence and security services)<sup>12</sup>.

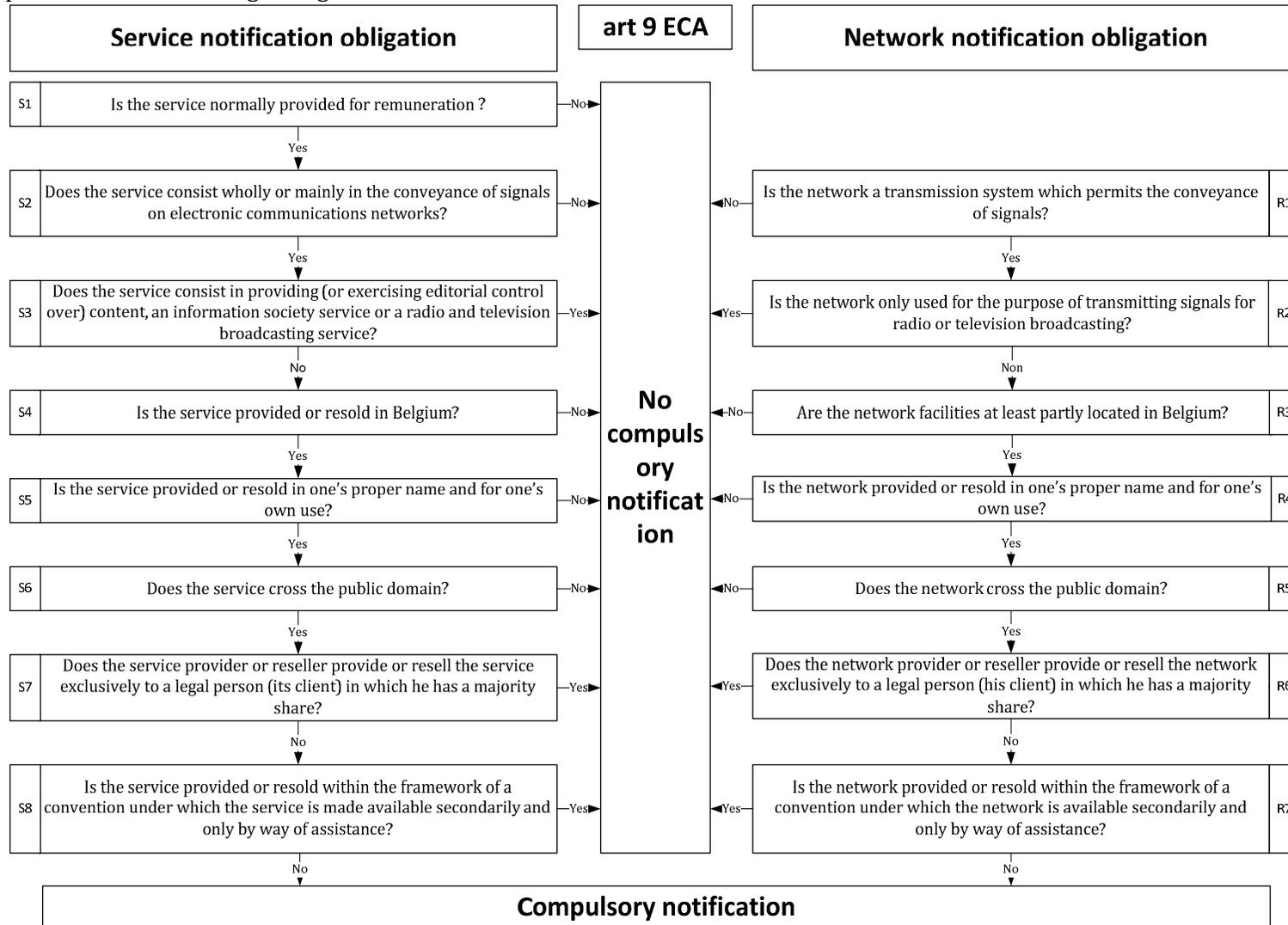
---

<sup>12</sup> This letter has been changed into FAQs and is available at the following address: [www.ibpt.be/en»Operators»Telecommunication»Networks/Services](http://www.ibpt.be/en»Operators»Telecommunication»Networks/Services)».

## 4. In-depth investigation of the principles

### 4.1. Schematic presentation, for your guidance, of Article 9, §§ 1, 5 and 6 of the Act

Based on the criteria referred to in Article 9, §§ 1, 5 and 6 of the Act, BIPT has defined a series of questions to determine whether a notification of the provision or resale of an electronic communications network and/or service to BIPT is required. In the diagram below, questions regarding networks are put in front of those regarding services that are similar or of the same kind.



## 4.2. Explanations and examples for the notification of « electronic communications service »

This section takes over the questions listed in the column "service notification obligation" of the diagram in point 4.1. and provides examples and explanations for each question.

