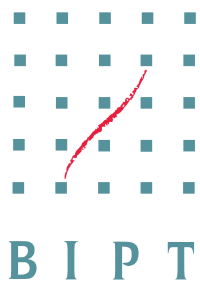


ANNUAL REPORT  
2013



# CONTENTS



## MESSAGE OF THE COUNCIL

### I - THE BELGIAN INSTITUTE FOR POSTAL SERVICES AND TELECOMMUNICATIONS

#### A. At a glance

#### B. Missions, vision and values

#### C. Main achievements in 2013

1. Consumers: a strategic concern to BIPT 11
2. Stimulate competition and create a level playing field on the electronic communications market 13
3. Scarce resources management (spectrum and numbering) 16
4. Network integrity and security and relations with the authorities responsible for security 18
5. Postal regulation 19
6. Legislative and regulatory projects 20

#### D. Looking back on the 2010-2013 period 22

#### E. Key figures 24

1. Key figures relating to the electronic communications sector 24
2. Key figures relating to the postal sector 30

## II - ACTIVITY REPORT 33

### A. Review of the operational services activities 33

1. Management of the electromagnetic spectrum, licences and frequencies 33
2. Actions conducted to ensure interference free spectrum use 37
3. Market monitoring in the context of Directive 1999/5/EC 37

### B. Report of the horizontal services 38

1. The Council Office 38
2. Communication 38
3. The Translation Department 38
4. The IT Department 39
5. Human Resources, staff and training 39
6. International Relations Department 40
7. The Legal Department 42

### C. Annual reports 2013 48

## 5

## ANNEXES

### A. Follow-up of the 2012 and 2013 operational plans on 31 December 2013 51

### B. List of the Council publications in 2013 53

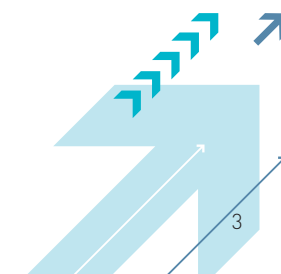
1. Decisions of general interest 53
2. Consultations 54
3. Communications 56
4. Opinions 56
5. Press releases 57
6. Acts of the CRC 58

### C. List of implementing measures published in the Moniteur belge 59

- Decrees implementing the "BIPT Act" (17 January 2003) 59
- Decrees implementing the "Electronic Communications Act" (13 June 2005) 60

### D. Glossary 61

### E. Useful addresses 62



# MESSAGE OF THE COUNCIL



BIPT is already 20 years old. It would take us too far to list the various accomplishments or the manner in which BIPT's activities have guided and developed the postal and electronic communications sectors for the benefit of all stakeholders. New players have appeared, new technological solutions have emerged and innovative services are now available to everyone. However, many challenges remain and the year 2013 was marked by profound changes for the companies in the sectors regulated by BIPT. In a sometimes difficult economic context BIPT is always striving to keep our country at the top of the European Union regarding several key indicators.

A new strategic plan was approved by the Government in April 2014. That is why in this report the 2010-2013 plan is briefly mentioned.

Since its creation BIPT has favoured the development of a dynamic electronic communications market. As from late 2012 and throughout 2013 owing to the new Telecoms Act, the actions of the authorities and those of the market players, the attractiveness of the qualitative offers and of prices has risen considerably. Within the scope of its activities BIPT contributed to this vitality. On 1 January 2013 BIPT took the last step in the gradual lowering of the **mobile termination rates**, (MTR rates) by reducing the tariffs to 1.08 eurocent. BIPT also cooperated in the "**Dare to compare**" initiative, a campaign to make consumers aware of the importance to compare prices in the various telecom market segments and then to switch to another tariff plan or operator. This nationwide campaign resulted in 817,956 calculations on [www.besttariff.be](http://www.besttariff.be), the BIPT tariff comparison site. A total of 1,218,085 mobile numbers have been ported in 2013.

The market players supported this vitality: BASE Company, Mobistar, Proximus and Telenet, for instance, adapted their tariff schemes, whereas VOO launched a mobile telephony offer. Plans that encompass more call minutes and larger data volumes appeared. According to the Price Observatory<sup>1</sup>, in 2013, Belgian mobile service users have benefited from a 14.1% price cut compared to the preceding year. Therefore, considering certain consumer profiles Belgium has clearly regained the same level as the neighbouring countries. Moreover, a comparative study<sup>2</sup> carried out by BIPT has shown that the prices of telecom services in our country are now around the average of the neighbouring countries.

At the technological level the theme of 2013 was certainly 4G. After a hesitating start in 2012 the operators took steps to roll out their 4G networks. BASE Company, Mobistar and Proximus also took part in the auction of the 800 MHz band (the digital dividend) organised by BIPT. Each of them acquired a portion of the spectrum aspired to for the amount of 120 million euro. As a consequence all citizens will soon be able to benefit from the digital economy and the new 4G applications in urban and rural areas; this will help to achieve the objective of the digital strategy for Europe 2020<sup>3</sup>.

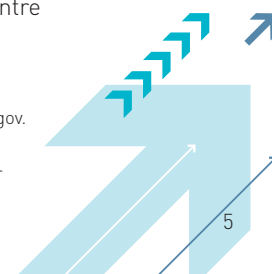
In the field of fixed networks the CRC (Conference of Regulators of the electronic communications sector) and BIPT finalised the regulatory framework for opening up the cable, which regulates both the operational aspects (reference offer) and the tariff aspects (wholesale tariffs for the use of the cable networks). Therefore the alternative operators can now address the cable operators in order to offer television and broadband Internet services through the coaxial cable. BIPT also worked at the operational level regarding access to Belgacom's IPTV platform, thus finalising the **level playing field**, which is the regulator's task. In that context BASE Company and other players too were quick to react and took steps to have consumers enjoy interesting and varied bundled offers.

Network security was a news item, which has led BIPT, in cooperation with the other competent authorities, to take an active part in the investigation into the hacking identified at the incumbent operator. The integrity and security of the operator's network that could have been affected, as well as the remedy plan were at the centre of BIPT's action.

<sup>1</sup> Price analysis - Annual report 2013 of the Institut des Comptes Nationaux, [http://economie.fgov.be/fr/binaries/Rapport\\_annuel\\_2013\\_Observatoire\\_prix\\_tcm326-243890.pdf](http://economie.fgov.be/fr/binaries/Rapport_annuel_2013_Observatoire_prix_tcm326-243890.pdf) (in French) or [http://economie.fgov.be/nl/binaries/Jaarverslag\\_2013\\_Prijzenobservatorium\\_tcm325-243890.pdf](http://economie.fgov.be/nl/binaries/Jaarverslag_2013_Prijzenobservatorium_tcm325-243890.pdf) (in Dutch)

<sup>2</sup> <http://www.bipt.be/en/consumers/telephone/publications/comparative-study-price-level-telecom-products-in-belgium-france-the-netherlands-germany-and-the-united-kingdom-tariffs-from-the-period-8-28-august-2012>

<sup>3</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010DC0245&rid=1>



In 2013, the postal market, entirely liberalised since 1 January 2011, welcomed the first player besides bpost to launch itself into the segment of traditional letter-post. As such, in May 2013, BIPT granted an individual ten-year licence to TBC-POST for the collection, sorting, transport and delivery of domestic and incoming cross-border items of correspondence that are part of the universal service, including for registered items.

At the end of this very partial overview of achievements in 2013 in the postal and electronic communications sectors, it is clear that the dynamics which characterise the markets are the result of the combined efforts of the players on the market and the authorities, both in Belgium and abroad. That is why BIPT wants to thank all the stakeholders for their participation in achieving the common goals. The BIPT Council also wants to extend its gratitude towards all the BIPT staff members, who since its creation have contributed to developing its know-how and professionalism.

The future is now, let's build it together.

The BIPT Council



Charles Cuvelliez



Axel Desmedt



Luc Vanfleteren



Jack Hamande



I - BIPT



## A. AT A GLANCE

### Who?

BIPT is a federal institution which performs the following tasks:

- **It is the regulator of the electronic communications market.**  
BIPT has among others the task of promoting competition, contributing to the development of the internal market and protecting the users' interests.
- **It is the regulator of the postal services market.**  
Among other things BIPT monitors the rates and the quality of the services provided by the postal universal service provider; it also closely follows the other postal service providers. BIPT grants licences to operators entering the postal market to provide certain services included in the universal postal service.
- **It manages the electromagnetic spectrum of radio frequencies.**  
BIPT is in charge of allocating scarce resources such as radio frequencies and numbers so that they are used as efficiently as possible. It also "polices the airwaves" to put an end to any form of harmful interference. It monitors the electromagnetic spectrum, operators and equipment.
- **It is the media regulator in the Brussels-Capital Region** and ensures that the operators in the bilingual Brussels-Capital Region comply with the specific regulation on radio and television broadcasting, provided that the activities of the broadcasting company cannot be specifically related to the French Community or the Flemish Community.
- It also acts as the Belgian authority for **the fulfilment of various missions of public interest.**

### What?

BIPT makes administrative decisions that may result in the imposition of obligations on companies;

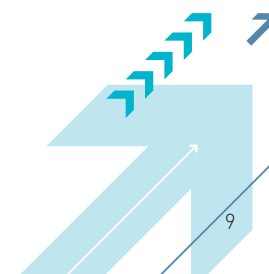
- it issues opinions on its own initiative or at the request of the Minister;
- it may impose administrative sanctions;
- it monitors compliance with the sector-specific legislation and is authorised to conduct studies by collecting all the useful information or by holding public consultations;
- it may act as an ombudsman in case of disputes.

### How?

As an independent institute, BIPT is of course accountable for its activities.

- Every three years the BIPT Council draws up a strategic plan, subject to the Council of ministers' approval since the Act of 10 July 2012<sup>4</sup> pertaining to various provisions regarding electronic communications, except for the aspects relating to the *ex ante* market regulation and disputes between operators, and which final version is submitted to the Chamber of Representatives. On the basis thereof the Council then prepares an annual operational plan. Finally, an annual report on the activities and the development of the postal services and telecommunications markets is submitted to the government.
- The Budget and Finance ministers also monitor the draft budget drawn up by BIPT and the Court of Auditors monitors the annual accounts. Since its creation BIPT has been entirely financed by resources coming from the regulated sectors, without any public subsidies.
- BIPT decisions may be challenged before the Brussels Court of Appeal. The Court of Appeal may suspend BIPT decisions and annul them with retroactive effect. As such an appeal against a decision has no suspensive effect.

<sup>4</sup> Moniteur belge of 25 July 2012.



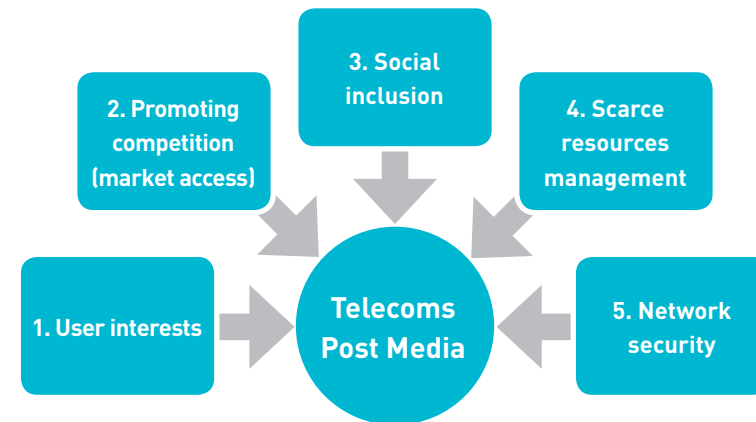
## B. MISSIONS, VISION AND VALUES

BIPT's first strategic plan covered the 2010-2013 period. In October 2013 the BIPT Council therefore started to prepare the next plan, which will be the guideline from 2014 to 2016. In order to elaborate this framework the Council saw over twenty stakeholder representatives (market players, operators, service providers, global players, representatives of users, employees and companies, parties from other levels of power, trade unions and BIPT staff members). Thanks to those meetings the document presents an evolution of the vision and values of BIPT compared to the concepts described in the first plan. Next, the draft plan was submitted for public consultation and for approval by the Government.

### Mission

Electronic communications, postal services and media in the Brussels-Capital Region are BIPT's main fields of activity. In each field its regulatory action, as with any regulator, is guided by five basic principles:

1. understanding the end-users of electronic communications and postal services, anticipating uses and their developments and safeguarding the interests of users;
2. effectively organising healthy competition and maintaining market access;
3. using postal services and electronic communications to promote social integration and cohesion for all;
4. managing scarce resources;
5. guaranteeing network security, without which the first three principles would be vain because of the mistrust created by unreliable networks.



### Vision

These are the vision and values laid down in the 2014-2016 strategic plan:

We, BIPT, will contribute to the developments of the regulatory environment, which, on the one hand, allow consumers and companies to access high-quality services at competitive prices and, on the other hand, to boost innovation and investments by setting up an ongoing dialogue with all stakeholders.

### Values

An organisation's values are essential for everyone to recognise themselves in the action it undertakes to accomplish its mission and to implement its vision. An organisation's values enable everyone to make sure that any action taken fits the mission and the vision.

Four values have been chosen: professionalism, agility, independence and transparency.

Upholding those values is the prerequisite for accomplishing them.

## C. MAIN ACHIEVEMENTS IN 2013

### 1. Consumers: a strategic concern to BIPT

#### a) Updating the universal electronic communications service

BIPT proposed to update the universal service following its analysis of the “universal service” aspects of the electronic communications market (telephone booths, directory enquiry services and directories). With the help of a consultant BIPT tried to determine whether, considering the specific needs of end-users, it was necessary to maintain the universal service obligations regarding public pay phones, the directory enquiry service and the directory. The current market situation, the viewpoint of the players and an international comparison constituted the parameters of this study. In the end BIPT arrived at the conclusion that the services concerned (public pay phones, directory enquiry service and directory), or comparable services, are largely available on the market at affordable prices and that therefore the corresponding universal service obligations may be lifted.

BIPT also cooperated in modifying certain aspects of the regulation concerning the procedure for designating the provider of the geographical element of the universal service, in order to proceed to this designation in the medium term.

#### Proposal to set the bit rate of functional Internet access at 1 Mbps

Anyone who makes a reasonable request should be able to have a connection to a public communications network, regardless of his geographical location. After carrying out an international comparison, consulting the market players and making an economic analysis of the geographical element BIPT launched a consultation with a proposal to oblige the universal service provider to guarantee, for each connection provided, a minimum download speed of 1 Mbps, every day of the year, at all times except for one hour a day maximum. This bit rate allows access to a large set of services (e.g. surfing the Internet, e-mail exchange, social networking, e-commerce, e-government, job hunting on the Internet...) that are needed to guarantee social integration.

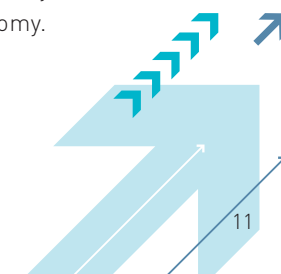
Finally a bill aiming to clarify the applicability of the social tariff to products of the “packs” type (bundled offers) was submitted. Article 38 of the annex to the ECA<sup>5</sup> already laid down that the operators concerned were obliged to offer the social tariff on all their tariffs and bundled offers that encompass the service to which the social tariff relates (fixed and mobile telephony, Internet access). However some ambiguity remained about the bundled offers that include other services, such as television. That aspect is clarified by the bill. The text also specifies that the reductions on the various tariff elements (connection, subscription, call charges) have to be applied for by the beneficiaries from a single operator (so, it is not possible to have a discount on the Internet subscription with operator A and a discount on the call charges with operator B). Moreover, the bill obliges social tariff providers to propose to beneficiaries to apply the social tariff reductions on the financially most interesting offer, taking account of the services they want to subscribe to, the moment of the subscription or the introduction of their application for the social tariff.

#### b) Consumer perception of the electronic communications market

In October 2013, BIPT published the results of its annual survey of the situation of the Belgian electronic communications market from the users’ viewpoint. After a first survey in 2012 this second one offered the opportunity to see the constants and the developments. 45% of the consumers in 2013 said they have chosen an operator mainly for economic reasons: price or interest in a bundled offer; that number was higher than in 2012. Only 41% of the consumers claimed to have compared the offers of the operators when they last changed service providers. The results logically vary according to age group.

Generally speaking consumers claim to be rather satisfied with the services offered, but less so with the rates. As was the case in 2012 a majority of consumers did not think they had the cheapest offer on the market and still found it difficult to compare prices and services despite the BIPT tariff simulator ([www.besttariff.be](http://www.besttariff.be)), which gained more recognition and visibility thanks to the “Dare to compare” campaign organised by the FPS Economy.

<sup>5</sup> Act of 13 June 2005 on electronic communications



Finally, the study showed that the consumers still did not know very well what information their operators have to provide, and were not aware of how it should be communicated.

### c) Better information to users

#### (i) Price study of electronic communications products

The comparative price study of telecom products in Belgium and the neighbouring countries showed that Belgium is situated in the middle group. Bundled offers of telecoms products with medium use are relatively cheap, whereas offers with intensive use remain expensive. The price of mobile communications fell sharply at the end of 2012. Isolated offers for fixed telephony and Internet are relatively cheap or averagely priced. However, both are declining in importance on the Belgian market following the growing success of bundled offers. One of the main lessons was that Belgian consumers seem loath to switch to another tariff plan because they find it difficult to compare prices and services of various operators.

#### (ii) Infringement procedures relating to the information provided by operators to consumers

After having checked the bills sent to residential customers for **postpaid** fixed and mobile telephony services by the telecom operators in the past years, BIPT imposed a fine on Telenet, Mobistar and Scarlet for lack of information on the bills of their subscribers. Telenet and Mobistar had failed to mention, at least once a year, on the subscriber's bill which tariff plan was most favourable to him, without the subscriber having to take any other steps. Scarlet was fined for failing to mention the final date of fixed-term contracts, thus complicating the subscriber's task who is considering switching to another operator.

#### (iii) Obligations to provide information to persons with a handicap

BIPT detailed in a decision<sup>6</sup> what information the operators have to provide to persons with a handicap at least on their Internet pages and in the free leaflet each interested person can request from the operators or which is distributed through their points of sale. In particular BIPT requires the operators to provide the following information in a simple and accessible way:

- all the requirements persons with a handicap have to meet to be eligible for the specific services and/or products that are meant for them;
- the existing regulation concerning access to the emergency services and numbers;
- a clear description of the equipment meant specifically for persons with a handicap (making it easier for them to communicate);
- the specific rates for persons with a handicap: the services to which the social tariff applies and any other tariff reductions aimed specifically at persons with a handicap;
- the other specific measures for the benefit of persons with a handicap, for instance accessibility of helpdesks and directory enquiry services, extra help for the installation of equipment, special billing options, any extra charges caused by such services or special equipment.

#### (iv) Warning against non conforming equipment

The Monitoring Pool of BIPT has found that non conforming wireless phones were often the source of interference. In numerous cases illegal cordless DECT phones imported from non-European countries such as the United States and Canada, carry the indication DECT 6.0 ("**Digital Enhanced Cordless Telecommunications**"). Those devices operate on frequencies that are not authorised in Europe and using them interferes with the smooth operation of GSM/UMTS masts located in the vicinity. In its press release BIPT has reminded consumers that in Belgium those wireless devices have to carry a CE marking and use the frequencies assigned for that purpose.

## 2. Stimulate competition and create a level playing field on the electronic communications market

### NGN/NGA cost models

The NGN/NGA cost model aims at determining the operating costs of one central network and new generation fixed access to calculate the unit costs of Belgacom different regulated wholesale offers<sup>7</sup>, on which cost orientation was imposed.

A consultant designated by BIPT developed a costing model that encompasses a number of separate calculation modules. Based on that model BIPT can determine the tariffs for the following services:

- call set-up;
- fixed call termination (**Fixed Termination Rates (FTR)**);
- monthly fees (**rental fees**) for unbundling and broadband access at wholesale level;
- ethernet transport;
- sharing Belgacom's IPTV platform;
- **One-Time Fees**: costs of activation, SNA (**Small Network Adaptations**), ISLA (**Improved Service Level Agreement**), multicast (access to the IPTV platform);
- terminating segments of **Next Generation Leased Lines (NGLL)**.

The model is destined to be the basis of the tariff elements of a very wide range of market analyses and future BIPT decisions.

For example, using the results of that cost model BIPT launched in 2013 a consultation concerning the tariffing of the Ethernet transport services for sharing Belgacom's IPTV platform.

### Market analyses in 2013 (fixed telephony access; leased lines)

#### Access to the telephone network at a fixed location

The BIPT decision published at the end of January 2013 no longer makes a differentiation between residential/business markets but maintains a separate market for high capacity accesses (multiple access) that previously existed in

the **business** market. Belgacom is identified as an SMP operator on both market segments; as a result the operator has to fulfil certain obligations, of which the most important are carrier selection/pre-selection, routing at the level of transit exchanges for secured numbers and the control of certain retail sales practices. On the other hand the obligation regarding wholesale line rental was lifted.

### Leased lines

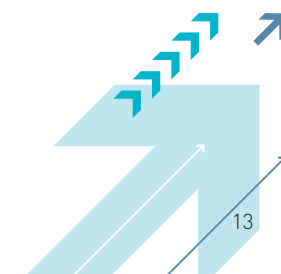
BIPT adopted a market analysis decision aimed at regulating the leased lines markets. On the one hand the leased lines retail market is completely deregulated. Indeed, BIPT arrived at the conclusion that this market no longer meets the conditions set to allow ex ante regulation to be considered, taking account of the regulation of the upstream wholesale market. As a consequence the obligations previously imposed on Belgacom on the retail market of leased lines up to and including 2 Mbps were lifted. On the other hand, the regulation of the wholesale market of terminating segments of leased lines is maintained and adapted to the current market developments, in particular the development of the new generation leased lines that are based on the Ethernet protocol. In addition, a kind of geographical differentiation was applied: in the areas where competition between alternative infrastructures is sufficient the Belgacom retail lines located there are not taken into account when performing price squeeze tests.

BIPT also started to prepare the implementing decisions (qualitative and quantitative offers) that should be submitted for consultation in 2014.

### Improvement of operational processes

The success of an efficient operational framework for BIPT still depends on the common action of all the operators. That is why BIPT set up in May 2011 a platform for dialogue and exchange of information between the alternative operators and Belgacom, focusing on the operational aspects of the incumbent's reference offers BRUO, BROBA and WBA VDSL2.

<sup>7</sup> BRIO, BRUO, BROBA and WBA/VDSL2



2013 was the occasion for BIPT to launch a consultation with two objectives:

- on the one hand, to evaluate the situation of the operational problems<sup>8</sup> that have been raised since the operational audit carried out in 2009 and thus to allow to wind up the problems recognised as resolved by all the operators, and to identify the priorities for 2014;
- on the other hand, BIPT took the advantage of this consultation to obtain the advice of all the operators about the course taken by BIPT since 2009 concerning the operational problems, as well as about the creation and functioning of the work group dedicated to those problems.

This consultation showed that 63% of the operational problems listed since 2009 were wound up through this process of permanent dialogue under the care of the regulator. The operators' comments also enabled BIPT to elaborate a new plan of action to restart the sessions of the working group in 2014.

#### **Review of the reference offers BRUO, BROBA and WBA VDSL2 (BRxx 2012)**

The Belgacom reference offers describe all access options and associated services, the terms of service provision, the rights and obligations of the provider and the beneficiary, all the processes and tools available, as well as the fees for line rental and the services Belgacom has to offer on the electronic communications wholesale markets. The Belgacom reference offers regarding the wholesale access markets cover the following products:

- BRUO (offer for local loop unbundling);
- BROBA (offer for ADSL/SDSL **bitstream** access);
- WBA VDSL2 (offer for VDSL2 **bitstream** access).

On 4 December 2012, BIPT published a draft decision regarding the review of the reference offers BRUO, BROBA and WBA VDSL2 (BRxx 2012). After an in-depth national consultation and an institutional consultation (Community regulators, European Commission) BIPT adopted on 10 December 2013 the final version of that decision. It focuses on the following aspects:

- improvement of the transparency of the offers as to the operational processes, service level agreements (SLAs) and tariffing;
- clarification of the rules and methodologies regarding the calculation of the compensations;

- the review and/or introduction of service level agreements;
- improvement of specific operational processes.

#### **Review of the broadband Internet and broadcasting markets**

##### **Review of these markets**

BIPT started an analysis to review the competition situation on these two markets, which were previously the object of the CRC decisions of 1 July 2011. This review has to take utmost account of the new European Commission recommendation on the relevant markets that may be subject to ex ante regulation, which is expected to be adopted in 2014. In December 2013 BIPT addressed a detailed questionnaire to the sector.

Moreover four studies were ordered in order to get a view of the evolution of the broadband Internet and broadcasting markets:

1. penetration of mobile broadband Internet: search for the cause of the weak penetration of mobile broadband Internet and recommendations to remedy this;
2. enquiry among consumers: survey into the use of broadband Internet and broadcasting;
3. **"Single TV decoder"**: study evaluating the possibility of developing a common decoder for DSL operators and cable operators for television services;
4. economic analyses: an evaluation of the degree of ease/difficulty for an alternative operator to switch from one wholesale offer to another, an evaluation of the degree of indirect pressure exercised by the cable operators on the wholesale tariffs of Belgacom, an evaluation of the presence of a possible chain substitution between the coverage areas of the various cable operators and an evaluation of the importance of the **"Over the Top"** players within the context of providing television services.

##### **Draft decision on the impact of FttH roll-out**

In the CRC decision of 1 July 2011 on the analysis of the broadband access markets, **Fibre to the Home** (FttH) had not been included in the relevant product market. However, at the time it was announced that the roll-out of optical fibre networks would be closely followed. In the meantime Belgacom has announced its intention to install optical fibre starting from the second half of 2014 in new allotments not equipped with a copper local loop. BIPT analysed the need for an addendum to the market analysis in order to take account of these roll-out plans

and submitted for consultation a draft decision on an addendum to the decision analysing the broadband access markets. That document pursues a double goal: on the one hand to make sure that the introduction of that new technology will not lead to any market distortion, which may damage the Belgian telecoms market and on the other, to provide sufficient clarity to Belgacom about the regulator's intentions in order to avoid any regulatory uncertainty when taking investment decisions. Following that public consultation however, the file was postponed considering Belgacom's decision to defer the project; it will be treated during the review of the market analyses.

### Draft decision on vectoring

After the initial introduction of VDSL2 in 2008 Belgacom used other developments by extending the VDSL2 frequency band to 17 MHz. The introduction of **vectoring** is another way to continue to enlarge the VDSL2 bandwidth. This technology neutralises within a copper pair harmful interference from neighbouring copper pairs by injecting an "anti-noise" which reduces the noise level in that copper pair thus making a higher bit rate possible.

In its draft decision of 23 October BIPT said it approved the addendum proposed by Belgacom to the reference offers BROBA and WBA/VDSL2. Furthermore Belgacom was forced to offer an extra **vectoring** profile offering a higher **upstream** speed.

### Approval of the cable operators' reference offers

The Conference of regulators in the electronic communications sector (CRC) adopted on 3 September 2013 the decisions regarding the qualitative aspects of the reference offers of Brutélé, Coditel (Numericable), Tecteo and Telenet. These operators, identified as having significant market power in a series of decisions<sup>9</sup> taken by the CRC on 1 July 2011 on the analysis of the television broadcast market, had to open up their networks to alternative operators and make to that end a reference offer, which is a catalogue holding relevant information about the technical elements (qualitative aspects), and the respective rights and obligations of both parties. The CRC asked the cable operators to adapt their reference offers in order to achieve the following objectives:

- to make sure that alternative operators can choose a conditional access system (CAS) themselves;
- to allow alternative operators to have two proper Internet profiles and to select in addition, extra Internet profiles from a pool of five common profiles;
- to allow alternative operators to offer video on demand (VoD) over the public Internet;
- to offer quality **Service Level Agreements** (SLA) to alternative operators.

On 11 December, the CRC also adopted the decisions that set the tariffs Brutélé, Coditel (Numericable), Tecteo and Telenet were allowed to apply to alternative operators wishing to offer television services and broadband services through the cable. The day after the publication of that decision Mobistar confirmed<sup>10</sup> its firm intention to offer as soon as possible services on the cable networks.

### Access obligation concerning the multicast functionality

In its decision of 4 October 2012, BIPT confirmed the **qualitative** aspects of Belgacom's multicast reference offer but for some adaptations, which were approved on 6 February 2013.

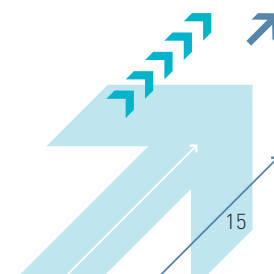
Early July 2013 a consultation was held about the **quantitative** aspects of that reference offer (tariffs). Its purpose was to propose cost-oriented tariffs for the various elements needed for the provision of the **Wholesale Multicast** service. Those elements are the following:

- access to Belgacom's IPTV platform;
- **One-Time Fees** regarding the IPTV offer;
- the Ethernet transport within Belgacom's core network.

Contrary to the tariffs for access to the IPTV platform and the one-time fees regarding the IPTV offer, the matter of the tariffs for the Ethernet transport had been treated by BIPT in its decision of 6 August 2010 on the BROBA and WBA Ethernet transport costs and on the BROBA migration costs. Therefore, the draft decision submitted for consultation early July 2013 aims to amend the tariffs set in that decision.

<sup>9</sup> Four decisions concerning the retail broadcasting markets (a market for each cable area), concluding that each cable operator has dominance in his coverage area.

<sup>10</sup> [http://corporate.mobistar.be/go/en/media\\_center/news/news\\_details.cfm?news\\_id=603](http://corporate.mobistar.be/go/en/media_center/news/news_details.cfm?news_id=603)



### 3. Scarce resources management (spectrum and numbering)

#### Radio spectrum management

##### Penalty of the fourth 3G operator who remained commercially inactive

In 2011 cable operators Telenet and VOO had joined forces and created the SA Telenet Tecteo BidCo ("BidCo"), a company that went on to acquire a 3G licence. Therefore, apart from Belgacom, Mobistar and BASE Company a fourth mobile operator was due to stimulate network competition. By law BidCo was under the obligation to offer a commercial service respectively from 15 January 2013 and to cover 30%, 40% and 50% of the Belgian population starting from 15 July 2014, 15 July 2015 and 15 July 2016. On 14 December 2012 BidCo asked for the deadline for those two obligations to be postponed invoking force majeure, which BIPT refused to accept in its decision of 5 April 2013. As BidCo still failed to offer a commercial service BIPT started infringement proceedings against the operator. On 28 June 2013 BIPT adopted a decision condemning BidCo to pay a € 5,000 fine (the maximum amount BIPT is allowed to impose on an offender who has not [yet] recorded a turnover). In the same decision BidCo was also allowed a six-month period to put a stop to the infringement. BidCo also started proceedings against that decision.