S1. *Is the service normally provided for remuneration ?*

The answer is yes as soon as a direct or indirect remuneration has been received for the service:

- A direct remuneration presupposes that the (end-) user pays for the electronic communications service directly (example: invoices that operators send to consumers).
- An indirect remuneration implies that the cost of the electronic communications service is paid indirectly by the (end-) user of the service or financed by a person other than those who benefit from the electronic communications service. Here are some examples of the source of the indirect remuneration:
  - o The drink ordered in a bar offering Wi-Fi;
  - o An advertising banner.

BIPT examines whether by and large the electronic communications service is remunerated. So, it does not matter much if the service is not remunerated in particular cases. For instance, when a customer does not pay his invoices to his operator or when a visitor to a shop offering Wi-Fi leaves without buying anything.

The fact that the service provider is a public organism does not prevent him from being an operator, as far as the conditions relating to the status of operator are met (such as the criterion of the service normally provided for remuneration).

The notion of service "normally provided for remuneration" should be interpreted broadly. An electronic communications service will generally be provided for remuneration. Electronic communications services provided in the private or domestic sphere will generally not be services provided for remuneration.

S2. *Does the service consist wholly or mainly in the conveyance of signals on electronic communications networks?*

Telephony and Internet access are typical examples of services based on the conveyance of signals. The transmission of telephone communications, whatever their nature, from the Internet to a number from the numbering plan or using a number from the numbering plan, has always been considered as a signal transmission.

Many comments from contributors on the public consultation about the draft of this communication concern the taking into account of "over the top" (OTT) players in the context of implementing the law and of a possible modification of the European regulatory framework. However, as far as there are grey areas that need to be clarified, BIPT considers that this subject must first and foremost be broached at the level of the Body of European Regulators of Electronic Communications (BEREC) and of the European legislation.

Another example of services consisting of the transmission of signals, are services provided by "connectivity providers". A "connectivity provider" or "wireless access service provider" (WASP) is a company connected to the operators' SMS exchanges who transports SMS/MMS

messages between a content provider and the end-user. To this effect, a connectivity provider needs a fixed connection with the mobile operators. These players provide typical services such as sending bulk text messages and premium-rate text messages. Often enough, these companies also provide for the transport of premium-rate voice services based on a fixed connection with one operator. The transport service carried out by such companies includes the transmission of signals.

- S3. *Does the service consist in providing (or exercising editorial control over) content, an information society service or a radio and television broadcasting service?*

The answer to that question is yes in the following cases:

- Electronic newspapers;
- Provision of radio or television broadcasting services;
- E-commerce;
- Provision of storage capacities.

In order to understand the distinction between a service consisting in providing signals and a service consisting in providing content, it is also useful to refer to the judgement of the ECJ of 7 November 2013 in case *UPC Nederland BV c. Gemeente Hilversum* (C-518/11). Yet, it should be noted that, in Belgian law, broadcasting services, including television, are excluded from the definition of electronic communications service (see Article 2, 5° of the Act).

In this judgement, the ECJ ruled the following:

- 43 *"Although UPC's customers take out a subscription for the purposes of gaining access to the basic cable package offered by that company, that does not mean that UPC's business, which consists in broadcasting programmes produced by the content editors (in this case radio and television channels) by transmitting those programmes to the connection point of its cable network in its subscribers' homes, must be excluded from the definition of 'electronic communications service' within the meaning of Article 2(c) of the Framework Directive and, consequently, from the scope of the NRF.*
- 44 *On the contrary, it follows from the observations made in paragraphs 36 to 41 above that the provision of a basic cable package falls within the definition of electronic communications service and, therefore, the substantive scope of the NRF, in so far as that service includes the conveyance of signals on the cable network. "* (free translation)

This judgement shows that, apart from the service content aspect, there is also a content transmission aspect which, in this case, was achieved by the transmission of signals on electronic communications networks<sup>13</sup>.

---

<sup>13</sup> See also Brussels (18th ch.), 4 September 2012, R.G. 2011/AR/2289, p. 47, available on [www.bipt.be](http://www.bipt.be).

S4. *Is the service provided or resold in Belgium?*

An operator having its headquarters in Belgium but providing no electronic communications service on Belgian soil is not obliged to notify himself as an operator in Belgium. BIPT repeats that an operator having no registered office in Belgium and providing a service on Belgian soil has to notify itself as an operator<sup>14</sup>, even if the contract with the end-user is concluded abroad or via Internet.