On 31 January 2013 BIPT published an opinion containing proposals to improve the regulatory framework. Indeed, according to the note of 21 December 2010 addressed by the minister responsible for telecommunications to the Consultative Committee on the occasion of the presentation of the 4G Royal Decree and the amendment of the 2G and 3G Royal Decrees, BIPT has to check each year whether the conditions linked to the 3G licences are sufficient for a new operator to be able to start the necessary roll-out of his network as well as develop a competitive business model. In that context the BIPT opinion put forward three proposals: make national 3G roaming<sup>11</sup> possible, allow the 3G coverage obligations to be achieved by way of a combination<sup>12</sup> of coverages on 900 MHz and/or 1,800 MHz and or 2 GHz, and postpone<sup>13</sup> the imposed coverage obligations for a year.

#### Spectrum allocation in the 900 MHz band

On 18 June 2013, BIPT adopted a decision<sup>14</sup> by which the 914.1-914.9/959.1-959.9 MHz frequency block was no longer assigned to KPN GB. BIPT also started to reflect on rearranging the 900 MHz band; during those reflections BidCo sent a letter on 12 December 2013 saying that it would not be using the frequencies in the 900 and 1,800 MHz bands.

#### Consultation about antenna site sharing

A draft Royal Decree to implement the provisions of Section I of Chapter III of Title II of the Act of 13 June 2005 on electronic communications. The goal is on the one hand to encourage as much as possible the use of the possibility to share sites and antenna supports and on the other to ensure a smooth functioning of the data base<sup>15</sup> of antenna sites maintained by BIPT.

#### Estimating the economic value of the 790-862 MHz band

The minister responsible for telecommunications asked BIPT to have an additional study carried out about the estimation of the value of the 800 MHz band for each of the 2 following instances: the use of terrestrial digital television (DVB-T) and the use by mobile broadband services. Until recently, estimations were made only on the basis of extrapolations of the situation in other European countries and using parameters (e.g. duration of the authorisations), which have changed in the meantime. The additional study led to the report "**Economic benefits from use of the band 790-862 MHz for DTT and broadband mobile**" of 27 February 2013, published by BIPT on its website on 28 March 2013.

#### Auction of the 800 MHz band for mobile Internet (4G)

On 1 July 2013 BIPT launched the [www.auction2013.be](http://www.auction2013.be) website, where all the useful information about the auction of the 800 MHz band is gathered. The digital dividend auctioned off by BIPT included a total of three frequency lots, each of which consists of 2 x 10 MHz of spectrum allocated for 20 years. Each candidate had the chance of acquiring one lot maximum. The minimum price was € 120 million euro per lot. The auction was a **Simultaneous Multiple-Round**

<sup>11</sup> The obligation to offer national roaming to market entrants is intended to limit the structural disadvantages for new entrants compared to existing operators, given that entrants do not have their own networks for mobile radio communications.

<sup>12</sup> BIPT feels that, as to the deadlines imposed, the difficulty to obtain the necessary environmental and town and country planning authorisations justifies this combined coverage.

<sup>13</sup> It increases the chance for the new operator to settle on the market.

<sup>14</sup> Decision of the BIPT Council of 18 June 2013 on the spectrum allocated to KPN GB in the 900 MHz band.

<sup>15</sup> Although in practice the Royal Decree formalising the functioning of the data base has never been adopted, the data base is operational.

**Auction** (SMRA), as was the case during the previous frequency allocations for mobile services in Belgium.

After the information session on 10 September 2013 regarding the organisation of the auction, three applications were submitted before the deadline of 23 September. Next, the admissibility of the three candidates (BASE Company SA, Belgacom SA, Mobistar SA) was checked. The auction itself took place on 12 November. Only two rounds were needed:

Tenderer	Frequencies	Bid made in EUR
BASE Company	791-801/832-842 MHz (2 X 10 MHz)	120,000,000
Belgacom	801-811/842-852 MHz (2 X 10 MHz)	120,000,000
Mobistar	811-821/852-862 MHz (2 X 10 MHz)	120,000,000

#### Authorisation of a transmitting installation in the NORTHWIND wind farm

In accordance with Article 22 of the Act of 13 June 2005 on electronic communications, the BIPT Council decided to authorise the use of GSM 1800 MHz, UMTS 900 MHz and UMTS 2100 MHz frequencies on the Lodewijkbank for BASE Company.

## Numbering

### Finalisation and publication of the Royal Decree<sup>16</sup> on number portability

It has been more than ten years since number portability was introduced in our country. For that purpose the Royal Decrees of 16 March 2000 (fixed telecommunications) and 23 September 2002 (mobile telecommunications) had been promulgated. In Article 30.4 of the Universal Service Directive 2002/22/EC, introduced by Article 1, 21) of Directive 2009/136/EC, new requirements were added as to the duration of the porting process and end-user protection. The Royal Decree of 2 July 2013 was drawn after having consulted the market; it pursues four objectives:

1. adapting the Belgian legislation to the new European regulatory framework;
2. simplifying the existing regulation;
3. harmonising the rules adopted for mobile and geographical numbers and non-geographical (non-mobile) numbers;

4. lowering the requirements for operators to connect to the central reference data base system for number portability.

### Drawing up a draft Royal Decree amending the existing “Numbering” Decree

BIPT drew up a draft amending the Royal Decree of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights. The objectives are the following:

1. removing a number of imperfections regarding premium rate numbers and deleting a number of articles made obsolete by the latest amendment in 2012 to the Act of 17 January 2003;
2. introducing an annual fee for the M2M number series created by BIPT, which does not endanger the roll-out of such services.

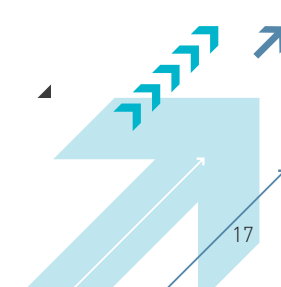
After public consultation it became clear that several clarifications also needed to be made in the Royal Decree of 9 February 2011 laying down the Code of Ethics. BIPT submitted a text of the adapted draft to the minister with a view to its publication in the Moniteur belge.

### Mapping out a long-term numbering strategy

Taking account of the market developments and the discussions at the international level BIPT started its long-term reflections about numbering. It will continue these in the context of its new strategic plan.



<sup>16</sup> Royal Decree of 2 July 2013 on the number portability for electronic communications services subscribers.



## 4. Network integrity and security and relations with the authorities responsible for security

### Survey about mobile network security

BIPT exposed the results of this survey in its communication of 30 April 2013 on the potential risks of security violation in mobile telephone networks and services within the framework of the 2G and 2.5G technologies. The providers of 2G and 2.5G mobile telephone services, i.e. Belgacom, Mobistar and BASE Company communicated no tangible elements or suspicions of a security breach of their mobile networks. Since the previous enquiry the operators have adopted and planned new measures to strengthen the security of their mobile networks.

### Hacking at the Belgacom group

On 16 September 2013 Belgacom SA made known through a press release that it had remedied certain IT anomalies and filed a complaint with the federal prosecutor's office for fraudulent access to its internal IT systems. The federal prosecutor's office reported it had started an investigation with the help of the FCCU (**Federal Computer Crime Unit**) and Belgacom's cooperation. On 30 July 2013, BIPT had been notified of this investigation and had immediately started an inquiry at Belgacom and its subsidiaries with the double objective of contributing to the solution of the issue and ensuring that all measures were taken to protect the (end-)users and interconnected operators.

### Notification of security incidents

Article 114/1, § 2, of the ECA holds various provisions obliging companies providing public electronic communications networks or publicly available electronic communications services to immediately notify BIPT of a breach of security or loss of integrity that has had a significant impact on the operation of networks or services. Thanks to those notifications BIPT is aware of the problems faced by the market players and can give feedback to the sector and notify ENISA<sup>17</sup> and the European Commission of incidents on an annual basis.

In a second stage those notifications will also give BIPT the opportunity to take stock of the minimum set of security measures the sector players will have to adopt.

A draft decision<sup>18</sup> was drawn up and sent to Minister Vande Lanotte to obtain the authorisation to determine in which hypothetical situations the breach of security or loss of integrity has a significant impact.

### Legal interception

Since several years the costs of Justice constitute a concern for the authorities when considering the efficiency of the functioning of the Justice Department. The rates of the legal costs relating to electronic communications are set in the Annex to the Royal Decree of 9 January 2003 laying down the terms and conditions of the legal collaboration obligation in case of judicial requests regarding electronic communications. In order to verify whether those rates are justified, BIPT decided to elaborate a cost model.

The novelty and originality of this study led BIPT to involve several stakeholders in the various steps (mainly the formulation of the specifications for that cost model) and to take stock of the operators' situation before elaborating that cost model. BIPT undertook this task assisted by a consultant and in consultation with the sector. A version of the model was submitted to the Private Office of Minister Vande Lanotte at the end of June 2013 in order to draw conclusions with a view to adapting the regulatory framework, if necessary.

### IP v6

The code of conduct, which aimed at limiting the impact of the collective use of IPv4 addresses by the users of the operators, to face the shortage of those addresses, contributed to accelerating the migration towards IPv6 addresses, which makes Belgium one of the pioneers in this matter.

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<sup>17</sup> European Network and Information Security Agency.

<sup>18</sup> Draft decision of the BIPT Council of 3 May 2013 laying down the circumstances in which the operators have to notify BIPT of a security incident and the terms and conditions of this notification.

## 5. Postal regulation

### Establishing the observatory of the postal activities market in Belgium

As for the Belgian postal sector (as in nine other European countries<sup>19</sup>) the year 2011 was marked by the abrogation of the service reserved<sup>20</sup> to the universal postal service provider, bpost, in the segment of items of correspondence up to 50 g. In that context BIPT found it absolutely necessary to create an observatory of postal activities which constitutes an instrument to monitor the market developments. Indeed monitoring produces pieces of information that can facilitate the understanding of how competition is evolving. In a global context of decreasing volumes and diminishing postal revenues, this observatory also makes it possible to highlight the Belgian postal sector's resilience. These indicators aim to represent the market structure; they make it possible to understand the market on the supply side, the evolution of the activities of the universal service provider and his competitors, as well as the results of the sector's activity in terms of quality of service and innovation for the users of these services. In January 2013, BIPT published the first postal observatory providing data relating to 2010 and 2011 and thus making it possible to analyse for the first time the effects of fully opening up the postal market to competition.

### Granting of the first postal licence since the market liberalisation

The BIPT Council decided on 21 May 2013 to grant to Mosaïc SPRL, usually called "TBC-POST" an individual licence for a ten-year term. TBC POST had applied for and obtained a licence for the collection, sorting, transport and delivery of domestic and incoming cross-border items of correspondence that are part of the universal service, including for registered items.

Another five postal operators hold an individual licence, which was granted before the legislative reform in 2010. However, they do not provide services in the segment of delivery of domestic and incoming cross-border items of correspondence within the scope of the universal service.

### BIPT opinion about the satisfaction surveys held by bpost among its customers in 2011 and 2012

Initially BIPT could only conclude that the 2011 improvement programme had not had the effect hoped for since general satisfaction decreased in 2011 from 80.5% to 77%, for the third consecutive time. By contrast, the 2012 improvement plan seems to have produced encouraging effects on customer satisfaction. The satisfaction is considerably better in comparison to 2011, improving from 77 to 82.5%. BIPT therefore encouraged bpost to pursue its efforts for improving satisfaction indices related especially to the ease to receive registered items, to the waiting times in post offices or to the service for lost or damaged items.

### Communication about the 2012 monitoring of postal service providers by BIPT

The Act of 21 March 1991 on the reform of some economic public companies tasks BIPT with the publication of a yearly report of the actions it has undertaken in order to verify that postal service providers abide by their obligations. As shown by the thorough analysis of the files, companies that do not abide by the postal regulation mainly fail to do so with regard to measures relating to complaint handling. The violations observed are often due to a lack of understanding of the postal regulation.

### Consultation about granting a concession for the delivery of acknowledged newspapers and periodicals<sup>21</sup>

In December 2013, BIPT started a consultation among postal market players regarding the conditions under which a public service concession could be granted to ensure delivery of the acknowledged newspapers and periodicals. As a matter of fact by its decision of 2 May 2013 the European Commission obliged<sup>22</sup> the Belgian State to award the service of general economic interest (SGEI) concerning the distribution of newspapers and periodicals through a public service concession from 1 January 2016 onwards, in line with EU state aid rules on services of general economic interest.

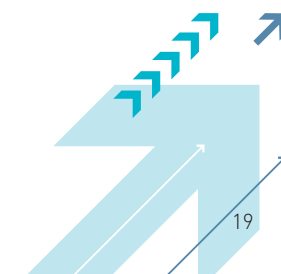
As a consequence the market players (postal operators, newspaper and periodical editors, consumer associations, etc.) had the opportunity to express their

<sup>19</sup> Austria, Bulgaria, Denmark, Spain, France, Ireland, Italy, Portugal, Slovenia.

<sup>20</sup> The end of this monopoly means that any operator who meets the legal requirements is allowed to provide the whole of the universal postal service in addition to the non-universal postal services.

<sup>21</sup> Newspapers and periodicals that are acknowledged as meeting the criteria of Article 21 of the Royal Decree of 27 April 2007 on the regulation of the postal service.

<sup>22</sup> OJEC C 279/2013 of 27/09/2013.



opinions about the principles that should guide the award of that concession. The Government gave BIPT the task of organising the service concession procedure, on the understanding that the decisions about the start of the procedure, the selection of candidates and the award of the concession are still taken by the Government. According to the planning the concessionaire(s) should in principle be designated by 1 January 2015 at the latest, so that the actual delivery by the concessionaire(s) can take a start on 1 January 2016.

## 6. Legislative and regulatory projects

In the course of 2013 BIPT was working to improve numerous legislative and regulatory texts, relating to both electronic communications and postal matters.

### 6.1. Electronic communications

Many regulatory texts were adopted to implement the Act of 13 June 2005 on electronic communications and the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors.

An exhaustive list of those measures is given in annex C to this document.

#### The publications at the legislative level were:

- the Act of 29 May 2013 amending Article 30 of the Act of 13 June 2005 on electronic communications (**Moniteur belge (M.B.) 10 June 2013**)
- the Act of 30 July 2013 amending Articles 2, 126 and 145 of the Act of 13 June 2005 on electronic communications and Article 90decies of the Code of Criminal Procedure (**M.B. 23 August 2013**)
- the Act of 17 August 2013 establishing the framework for the deployment of Intelligent Transport Systems and amending the Act of 10 April 1990 regulating private and particular security - called "ITS framework Act" (**M.B. 19 September 2013**).

#### In addition two bills were prepared actively:

- **The bill pertaining to various provisions regarding electronic communications**  
On the one hand it amends the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors in order to ensure a more flexible and more transparent functioning of the regulator and the information procedures and to introduce a new way to settle disputes between operators.  
On the other, the Act of 13 June 2005 on electronic communications is adapted, especially with regard to network security, economic regulation, consumer protection, the Ethics Commission for Telecommunications and universal service.
- **The bill amending the Act of 6 July 2005 and the Act of 17 January 2003<sup>23</sup>**  
From now on the Brussels Court of Appeal is also competent for appeals lodged against decisions of the Chairman of the Ethics Commission or his replacement (Act of 6 July 2005) and for appeals against BIPT decisions following requests to settle disputes between operators jointly made by the latter (Act of 17 January 2003).

### 6.2. Postal regulation

Following the passing of the Act of 13 December 2010<sup>24</sup> BIPT participated actively in preparing a draft bill aiming to adapt the Act of 21 March 1991 on the reform of certain economic public companies. The purpose is to:

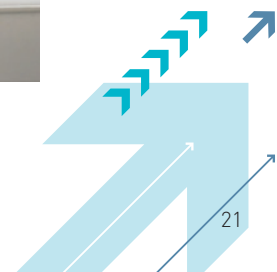
- review the authorisations granted – the target is to have a clear distinction between the provisions that apply (i) to all the providers of items of correspondence, (ii) to the universal service provider, or (iii) to the providers tasked with a public service mission;
- review the content and the publication of the consumer charter;
- prolong the term to approve any tariff increase in the small users basket;
- verify the universal service provider's accounting (for instance reviewing the various categories under the separated accounting, cost allocation, control...);
- designate the universal service provider.

<sup>23</sup> Act of 6 July 2005 on various legal provisions regarding electronic communications; Act of 17 January 2003 on legal remedies and the conciliation of differences with reference to the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors.

<sup>24</sup> Act amending the Act of 21 March 1991 on the reform of certain economic public companies, the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors and amending the Act of 9 July 2001 laying down certain rules regarding the legal framework for electronic signatures and certification services.

Next BIPT examined whether, apart from the implementing measures planned for which an authorisation was required by the Act of 13 December 2010, any other royal decrees needed to be adopted; it also evaluated which existing regulations needed to be amended based on the adapted legal framework and the new operational reality.

The draft bill described above pertaining to various provisions regarding postal services and the various drafts royal decrees were approved by the Council of Ministers on 19 July 2013. The texts then followed the usual course for treatment by the legislative assemblies.



## D. LOOKING BACK ON THE 2010-2013 PERIOD



In this section BIPT wants to highlight a few of the important achievements that took place within the framework set by the first strategic plan, which was constructed based on the eight axes above.

Under "efficient regulation" we classify the progress made such as opening up the cable and the renewed regulation regarding the broadband Internet markets. The solution of the operational difficulties with the wholesale services also falls within the scope of this axis.

The auction of the 3G and 4G spectrum are successes under the axis "scarce resources management". The reasoned distribution of those strategic assets for market players has to be accompanied by an efficient and effective use; BIPT monitors this.

The creation within the BIPT structure of a Consumer Department dedicated to promoting consumer interests was the first manifestation of the importance of that axis. Numerous actions were taken: introducing cooperation with the

FPS Economy, the Ethics Commission and the Ombudspersons, providing and constantly upkeeping a free tool to compare the tariffs of the various services and operators, monitoring the observance by the operators of their obligation to inform the public, providing clear information benefiting all users thanks to a website entirely rethought and transformed.

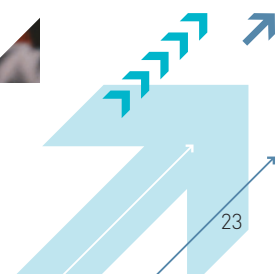
Beyond the individual interests of consumers BIPT strove to make significant progress in terms of public welfare. Indeed, postal services and electronic communications are fundamental elements of social cohesion. Modernising the universal service (its scope, its financing...) and the substantive work done by BIPT in the field of recognition of the social telephone tariffs are a few examples of its contribution. In addition, inquiries into the perception of and satisfaction about the services were launched and are held on a regular basis.

The “administrative efficiency” axis is evidently one of the axes the results of which are not immediately visible. This does not mean, however, that BIPT has not achieved significant progress as to the organisation of its processes, working methods and tools used. The effects of the progress made may be vague, but they are real. On a purely internal level the introduction of an electronic document management system has simplified document sharing and saving. On the external level the example of the electronic platform “eBPT” can be given, which enables alternative operators and Belgacom to dialogue and exchange information.

The “targeted monitoring” axis relates to the need to monitor the markets and players present on those markets. Thanks to this vigilance the sectors remain sound and the activities of the players have a better chance of surviving. That is the justification for the targeted monitoring of equipment, at the location of the operators, of the invoices they send or of the users of the radio spectrum.

The “culture” axis is another axis the results of which are not immediately perceptible to the market or the general public. Again those results are real: even if, for instance, the activities of the Training Department are intangible outside BIPT, they contain the seeds of improvement that characterise the work of all its co-workers.

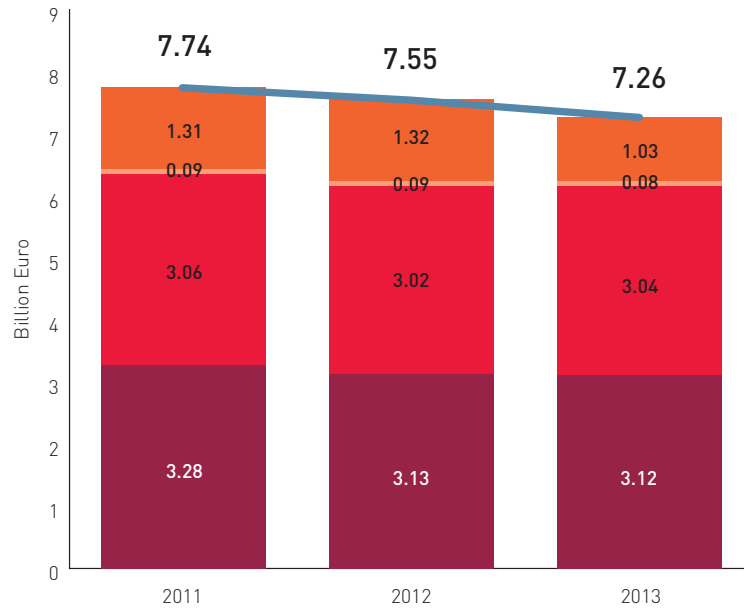
Finally, the “dialogue and communication” axis is about the actions taken by BIPT for the benefit of exchange, discussion and debate. BIPT has proven to be welcoming and prepared to listen vis-à-vis the stakeholders, who in turn have shown respect and confidence. Markets where everybody is fully aware of their rights and responsibilities are more sound and more bound to develop harmoniously.



## E. KEY FIGURES

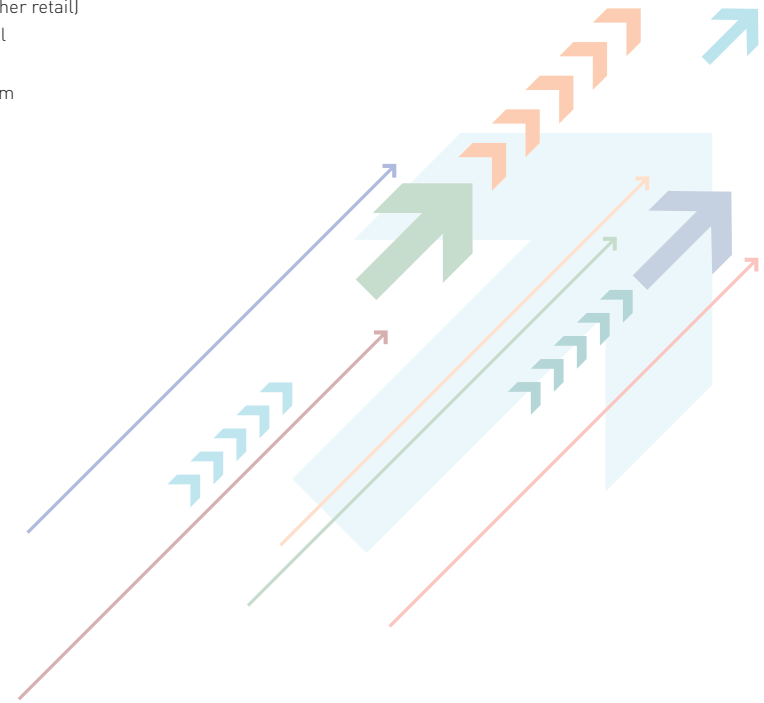
### 1. Key figures relating to the electronic communications sector

#### Turnover

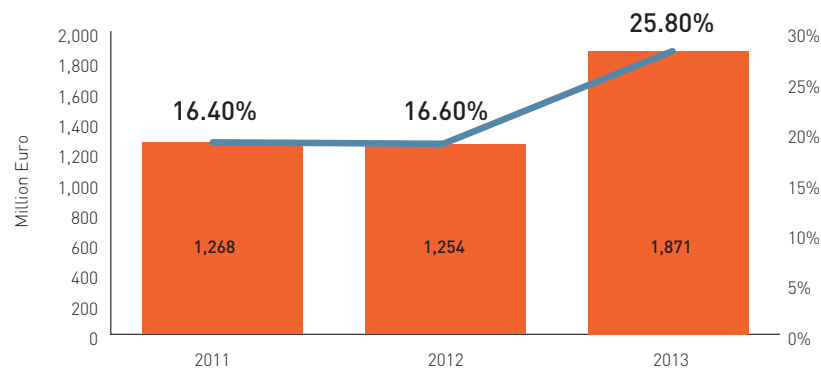


Total turnover of the telecom activities of the eleven main operators diminished in 2013 by 3.9% (-3.2% between 2011 and 2013).

- Wholesale telecom
- Telecom (other retail)
- Mobile retail
- Fixed retail
- Total telecom



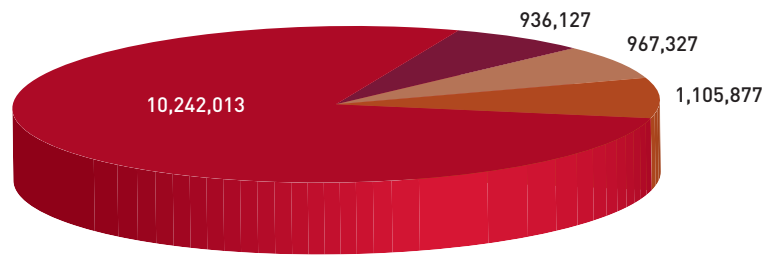
#### Investments



The level of investments shows a considerable growth (+ 49.2%) reaching € 1.87 billion.

- Total telecom investments (excluding purely TV investments, including licence fees)
- Investments as a % of the telecom turnover

## Mobile market

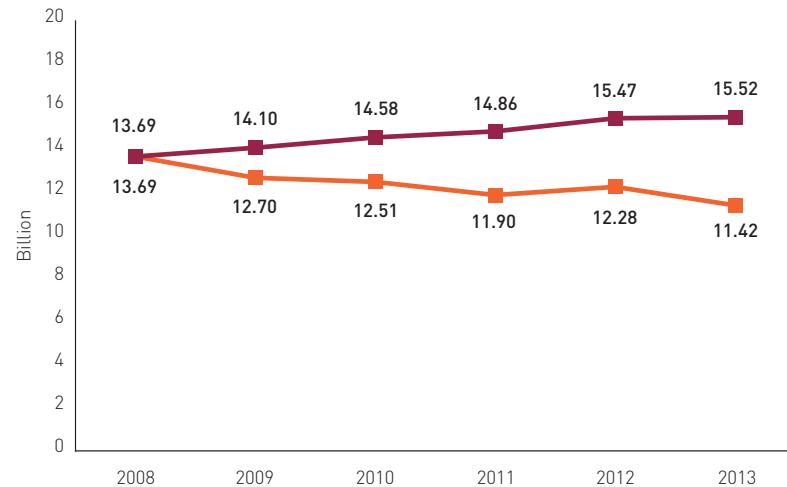


The **Full MVNOs**<sup>25</sup> and SIM cards of the **Machine to Machine (M2M)** type explain the growth of the number of active mobile SIM cards, which reaches 13.25 million.

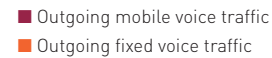
The active SIM cards of the mobile operators (MNOs) and those of the **Light MVNOs** decline (respectively by 1.9% and 18.2%).



## Voice telephony

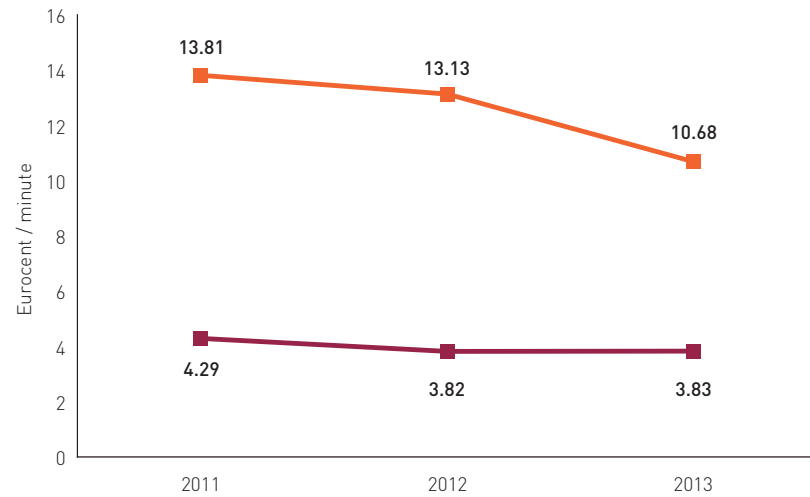


The increase of voice traffic from a mobile phone (+0.3%) combined with the decrease of fixed telephone traffic (-7.1%) widens the gap between the two types of voice traffic.



<sup>25</sup> The **Full MVNOs** have core network elements of a mobile architecture and their own number supplies (as a matter of fact, they also have their own SIM cards), which enables them to offer directly interconnection service to other operators of fixed or mobile public networks and even international roaming services. The **Light MVNOs** do not operate any network facilities. Their activity is limited to marketing the services of a mobile network operator.

## Revenues



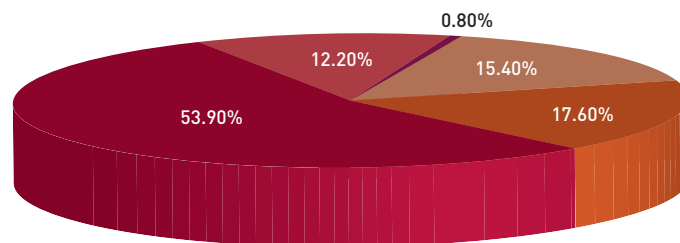
Retail revenue of fixed and mobile telephony are under pressure. In 2013, the sector made a € 1,436 million profit (a 22.5% decrease) in mobile telephony and a profit of € 439.9 million for fixed (a 7.1% decrease).

Whereas the average cost of a fixed voice call went slightly up, the average price of a mobile voice call decreased by 18.7% to 10.68 eurocent a minute.