In the case of a roaming offer outside of Belgium available to a Belgian operator's customers, the roaming company does not have to notify itself as an operator in Belgium, since the service in itself is not available on Belgian soil. However, if another company offers a roaming service to foreign operators' customers on Belgian soil, this company has to notify itself as an electronic communications services operator. So here, the criterion is whether the service is offered in Belgium (where the Belgian law and, therefore, the notification obligation, is applicable), regardless of the place where the contract has been concluded.

S5. *Is the service provided or resold in one's proper name and for one's own use?*

Proper name is understood to be one's name or brand. In certain cases, the end-user of the service sees several names appear in connection with the service provision (e.g. for a Wi-Fi offer, the name of a municipality and of several private companies). Then, the question that arises is who is the electronic communications service operator. BIPT reminds its readers that, in such a case, the operator is the natural or legal person legally responsible for the provision of the electronic communications service<sup>15</sup>.

It is thus with him that the (end-) user concludes the (possibly tacit) contract for the provision or resale of electronic communications services. Or it is this operator's general conditions that the end-user has to accept to get access to a wireless Internet network (commonly called Wi-Fi).

BIPT recommends its readers to mention explicitly in the contract documents (e.g. in the general conditions for the use of Wi-Fi) who is responsible for the provision of the electronic communications service.

S6. *Does the service cross the public domain?*

The concept of public domain includes in any case the public road. Therefore, and for illustrative purposes, a municipality or a merchants association offering wireless Internet access (Wi-Fi) on the public road, permanently or temporarily, has to notify itself as an operator to BIPT.

Are not to be considered as being part of the public domain for the implementation of the Act and may therefore enjoy the exemption provided for in Article 9, § 5, of the Act, for example:

---

<sup>14</sup> ECJ, 30 April 2014 (*UPC DTH Sàrl c. Nemzeti Média- és Hírközlési Hatóság Elnökhelyettese*), C-475/12, No. 106.

<sup>15</sup> It does not matter much that this person does not technically ensure completely or partially the provision of the electronic communications service on his own (see the MVNOs' situation and the above-mentioned judgement, No 43).

- Hotels;
- Pubs and restaurants, including their terraces;
- Shopping centres (i.e. the interior of the buildings of shopping centres; not the adjacent streets);
- The outdoor car park of a company;
- Rest homes;
- Buses, trains, coaches, cars and taxis.

We sometimes notice that, in practice, the signal transmitted in the context of Wi-Fi provision spills over to the public domain (e.g., onto the street). A person who enjoys the exemption provided for in Article 9, § 5, of the Act has to ensure that the Wi-Fi service cannot be used freely from the public domain, in order to continue enjoying this exemption. This can be achieved through technical solutions (for instance, by adapting the power of the Wi-Fi router) or by setting a password and changing it regularly.

Moreover, Article 9, § 5, of the ECA was not drawn up for operators. Besides, the legislator did not want the provision or resale by an operator in his own name of an electronic communications network or service in the private domain or in the private property of a third party to be exempted from the implementation of the Act (for instance the provision of Wi-Fi, by an operator, in a bank or a commercial complex). Therefore, BIPT considers that Article 9, § 5, of the Act cannot apply to an operator unless he is in the same conditions as the persons who can enjoy the exemption provided for in this Article. Consequently, Article 9, § 5, of the Act may apply to an electronic communications service (e.g. wireless Internet access) provided by an operator in its own premises (e.g. in an operator's building or points of sale)<sup>16</sup>.

S7. *Does the service provider or reseller provide or resell the service exclusively to a legal person (its client) in which he has a majority share?*

The answer to the question is yes, e.g., for "*electronic communications services and networks provided in the context of a financial group, i.e. from a parent company to its subsidiary(ies)*".<sup>17</sup> (free translation)

S8. *Is the service provided or resold within the framework of a convention under which the service is made available secondarily and only by way of assistance?*

In this case, a convention where the main objective is not the provision of an electronic communications service is needed between the two parties.

The answer to that question is yes for example for:

- *"The electronic communications services and networks provided in the context of a freelancers association, for instance a group practice or a lawyers association."*<sup>18</sup>. (free translation)

---

<sup>16</sup> In this way, according to BIPT, an operator does not act as such when he offers Wi-Fi outside of the public domain during an event organised to promote his activities (e.g. an operator who would hold a press conference to announce the launching of a new product). In fact, any other company could do the same. However, the situation is different if an operator sponsors an event by providing an electronic communications service.

<sup>17</sup> *Parl. Doc.*, Chamber, No 51-2518/007, pp. 3-4.

<sup>18</sup> *Parl. Doc.*, Chamber, No 51-2518/007, pp. 3-4.

- *"Networks or services intended to be used by members of a group of companies or of a cooperative society, networks for handling insurance claims between (re)insurers, secured networks for exchanging financial information and the network of a university and of associated organisations, of a bank and of its freelance agencies, and of companies placing their IT activities in a separate company, are a few examples." (free translation)<sup>19</sup>*

### 4.3. Explanations and examples for the notification of « electronic communications network »

This section takes over the questions listed in the column "network notification obligation" of the diagram in point 4.1. and provides examples and explanations for each question.