- Average cost of a fixed voice call
- Average cost of a mobile voice call

## Broadband

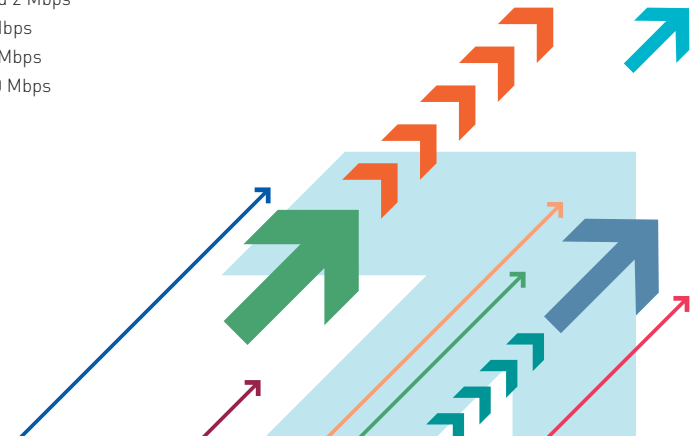
3.823 million fixed broadband lines

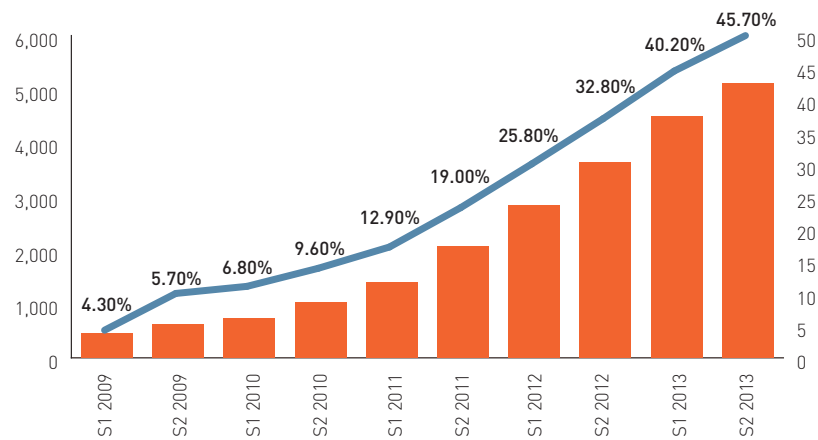


Nearly 136,000 extra fixed connections brought fixed broadband penetration to 34.3% at the end of 2013, so that Belgium moves up from the sixth to the fifth place in the EU27 ranking.

Of those fixed broadband lines 66% boast an advertised speed of more than 30 Mbps.

- between 144 kbps and 2 Mbps
- from 2 Mbps to 10 Mbps
- from 10 Mbps to 30 Mbps
- from 30 Mbps to 100 Mbps
- above 100 Mbps

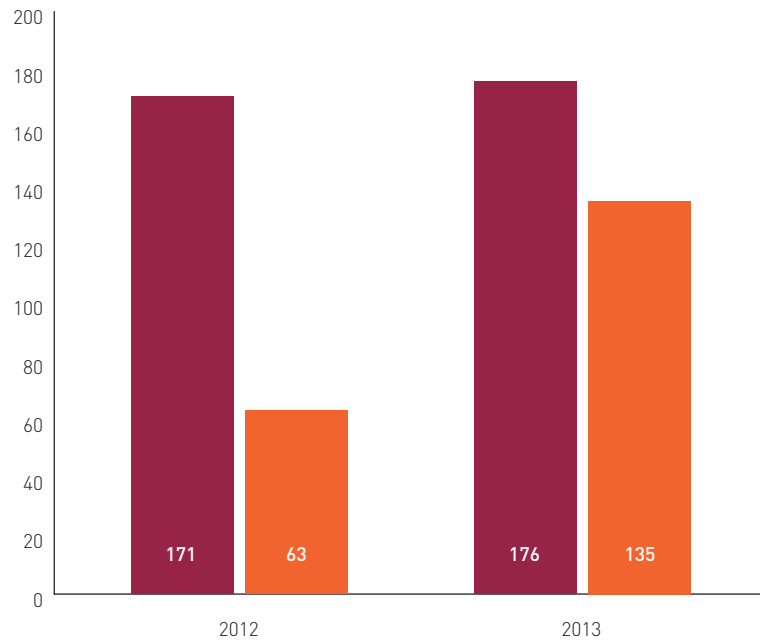




The total number of mobile broadband subscriptions crossed the threshold of 5 billion at the end of 2013, which means a penetration of 45.7%.

■ Mobile broadband subscriptions  
— Penetration

### SMS messages and mobile data



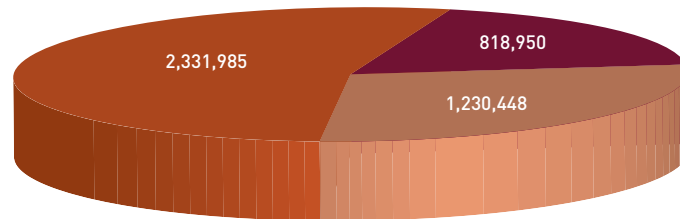
The monthly data volume consumed per active mobile SIM card with a Belgian mobile network operator (excluding MVNOs) went from 63 to 135 megabyte. This increase was stimulated by a decrease of the average price of a megabyte of data (4.3 eurocent as opposed to 10.4 eurocent in 2012).

The average number of text messages sent rises, going from 171 to 176 per month. The increasing use of mobile applications has not yet led to a decrease of the number of text messages.

■ SMS  
■ Mobile data (SMS excluded)



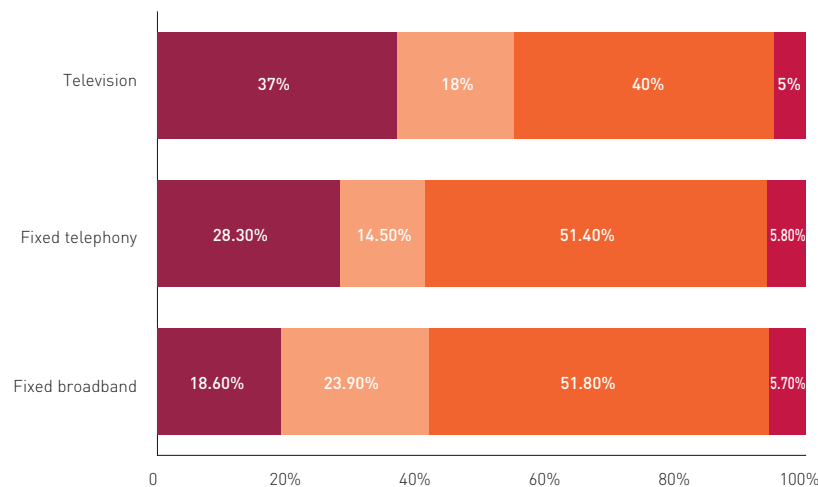
## Television



Digital television (IPTV, without analogue signal) goes from 1,185,316 to 1,230,448 connections. In the total number of connections the share of digital TV (excluding analogue TV) goes from 27% to 28%. Digital cable television, which offers the possibility to watch analogue television in addition to digital television, increases by 134,166 connections to 2,331,985. This corresponds with a 53% share of the total number of TV connections: +3 percentage points compared to 2012.

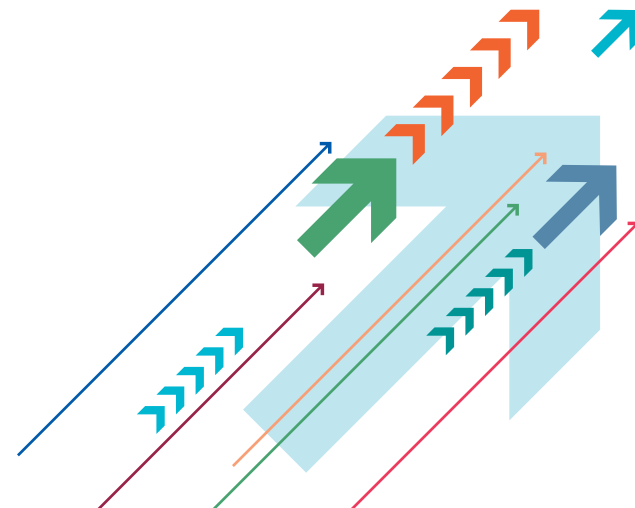
- Analogue
- Digital
- Analogue and digital

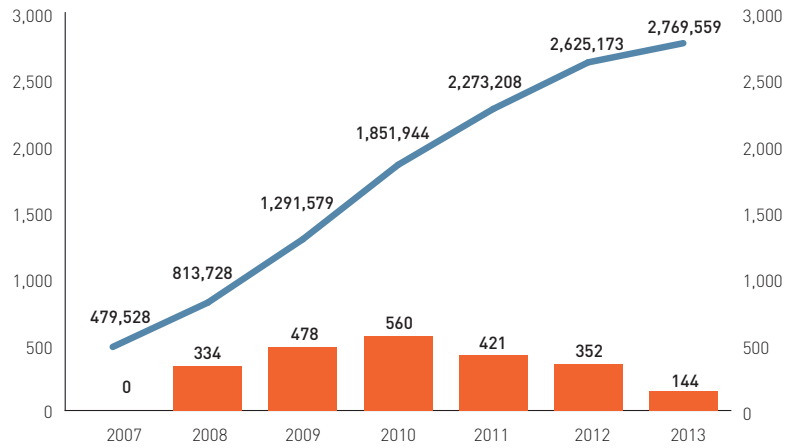
## Bundled offers



Buying individual services is decreasing because of the success of bundled offers in which two or more telecom products form a single commercial offer. Only 19% of residential broadband subscribers buy broadband as a separate service (against 22% in 2012). As for fixed telephony and television the decrease of subscriptions to individual services is also considerable : 28.3% of residential voice subscribers and 37% of TV subscribers still buy a separate product as opposed to respectively 32.5% and 41% in 2012.

- Single play
- Double play
- Triple play
- Quadruple play





144,386 additional residential bundled offers have been sold, representing a 5.5% increase. The spectacular growth of these past few years seems to have come to an end.

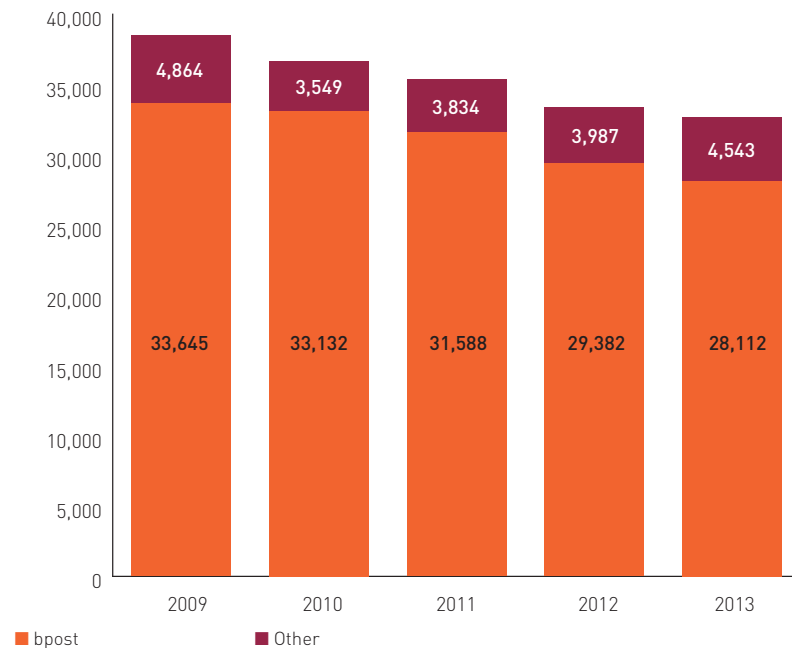
Net additions  
Total



## 2. Key figures relating to the postal sector

In 2013 there was a post office or Postal Point for every 8,311 inhabitants. One operator, bpost, is responsible for the postal universal service. A very large number of other companies identify themselves as "express mail" providers, mainly in the express mail delivery segment. The Belgian market is highly heterogeneous: 9 major companies represent more than 90% of turnover in the sector.

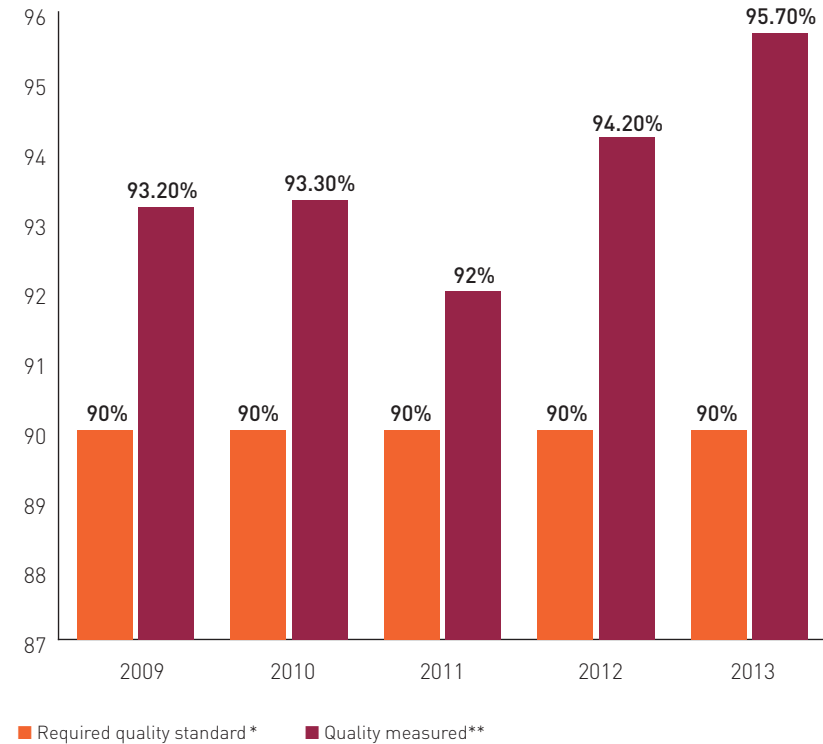
### Total number of people working in the domestic postal sector



The numbers presented differ from the previous report because the NSSO has changed its way of communicating the number of workers in the sector. As in previous years employment is rising at other postal operators while bpost reduces its workforce.

Source: workspace allocation by sector, status and NSSO branch of activity

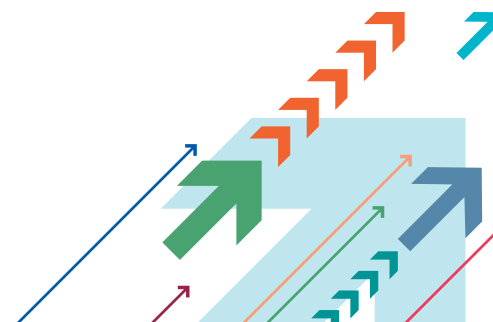
### Quality: percentage of Prior letters delivered at D+1



The 2013 figure is 95.7%.

\* This standard is specified in Article 34, 2°, of the Royal Decree of 11 January 2006 implementing Title IV of the Act of 21 March 1991.

\*\* Source: Belex-Spectos





## 2 - ACTIVITY REPORT



## A. REVIEW OF THE OPERATIONAL SERVICES ACTIVITIES

### 1. Management of the electromagnetic spectrum, licences and frequencies

The spectrum management and monitoring fall within the competence of BIPT which assigns and grants frequencies. The users of the electromagnetic spectrum are many and diverse.