R1. *Is the network a transmission system which permits the conveyance of signals?*

The architecture can be based on, for example, cables (copper or fibre), radio waves, optical means and other electromagnetic means, including satellite networks, fixed (circuit- and packet-switched, including Internet) and mobile terrestrial networks, and electricity cable systems.

R2. *Is the network only used for the purpose of transmitting signals for radio or television broadcasting?*

As soon as a network is used for the purpose of transmitting signals other than signals for radio and television broadcasting, the answer to that question is no.

R3. *Are the network facilities at least partly located in Belgium?*

An operator having its headquarters in Belgium but no network, wholly or partly, on Belgian soil is not obliged to notify himself as an electronic communications network operator in Belgium. For instance, a satellite telephone service provider having no facilities (earth stations, for instance) in Belgium is not obliged to notify himself as a network operator because his network is in outer space, which is outside the scope of Belgian jurisdiction.

Network operators should nonetheless mind the fact that a notification in Belgium as an electronic communications service operator is obligatory as soon as the service is provided on Belgian territory<sup>20</sup>.

R4. *Is the network provided or resold in one's proper name and for one's own use?*

Proper name is understood to be one's name or brand. In certain cases, the end-user of the service sees several names appear in connection with the network provision. Then, the question that can arise is who is the electronic communications network operator. BIPT reminds its readers that, in such a case, the operator is the natural or legal person legally responsible for the provision of the electronic communications network.

It is thus with the latter that the (possibly tacit) contract for the provision or resale of the electronic communications network is concluded. Or it is this operator's general conditions that the end-user has to accept to get access to a wireless Internet network (commonly called Wi-Fi).

---

<sup>19</sup> Parl. Doc., Chamber, No 51-2873/002, pp. 1-2.

<sup>20</sup> ECJ, 30 April 2014 (*UPC DTH Sàrl c. Nemzeti Média- és Hírközlési Hatóság Elnökhelyettese*), C-475/12, No 106.

BIPT recommends its readers to mention explicitly in the contract documents (e.g. in the general conditions for the use of the Wi-Fi network) who is responsible for the provision of the electronic communications network.

R5. *Does the network cross the public domain?*

The concept of public domain includes in any case the public road. Therefore, and for illustrative purposes, a municipality or a merchants association offering wireless Internet access (Wi-Fi) on the public road, permanently or temporarily, has to notify itself as an operator to BIPT.

Are not to be considered as the public domain for the implementation of the Act and may therefore enjoy the exemption provided for in Article 9, § 5, of the Act, for example:

- Hotels;
- Pubs and restaurants, including their terraces;
- Shopping centres (i.e. the interior of the buildings of shopping centres; not the adjacent streets);
- The outdoor car park of a company;
- Rest homes;
- Buses, trains, coaches, cars and taxis.

Besides, the legislator did not want the provision or resale by an operator, in its own name, of an electronic communications network in the private domain or in the private property of a third party to be exempted from the implementation of the Act (for instance the provision of Wi-Fi in a bank or a commercial complex)<sup>21</sup>.

R6. *Does the network provider or reseller provide or resell the network exclusively to a legal person (his client) in which he has a majority share?*

The answer to the question is yes, e.g., for "*electronic communications services and networks provided in the context of a financial group, i.e. from a parent company to its subsidiary(ies)*".<sup>22</sup> (free translation)

R7. *Is the network provided or resold within the framework of a convention under which the network is available secondarily and only by way of assistance?*

In this case, a convention where the main objective is not the provision of the electronic communications network is needed between the two parties.

---

<sup>21</sup> Nevertheless, Article 9, § 5, of the Act may apply to an electronic communications network (e.g. wireless Internet access) provided by an operator in its own premises.

<sup>22</sup> *Doc. Parl. Doc.*, Chamber, No 51-2518/007, pp. 3-4.

The answer to that question is yes for example for:

- *"The electronic communications services and networks provided in the context of a freelancers association, for instance a group practice or a lawyers association."*<sup>23</sup>. (free translation)
- *"Networks or services intended to be used by members of a group of companies or of a cooperative society, networks for handling insurance claims between (re)insurers, secured networks for exchanging financial information and the network of a university and of associated organisations, of a bank and of its freelance agencies, and of companies placing their IT activities in a separate company, are a few examples."* (free translation)<sup>24</sup>

---

<sup>23</sup> *Doc. Parl. Doc., Chamber, No 51-2518/007, pp. 3-4.*

<sup>24</sup> *Doc. Parl. Doc., Chamber, No 51-2873/002, pp. 1-2.*