#### Frequency management

BIPT is charged with managing the electromagnetic spectrum in Belgium. This task encompasses both the daily management of frequency assignments and coordinations and the long-term policy on frequency plans and readjustments. The main achievements of the Frequency management department within the Pool Assignment in 2013 are the following:

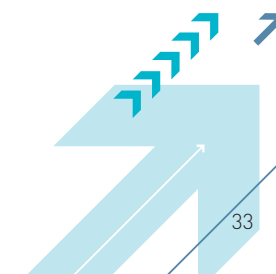
Frequency assignments for landmobile services are governed by the HCM Agreement (**Harmonised Calculation Method**, previously the Vienna/Berlin Agreement) and constitute one of the main activities of the Frequency Management department.

Number of files processed by the mobile services HCM Agreement/ Number of coordinations	2013
Coordinations from Belgium	41
Incoming coordinations from France	229
Incoming coordinations from the Netherlands	65
Incoming coordinations from Germany	32
Incoming coordinations from Luxembourg	0
Incoming coordinations from the United Kingdom	16

Although BIPT is not responsible for the frequency planning of broadcasting stations, its frequency management unit is responsible for the daily coordination applications and for the implementation of international agreements (Geneva 1975, Geneva 1984, Stockholm 1961, Wiesbaden 1995, Chester 1997, Maastricht 2002) as well as the LEGBAC agreement (compatibility between FM broadcasting and air navigation).

The unit is also responsible for coordinating frequencies for satellite links (earth stations, networks, etc.) and radio relay links as well as for the correspondence with the ITU Radiocommunications Office.

Types of files	Number
2006 Geneva Agreement (DVB-T: Digital Video Broadcasting-Terrestrial)	153
1984 Geneva Agreement (FM radio broadcasting)	982
1975 Geneva Agreement	0
2002 Maastricht Agreement/Constanza 2007 (T-DAB: Terrestrial Digital Audio Broadcasting)	0
2005 HCM Agreement (general), User rights	152
Earth stations (Art. 9), satellites (Art. 9), radio relay links	181
AOB (coordinations, interference, temporary frequencies, information requests, wind power projects, aeronautics, maritime navigation...)	767
Comixtelec (Joint commission on telecommunications)	122
ITU – Radiocommunications Office and Conferences	141
CEPT – ERO (European Radiocommunications Office) – ECC (Electronic Communications Committee)	0
Satellites organisations (Eutelsat, Intelsat, ESA (European Space Agency), etc.)	0
<b>Total</b>	<b>2,498</b>



### Licences for private radio communications networks and individual stations

The following table includes the total number of licences granted on 31 December 2013 in the different categories of individual stations or private radio communications networks, as listed in the Royal Decree of 18 December 2009 on private radio communications and user rights for fixed networks and trunk networks.

Number of licences for private radio communications networks and individual stations			
		Fixed	Temporary
1st category	Private mobile networks	3,956	1,913
2nd category	Fixed networks (radio relay links)	241	10
3rd category	Mobile radio communications networks established by public bodies and for medical and social aid	612	30
4th category	Jammers installed in prison facilities	1	0
5th category	Radio amateurs	5,703	0
6th category	Other radio communications networks (radars, demonstrations, tests...)	392	29
Satellites	Satellite networks	55	45

### Authorisation and recognition of operators

#### Trunk networks

ArcelorMittal Gent, BASF Antwerpen, Fluxys LNG and Total Antwerpen obtained a trunk network operator licence. The licence of Entropia Digital was also adapted.

#### Test authorisations

In order to promote the introduction of new technologies for mobile electronic communications, a temporary authorisation was granted to the company Mobistar SA to test the 4G technology in the city of Antwerp.

### Licensing of radio amateurs and maritime radio operators

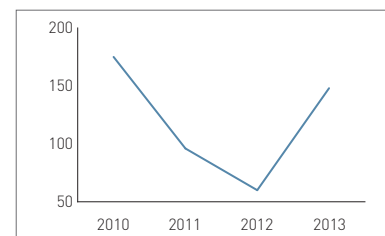
The satisfactory operation of radio communications also depends on the competence of operators. BIPT therefore organises examinations to obtain a radio amateur certificate or a maritime radio operator certificate. The examinations for operators of aeronautical stations come under the Federal Public Service Mobility and Transport.

These examinations are organised in the BIPT offices. Multiple choice questions are available on a computer system for radio amateurs, VHF device operators and GMDSS (**Global Maritime Distress and Safety System**) operators. Moreover, nine training centres authorised by BIPT give mandatory courses to take part in the GMDSS examination.

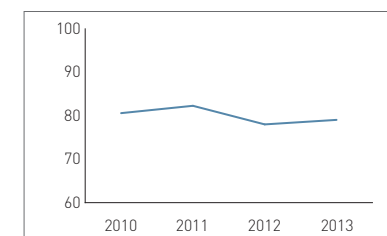
#### Radio amateur examinations

The number of registrations in 2013 to obtain a basic licence amounted to 148 and there were 79.05% of passes.

The basic licence, which has been introduced only recently, attracted many CB radio operators. Once the initial flood had passed the 2012 and 2013 figures reflected a "normal" demand.



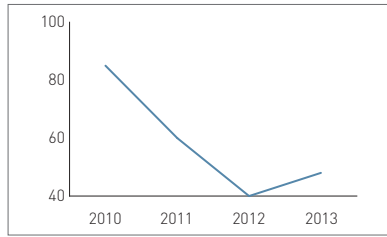
Candidates



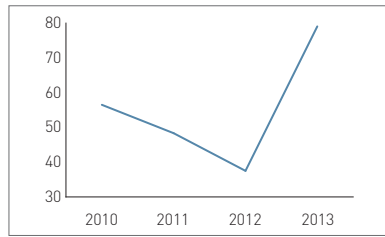
Passes

In 2013, 48 candidates took the HAREC exam or "**Harmonised Amateur Radio Examination Certificate**", with 62.50% of passes, which is remarkable.

Obtaining the HAREC licence requires an extensive knowledge. The licence, which is recognised all over Europe, enables its holder, after completing a few formalities, to pursue his hobby in the countries that have signed the agreement. The reason for the higher number of passes in 2013 may be a better preparation by the candidates; some of them took courses organised by the radio amateur associations.



Candidates



Passes

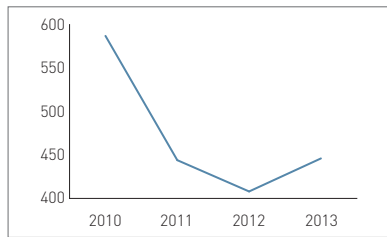
### Maritime radio communications

#### Examinations and certificates

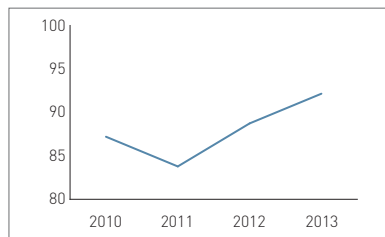
In 2013, 446 candidates took the SRC exam<sup>26</sup>, resulting in 92.15% of passes.

The considerable decline of the number of candidates in 2011-2012 may be explained by a gloomy economic context, knowing that the private use of a boat entails a non negligible financial burden.

The SRC exam is mainly taken for the purpose of pleasure sailing at sea, unlike the VHF exam, which is destined for navigation on inland waterways, and the ROC of GOC exams, which aim at professionals at sea.



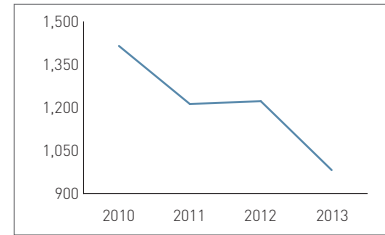
Candidates



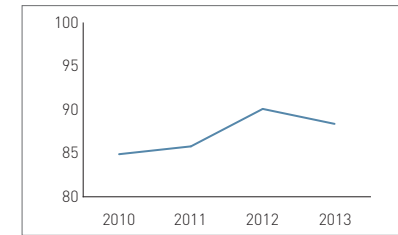
Passes

Exactly 982 candidates took the VHF exam; 868 candidates passed the test, i.e. 88.39%.

The number of candidates dropped with a certain delay compared to the diminished number of SRC candidates. The VHF exam concerns inland navigation and so mainly pleasure sailing.

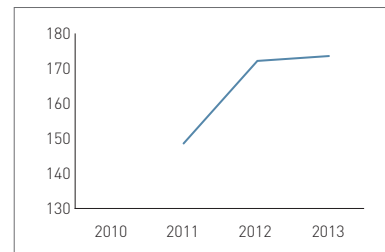


Candidates

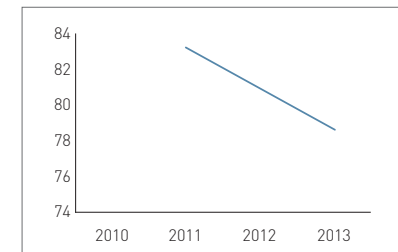


Passes

Concerning the GOC (**General Operator's Certificate**) and the ROC (**Restricted Operator's Certificate**) examinations, the number of candidates in 2013 respectively amounted to 78 candidates of which 40 passes and to 176 candidates with 137 passes.



ROC candidates

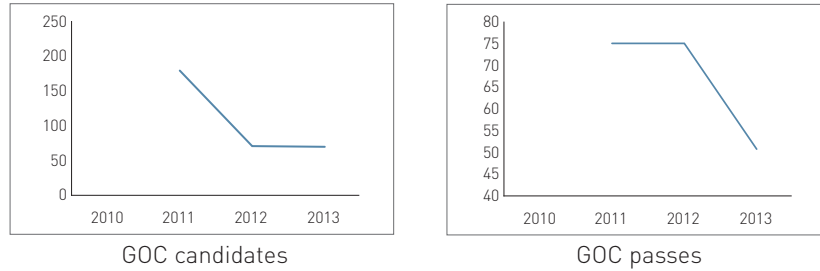


ROC passes



<sup>26</sup> Short Range Certificate

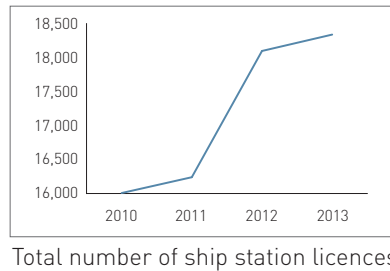
The GOC exam, which is harder, is meant for professionals on seagoing vessels; the ROC exam is for professionals on coasting vessels.



More than 36,000 persons hold a certificate to use a ship station.

#### Maritime licences

In 2013, the total number of ship station licences amounted to 18,339 (against 18,098 in 2012, 16,240 in 2011 and 16,007 in 2010) distributed among 14,475 pleasure boats, 3,358 commercial river vessels, 364 seagoing vessels and 139 fishing boats.



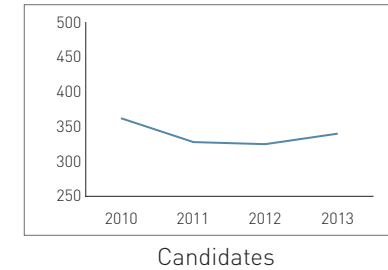
1,078 new licences were granted, 563 were modified and 39 were cancelled.

The increase in 2012 is owing to the obligation to have a radio and an AIS system on board vessels navigating inland waterways; since then the slight increase of the number of licences seems to show a persistent attraction towards navigation despite the expenses linked to this activity.

#### Aeronautical radio communication

##### Certificates

In 2013, BIPT issued 340 certificates for the use of an aircraft station on the basis of examinations organised by the Federal Public Service Mobility and Transport.



Nearly 7,000 persons currently hold a certificate to use an aircraft station.

##### Licences

Currently 3,743 licences for aeronautical stations are managed by BIPT; 2,373 for installations on board aircraft and 1,370 for portable stations.

In 2013, 74 licences were added, 43 modified and no cancellations.



## 2. Actions conducted to ensure interference-free spectrum use

The use, possession and sale of radio jammers is forbidden in Belgium. There are two exceptions to this rule, which are strictly regulated though: military domains and interior speakers in penitentiaries. Whereas its experience with the military dates a long way back, in 2013, BIPT was faced with a first file in several years with regard to a prison. A monitoring methodology, a mix of spectrum analysis, analysis of the parameters of mobile networks and evaluation by contradiction, was developed to evaluate the scope of the interference and any other interference that could be caused outside the location.

One of the tasks performed by the Monitoring Department is to make its telecommunications know-how available to the Prosecutor's Office. As such BIPT is sometimes asked to give information about the geographical area covered by a specific GSM mast. BIPT used to respond to such requests by means of a 2G measuring device bought in the market; that device is not able to give 3G results. In order to handle that kind of cases too, a new measuring system was perfected starting from a programme developed internally which transforms smartphones into measuring stations.

Within BIPT, the National spectrum monitoring department (NCS) is responsible for policing the radio waves in the broad sense of the word. Its various monitoring operations are quantified below:

NCS interventions	
Cases created between 1 January and 31 December 2013	430
Interference cases	430
Preventive checks on professional users (cat. 1, 2, 3, 4, 6)	992
Checks during events	418
Check of broadcasts (local radios)	38
Checks - others	125
Radiation measurements at transmission sites LNE Vlaanderen	13
Various cases - tasks done at the request of authorities	388

## 3. Market monitoring in the context of Directive 1999/5/EC

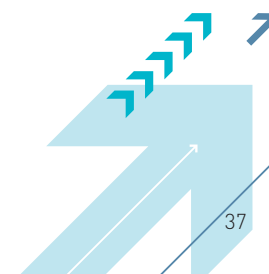
BIPT monitors the market in the context of Directive 1999/5/EC on radio equipment and telecommunication terminal equipment and the mutual recognition of their conformity.

In 2013, 592 monitoring visits were made, mainly in stores and some seventy public contracts were examined as well. About ten exhibitions were visited to discover new trends and to take this opportunity to inform exhibitors in time. Evidently, sometimes repressive measures needed to be taken, as shown by the seizures described in the table below.

Equipment seized during checks in 2013			
Terminal equipment		Radio equipment	
Telephone equipment	7	Computer mice, keyboards	135
		Remote-controlled toys	367
		Door bells	71
		Wireless USB & Wi-Fi	225
		(low power) FM transmitter	617
		Smartphones	84
		PMR & LPD & walkie-talkies	197
		Other	638
<b>Total</b>	<b>7</b>	<b>Total</b>	<b>2,334</b>

7,440 non conforming remote-controlled toys were refused entry into Europe.

Postal items containing radio equipment are also frequently checked. In this regard about 75 visits were made at customs services in 2013. Many of these controlled items contain devices bought on the Internet – directly from the manufacturer or via auction websites. In many cases the equipment does not comply with the legal requirements and is seized. The fact that numerous devices not bearing the CE mark (like GSM devices, smartphones and tablets) are proposed through these auction sites is of major concern. The finding of an infringement always leads to the drafting of a report. In 2013, 452 initial reports were made. During the follow-up of the court cases, a further 20 reports were made.



## B. REPORT OF THE HORIZONTAL SERVICES

This annual report cannot overlook BIPT's other activities (horizontal activities, international activities, reconciliations, regulatory activities) which contribute to the efficient running of the organisation and to the achievement of the objectives set out.

### 1. The Council Office

The Council Office includes the Council Secretariat, which assists the Council as a college, and the delivery service, which processes the incoming and outgoing mail. In 2013, the department has been working to simplify and automate in accordance with the strategic axis "administrative efficiency" of the strategic plan.

As to this automation, the Council Office takes care of the extension and optimisation of the electronic document management system. The department proposes, guides, tests and implements the adaptations wanted, and establishes best practices.

Apart from the tasks already listed, the Council Office distributes the parliamentary questions, treats requests for access to administrative files (under the legislation regarding the public nature of the administration), prepares and follows up the Council sessions (agenda, notes, commitments and communication), organises the decision-making by electronic voting and updates various synoptic lists (including the Council decisions and opinions, the delegations granted under Article 16, paragraphs 2 and 3, of the Act<sup>27</sup> on the status of BIPT).

The Council Office's objective is to constitute and to remain a precious management instrument for the use of the Council Members.

### 2. Communication

Within the framework of the strategic axis "Dialogue and communication", BIPT pursued its efforts to improve its communication with the stakeholders, including the media. Some twenty press releases were published, which is almost twice as much as in 2012. All information requests from journalists were centralised and were given a prompt answer in a comprehensive and easily accessible form. The unit continued to function as the interface between the outside world and the internal services; by directly answering to the questions asked by phone or by electronic means, or by guiding the persons concerned to the most appropriate interlocutors.

Internally the Communication Unit coordinated the efforts resulting in three newsletters intended for the staff; it also manages the Intranet site.

Finally, the unit made the project of the new BIPT website concrete, with the support of the IT department and a user group.

### 3. The Translation Department

Thanks to its unique know-how, the Translation Department continued to deliver quality service to the organisation.

The tasks achieved were the following:

- translation of multidisciplinary texts in four languages: French, Dutch, English and German;
- quality control: review of internal and external websites and a considerable number of publications (letters, mails or internal notes, press releases, opinions, (market analysis) decisions, consultations...);
- linguistic advice.

The department also conceived and managed the introduction of a formalised process in the context of an electronic document management system.

## 4. The IT Department

The core mission of the IT Department is to provide end-to-end computer assistance to meet the needs of BIPT. Its main tasks have to do with computer equipment, software, network management, development and putting into production of software solutions, as well as managing IT projects.

The IT helpdesk helps users to solve different software or hardware issues; it also ensures network management, both as regards servers, the Intranet, connections, protection and data bases. Moreover, it maintains the existing applications.

In 2013, the IT Department policy focused on supporting the following projects:

1. electronic document management: the work relating to the contract for electronic document management was finalised in 2013. In order to be able to take over the IT management of this tool a public contract for computer training was launched;
2. the new Internet site: BIPT's new website was launched in December 2013;
3. with a view to the "Dare to compare" campaign concerning the telecommunications tariffs, extensive work to reinforce the infrastructure and to improve the software was looked into and performed. During that campaign 361,000 simulations were performed (which is a record);
4. the developments of the social tariff data base;
5. the FreLic project (software to manage frequencies-licences-accounting-monitoring): with a view to the implementation of the new radio communications legislation some adaptations were made to the software. They mainly related to aspects of licence and frequency management, as well as billing and credit notes.

## 5. Human Resources, staff and training

Personnel policies at BIPT mainly provide for the basis of the strategic axis "Culture". This has been particularly materialised in the files below:

### Recruitment at level A

Nine out of eleven recruitments planned, took place. One position of economist (for the Postal Market Department) remained vacant due to the insufficient number of people passing the selection test. As to a position of an advisor in the International Relations Department it was decided to postpone this recruitment so that the Council, the composition of which had changed in the meantime, could pronounce itself again.

### Promotion to level A

For the first time since the creation of BIPT some staff members had an internal promotion to level A. The tests ended in 2013 and the successful candidates were given new jobs.

### Introduction of the reformed evaluation system

The administrative procedure concerned ended in 2013 (publication of the Royal Decree in the Moniteur belge of 25 September 2013). The modifications were immediately implemented in the 2013-2014 evaluation cycle.

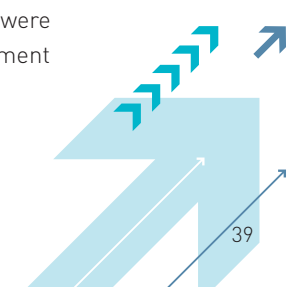
### Adaptation of the Ministerial Order on the diplomas required for appointment in certain ranks

This amendment was necessary to make the list of diplomas correspond with the "Bologna Declaration". In November 2013, the Civil Service Department approved the amendment proposal; as a result it will be possible to finalise this case in the autumn of 2014.

### Capelo electronic retirement file<sup>28</sup>

In 2013, the historical data of the BIPT officials (statutory and contractual), of the co-workers of both Offices of the Ombudspersons and those of the staff formerly attached to the radio/television licence fees collection department were registered into the central data base of the Civil Service Pension Department (SdPSP). They form the basis of the electronic pension file.

<sup>28</sup> Capelo means "Carrière publique électronique - Elektronische loopbaan overheid" (electronic public career).



## Training

In order to meet the training needs of the staff in an optimum way, the department made use of all the tools available: group trainings, individual trainings, external conferences and workshops. Thanks to the training “**Leading a team**” organised in cooperation with the Training Institute of the Federal Administration (IFA/OFO) the level A staff members heading a team were able to develop their managerial skills. Also noteworthy are the trainings regarding the needs to use and manage specific computer programmes, mainly organised for electronic document management, translation and accounting. The individual trainings aim at giving the most appropriate response to specific needs: a training in economic regulations focused in particular on the new lawyers and economists. Finally a “coaching” system was installed for BIPT entrants; this formula enables newcomers to settle into their departments more quickly.

## 6. International Relations Department

The general framework of the electronic communications regulation and, increasingly, regulation of the postal services is being determined at the European level by way of decisions, directives, recommendations, etc. The IRG (**Independent Regulators Group**), BEREC (**Body of European Regulators of Electronic Communications**) and the ERGP (**European Regulators Group for postal services**) require a serious participation from BIPT as a regulatory body, considering the major impact the work done in those various regulatory organisations has on the strategic preparations at the European level. The participation then serves to highlight the specific domestic circumstances.

Below a brief summary is given of the objectives pursued by the organisations BIPT cooperates with as a regulator on the one hand and as a representative of the Belgian State on the other.

### BIPT as a regulator

#### IRG and BEREC

The participation is linked to the four regular meetings planned per year (one in each quarter). The deliverables are defined in the annual work programmes of the IRG and BEREC and in the “project requirements documents” of each **Expert Working Group (EWG)**.

In 2014, BEREC will closely follow the Commission proposals for regulation of a single European electronic communications market during the discussions that will take place in the Commission, the European Parliament and the Council.

BIPT will be the BEREC vice-chair in 2014.

### ERGP (European Regulators Group for postal services)

In 2013, BIPT chaired the European Regulators Group for postal services (ERGP). The ERGP Chairman is responsible for the coordination of all ERGP activities: this regards the organisation of two plenary meetings for the leaders of the national regulatory authorities (NRAs) that are members of the organisation. Those meetings were held in Rome in June 2013 and in Luxembourg in November. Two preparatory coordination meetings supervised by BIPT and three working meetings with the chairmen of the five working groups preceded the plenary meetings.

The working groups treat the following issues:

1. “Regulatory Accounting/Price Regulation”;
2. “Net cost of USO – VAT as a benefit/burden”;
3. “End-user satisfaction and monitoring of market outcomes”<sup>29</sup>;
4. “Follow-up to the Green paper on cross-border parcel delivery and e-commerce”;
5. “End to end competition”.

In 2013, six external reports were published and three internal reports were approved.

At the end of 2013, the 2014 annual programme was submitted to the sector for consultation.

In 2014, BIPT will be vice chairing the ERGP.

### BIPT as the representative of the Belgian State

#### UPU (Universal Postal Union)

BIPT personifies Belgium in the Union's Operations Council. In 2013, BIPT focused on the development of postal regulation within the UPU. In addition BIPT sent to the Government a bill concerning Belgium's consent with the Acts of the Doha Congress with a view to their ratification by Parliament.

BIPT also participated in the CERP activities (European Committee for Postal Regulation). CERP tries to coordinate the actions of its members and to contribute to preserving the "acquis communautaire".

#### Radio Spectrum Policy Programme (RSPG) and Radio Spectrum Committee (RSC)

Within BIPT, the international activities in the field of radio spectrum are an important part of the tasks of the Assignments Pool. The very nature of the radio spectrum and frequencies makes that these issues do not stop at the border. This is in particular true in Europe, where a harmonious use of the spectrum is striven for.

Within the EU framework the Assignments Pool attends the meetings and follows the RSC and RSPG activities within the European Commission's "Connect" Directorate General. The RSC meets four times a year in Brussels in the Commission buildings; the RSPG organises three plenary meetings a year.

The RSPG created six working groups in 2013:

1. One of them worked on the spectrum for wireless broadband;
2. Another focused on the matter of collective spectrum use;
3. One of the groups prepared the upcoming World Radio Conference, WRC-15;
4. Another dedicated itself to managing interference;
5. A working group assisted the EU in the bilateral negotiations and coordination;
6. One group concentrated on the review of the demand for spectrum by sector.

The activities planned by those groups were successful in 2013.

For 2014, the RSPG created five groups, in which BIPT will play an active role:

1. Long-term strategy for the future of the UHF band in the European Union;
2. Efficient assignment and harmonised use of the spectrum bands to electronic communications services;
3. Preparation of the upcoming World Radio Conference, WRC-15 (definition of common political objectives);
4. Task of "good offices" in order to facilitate the bilateral negotiations between EU member states;
5. Update of the radio spectrum policy.

The noteworthy items on the 2013 agenda included making an inventory of the spectrum use, the frequency issue with the equipment<sup>30</sup> for PMSE (**Program Making and Special Events**) and the Commission Implementing Decision of 11 December 2013 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices and repealing Decision 2005/928/EC. Those issues will be given particular attention in 2014 too.

Concerning the RSPG BIPT will devote itself mainly to the activities regarding the long-term strategy for the future of the UHF band in the European Union, and to the efficient assignment and harmonised use of the spectrum bands for electronic communications services. As for the RSC and RSPG activities a consultation is planned with the Communities (who are responsible for broadcasting).

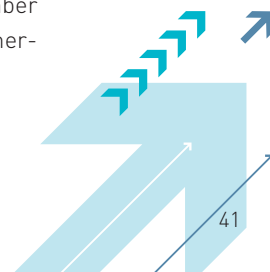
#### CEPT (European Conference of Postal and Telecommunications Administrations) and Electronic Communications Committee (ECC)

BIPT took part in the ECC plenary meetings and in the activities of the working groups Frequency Management (FM), PT1 (mobile 3G/4G bands) and the Conference Preparatory Group (CPG) with a view to the World Radio Conference, WRC-15.

BIPT will continue to follow these groups in 2014.

In 2013, BIPT chaired the ECC commission "Numbering and Networks". Significant results were obtained with regard to a common European approach of extraterritorial use of E.164 numbers, the flexibility of E.212 identifiers, number portability between fixed and mobile networks and the issue of locating emergency calls.

<sup>30</sup> Wireless microphones, in-ear monitoring systems, intercom systems, reporting link transmitters...



The achievement of the objectives of the ECC working programme depends to a large degree on the positions of the various countries and on the measure in which they can make them converge towards one another.

### ETSI (European Telecommunications Standards Institute)

Certain activities concerning standardisation at ETSI were followed. In March and November ETSI organises a general meeting where, among other matters, the policy and strategy are determined. BIPT also participated in the three annual meetings of the technical committee TC-ERM (ETSI Radio Matters), which develops a large number of radio communications standards. They include both the essential spectrum parameters and those taking account of electromagnetic compatibility. In 2014, BIPT will participate in the three activities and meetings of TC-ERM.

## 7. The Legal Department

### 7.1. Legislative work to transpose European law

In regard of data retention, BIPT participated in preparing the transposition of Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC ("Data Retention Directive") and Article 15.1 of Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector ("Directive on privacy and electronic communications").

This transposition was realised in part by:

- the Act of 30 July 2013 amending Articles 2, 126 and 145 of the Act of 13 June 2005 on electronic communications and Article 90decies of the Code of Criminal Procedure (M.B. 23 August 2013);
- the draft Royal Decree implementing Article 126 of the Act of 13 June 2005 on electronic communications.

### 7.2. Regulatory work concerning electronic communications

The legal department plays an important role in the preparation of regulation, together with the departments involved and with the Private Office of the Minister.

In the course of 2013, BIPT prepared the drafts for the following texts:

#### Implementing the Act of 1 July 2011 (critical infrastructure):

- Draft Royal Decree implementing in the electronic communications sector Article 13 of the Act of 1 July 2011 on the security and protection of critical infrastructure.

#### Implementation of the Status Act of 17 January 2003:

- Draft Royal Decree laying down the reintegration compensation provided for in Article 16 of the Royal Decree of 11 May 2003 establishing the status, remuneration and duties of the chairman and the members of the Council of the Belgian Institute for Postal Services and Telecommunications;
- Draft Royal Decree establishing the internal regulations of the Council of the Belgian Institute for Postal services and Telecommunications;
- Draft Royal Decree amending the Royal Decree of 10 January 2006 laying down the budgetary and accounting regulations of the Belgian Institute for Postal services and Telecommunications;
- Draft Royal Decree amending certain provisions on the status of the staff of the Belgian Institute for Postal services and Telecommunications.

#### Implementation of the Act of 13 June 2005:

##### Frequencies

- Draft Royal Decree amending the Royal Decree of 26 January 2007 on the ether police concerning the frequency modulation in the 87.5 MHz-108 MHz band;
- Draft Royal Decree amending the Royal Decree of 7 March 2007 on the notification of electronic communications services and networks and amending the Royal Decree of 10 December 2009 amending the Royal Decree on the notification of electronic communications services and networks;

- Draft Royal Decree amending the Royal Decree of 18 December 2009 on private radio communications and user rights for fixed networks and trunk networks;
- Draft Royal decree amending the Royal Decree of 7 March 1995 concerning the establishment and operation of GSM mobile phone networks and the Royal Decree of 24 October 1997 concerning the establishment and operation of DCS-1800 mobile phone networks;
- Draft Royal Decree on radio access in the 790-862 MHz frequency band;
- Draft Royal Decree regarding mobile communications services on board aircraft;
- Draft Royal Decree regarding mobile communications services on board ships;
- Draft Royal Decree amending the Royal Decree of 26 February 2010 on the transfer of rights of use for radio frequencies that are used entirely or in part for publicly available electronic communications services;
- Draft Royal Decree amending the Royal Decree of 16 April 1998 concerning ground satellite stations and abolishing the Royal Decree of 7 May 1999 on the specifications applicable to the operation of mobile personal satellite communications services.

#### Installations of facilities

- Draft Royal Decree on shared use of antenna sites.

#### Numbering

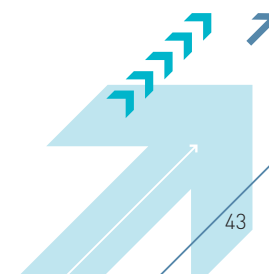
- Draft Royal Decree amending the Royal Decree of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights and amending the Royal Decree of 9 February 2011 laying down the Telecommunications Code of Ethics;
- Draft Royal Decree on the number portability for electronic communications services subscribers.

#### End-user protection

- Draft Royal Decree on alert messages aiming at controlling the costs of electronic communications services;
- Draft Royal Decree determining the content of the information sheets, referred to in Articles 111, § 2, of the Act of 13 June 2005 and 5, § 2, of the Act of 15 May 2007;
- Draft Ministerial Order of 8 October 2013 amending the Ministerial Order of 12 November 2009 fixing the level of detail of the basic invoice regarding electronic communications;
- Draft Royal Decree on the specification of the speed level of functional Internet access in the provision of the geographical element of the universal service regarding electronic communications.

#### Emergency services

- Draft Royal Decree laying down the operating conditions of the fund for emergency services providing on-site assistance;
- Draft Royal Decree laying down the principles on which the Belgian Institute for Postal Services and Telecommunications checks and approves the calculation and the amount of the costs for which a reimbursement has been claimed from the fund for emergency services providing on-site assistance;
- Draft Royal Decree laying down the conditions for the reimbursement of any overcompensation by the fund for emergency services providing on-site assistance;
- Draft Ministerial Order laying down the administrative and technical measures to be implemented by operators providing or reselling 2G mobile services so that the emergency services providing on-the-spot assistance can be reached by means of text messages.



### Network security

- Draft Royal Decree implementing with regard to “eCalls” Articles 107, § 3, and 127 of the Act of 13 June 2005 on electronic communications.

### Universal service

- Draft Royal Decree on the content and terms of the notification regarding the voluntary provision of the social element of the universal service;
- Draft Royal Decree on the transfer terms of certain beneficiaries of the social element of the universal service;
- Draft Royal Decree amending the financial terms for the provision of the geographical element of the universal service regarding electronic communications;
- Draft Royal Decree repealing certain quality of service objectives imposed by the Act of 13 June 2005 on electronic communications and the Article concerning the provider of the geographical element of the universal service;
- Draft Royal Decree on the specification of the speed level of functional Internet access in the provision of the geographical element of the universal service regarding electronic communications.

### 7.3. Regulatory work concerning postal matters

- Draft Royal Decree amending the Royal Decree of 11 January 2006 implementing Title IV (Reform of the Postal Authorities) of the Act of 21 March 1991 on the reform of certain economic public companies.

Apart from the textual changes induced by the Act of 13 December 2010 the document makes concrete the obligation regarding geographical coverage for licence holders, updates the motives based on which BIPT can refuse a licence, organises an open mechanism to designate the universal service provider, etc.

- Draft Royal Decree on the regulation of the postal service: the Royal Decree of 27 April 2007 on the regulation of the postal service does not seem suited anymore in a liberalised postal market:

the decision was made to write an entirely new text; it clearly categorises the obligations relating to all the postal operators in general, those relating to the operator in charge of the public service (which includes the universal service) and those relating to the operator(s) in charge of other public service tasks. In addition to rectifying a number of technical and practical provisions (such as standardising definitions, the use of franking machines ...) the document specifies concretely the data concerning the address, sets a procedure for the situation in which the provider involved is faced with inaccessible letter-boxes, adapts the provisions about items excluded from postal transport.

- Draft Royal Decree establishing the composition and operation of the Consultative Committee on postal services: this text repeals the current decree and changes the composition of the Consultative Committee to adapt it to the liberalisation of the sector.
- Draft Royal Decree amending the Royal Decree of 11 January 2006 laying down the procedure for declaring and transferring postal services not included in the universal service and implementing Articles 144quater, § 3, 148sexies, § 1, 1°, and 148septies of the Act of 21 March 1991 on the reform of certain economic public companies:  
this decree was adapted to the current legal reality (for instance: repealing the provisions about the declaration obligation). It also implements Article 14 of the Act of 6 July 1971 on creating [bpost] and certain postal services (caps for any damages due on an extra-contractual basis in case of loss, theft, damage and/or delay in distributing a postal item in the course of executing a postal service provided within the framework of a public service). It also implements Article 142, § 4, of the Act of 21 March 1991 (determination of the cases of interruption or stop of universal service operations that the designated provider has to report to the Minister/State Secretary, BIPT and users).
- Draft Royal Decree on the analytical accounting of the universal postal service provider: this text implements the new royal authorisations provided for in the Act of 21 March 1991 relating to the document in which the designated provider has to describe the separate accounting and the contents and terms of declaring the conformity of the accounts.

#### 7.4. Legal support for BIPT acts and dispute coordination

The legal department plays an important role in dispute coordination and in legal support for BIPT acts. This collaboration for the establishment of Council acts strengthens their legal security.

##### Legal support of BIPT acts

The legal department is associated with the whole decision-making process coming from BIPT different services, in particular regarding market analyses and enforcement of decisions.

The department also delivers opinions or analyses at its own initiative or in answer to internal requests. For example the service is associated with the award of public contracts from BIPT and with the general follow-up of public procurements.

##### Dispute coordination

The BIPT legal department is responsible for the coordination of legal appeals mainly concerning the decisions adopted by BIPT. If appropriate BIPT can also be asked to ensure coordination of the disputes involving the Belgian State and concerning telecommunications or postal services. According to the procedures, exchange can also take place between BIPT and other state, federal or European authorities.

##### A. Follow-up of proceedings instituted in previous years.

A number of proceedings instituted in previous years were the subject of decisions taken in 2013, namely:

1. The Court of Cassation rendered a judgement on 4 March 2013 rejecting the appeal lodged by BIPT against the judgment rendered on 15 October 2009 annulling the BIPT Council decision of 17 January 2007 regarding the market definition, the competitiveness analysis, the identification of SMP operators and the determination of appropriate remedies for the markets of the "leased lines" cluster (markets 7-13-14). The annulment had been pronounced for not having consulted the other regulators.
2. The Court of Appeal rendered its judgement on 17 April 2013 in the context of the appeal for annulment lodged by Telenet against the Decision of the BIPT

Council of 29 November 2011 aimed at imposing an administrative fine on Telenet for non-observance of Article 108, § 2, of the ECA.

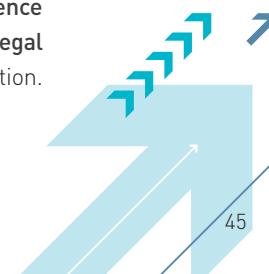
The Court of Appeal confirmed the fine imposed on Telenet by BIPT but reduced its amount from € 250,000 to € 200,000.

3. The Constitutional Court rendered a judgement on 30 May 2013 in the context of the preliminary question addressed to the Brussels Court of Appeal in its judgement of 15 May 2012 (action for annulment brought by KPN and Mobistar (with intervention by Belgacom) against the BIPT Council decision of 29 June 2010 regarding the market definition, the competitiveness analysis, the identification of SMP operators and the determination of appropriate remedies for market 7: voice call termination).

By judgement of 15 May 2012 the Court of Appeal annulled the Council decision. The Court confirms the core of BIPT's approach and motivation and systematically rejects the objections of the mobile operators who contested the decision. However the Court maintains as plea for annulment that the draft decision should have been notified to the community regulators in accordance with the cooperation agreement. In view of the decision's general interest objectives, the Court considers however that annulment for procedural reasons should be limited in time. Therefore it requested the Constitutional Court to examine this possibility. The decision of 29 June 2010 remains in force awaiting the answer to the reply of the Constitutional Court to the preliminary ruling. Then the Court will adopt a definitive decision and BIPT will be able to adopt a draft restoration decision which will be notified to the community regulators. Therefore the tariffs imposed remain in force.

In its judgement of 30 May 2013 the Constitutional Court ruled that Articles 2 and 3 of the Appeals Act do not violate Articles 10 and 11 of the Constitution because the different treatment by the Court of Appeal and the Council of State can be given a reasonable justification. Indeed the legislator has been able to consider that **the risk of disproportionate effects of an annulment is greater when a regulatory provision is involved, which by definition, is destined for an undetermined number of persons.**

The Constitutional Court has announced however that it does not pronounce itself **on the question whether the Court of Appeal can draw the competence to modulate the effects of its judgements in time from the principle of the legal certainty and the principle of confidence**, not pronouncing itself on this option.



4. The Court of Appeal rendered a judgement on 12 June 2013, following an action brought by bpost for annulment of the BIPT Council Decision of 20 July 2011 on bpost's conventional tariffs for the year 2010.

The Court of Appeal received bpost's action, but did not rule because it addressed 3 preliminary questions to the Court of Justice of the European Union. These preliminary questions all relate to the interpretation of Article 12, fifth indent of Directive 1997/67/EC, amended in 2002 and 2008, concerning the imposition of a non-discrimination obligation, notably in the relations between the universal service provider and the intermediaries with regard to operational price cuts granted by the provider.

5. The Brussels Court of Appeal rendered a judgement on 19 June 2013 in the context of the appeal for annulment lodged by DHL International against the Decision of the BIPT Council of 13 November 2008 regarding the notice of default following the non-provision of the financial information requested for the calculation of the mediation fees in accordance with Art. 45ter of the Act of 21 March 1991.

The Court of Appeal considered that the operators which the decision aims at have to comply with the postal legislation, have to be considered as operators in the sense of that legislation and have to acknowledge the Office of the Ombudsman for the postal sector. The Court of Appeal assumed that the fee due to the Office of the Ombudsman is not a tax and that the amount of that fee is not discriminatory. The Court of Appeal has therefore dismissed the appeal.

6. The Constitutional Court pronounced a judgement on 9 July 2013 in the context of the preliminary questions addressed to the Court of Cassation by way of the judgements of 25 May 2012 about Article 11 of the Act of 30 July 1979 on electronic communications.

Those questions had been asked within the framework of two other distinct cases, the appeal from Contactsat against a judgement by the Brussels Court of Appeal and the appeal from Tecteo against a judgement by the Liège Court of Appeal.

Those questions are meant to determine whether the infrastructures of those two companies constitute radio communications or broadcasting services, the first option making BIPT competent for recovering the amounts due for the fees under the 1979 Act mentioned above, the second one excluding BIPT. The Constitutional Court answered in the way the Brussels and Liège Courts

of Appeal had considered, i.e. that the infrastructures involved constitute radio communications services, thus justifying the fees.

7. By way of its judgements of 28 March 2013, 26 June 2013 and 2 October 2013 the Council of State annulled seven out of the fourteen judgements rendered by the Government of the French Community.

8. In 2011, BIPT had lodged fourteen appeals against various decrees passed by the Government of the French Community laying down the characteristics of fourteen Brussels broadcasting stations.

The Council of State judged that the frequencies in dispute presented a risk of interfering with other radio stations or equipment using electromagnetic waves, which should have led to a coordination procedure, which did not take place. Since for the seven other decrees, the risk of interference had not been proven, the appeals were rejected.

9. In its judgement of 17 March 2013 the Court of Justice of the European Union answered the preliminary questions addressed by the Constitutional Court, before which the operators (Belgacom, Mobistar and BASE Company) had brought an action for annulment against the Act of 15 March 2010 amending Article 30 of the ECA.

According to the Court of Justice member states can impose on mobile phone operators a unique fee when extending their authorisations, provided that the member state offers objective justification within reasonable proportions and with prior notice, having regard to Articles 12, 13 and 14 of Directive 2002/20/EC on the authorisation of electronic communications networks and services (Authorisation Directive).

The Constitutional Court then pronounced its judgement on 17 October 2013, dismissing the appeals, especially having regard to the answers given by the Court of Justice of the European Union.

#### B. Follow-up of the new appeals lodged in 2013:

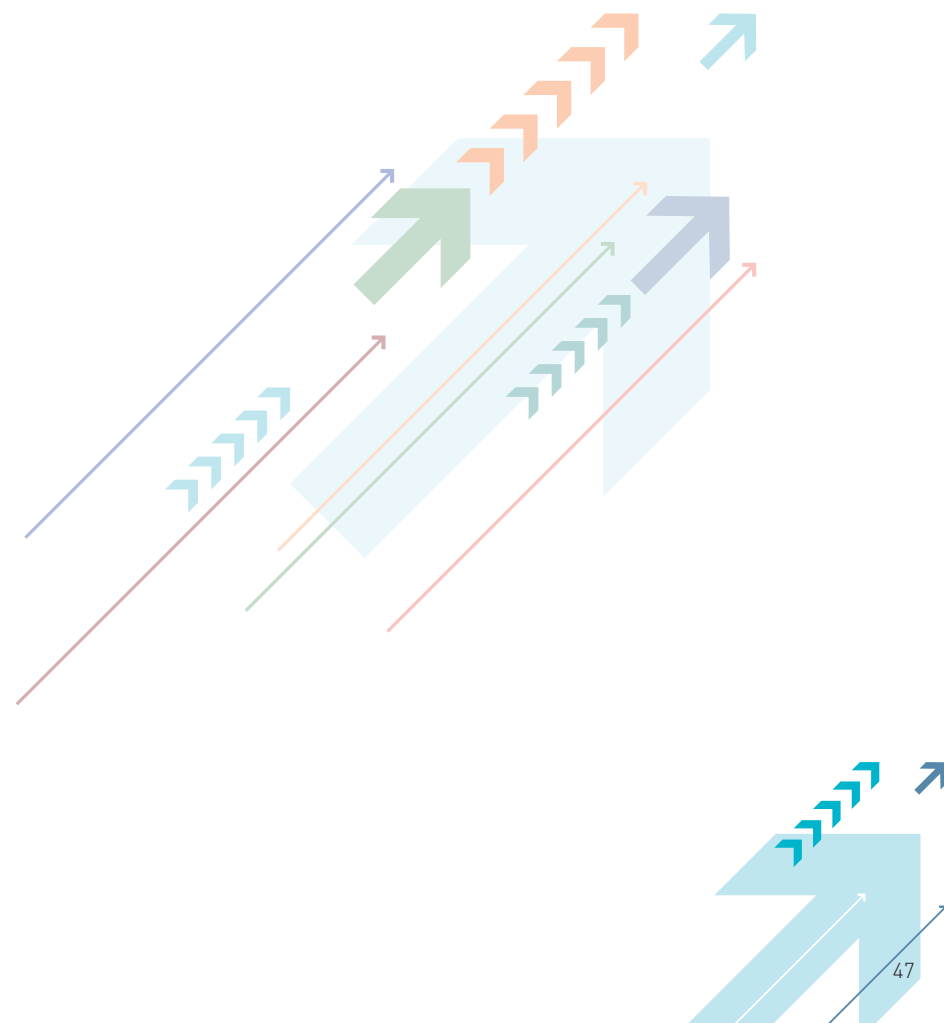
1. KPN and Mobistar brought before the Constitutional Court an action for annulment against the Belgian State with regard to Articles 50, 51 and 146 of the Act of 10 July 2012 pertaining to various provisions regarding electronic communications.

In a judgement of 19 December 2013 the Constitutional Court decided to submit 3 preliminary questions to the Court of Justice of the European

Union within the framework of that action, all linked to the Universal Service Directive 2002/22/EC.

2. Telenet-Tecteo Bidco brought before the Brussels Court of Appeal actions for annulment against two decisions of the BIPT Council: on the one hand the decision of 5 April 2013 concerning the refusal to grant to Telenet-Tecteo Bidco the postponement of the business offer regarding 3G services until 15 January 2013 at the latest and the postponement of the Belgian population coverage levels after 3, 4 and 5 years after the 3G- licence notification and, on the other, the decision of 28 June 2013 concerning the imposition of an administrative fine on Telenet-Tecteo Bidco for non-compliance with Article 4, § 1, of the Royal Decree of 18 January 2011 laying down the specifications and the procedure for granting licences for third-generation mobile telecommunications systems and the imposition of a deadline to put an end to this non-compliance.
3. Belgacom, Mobistar and Telenet brought before the Council of State actions for annulment against the Belgian State with regard to two royal decrees of 14 April 2013.  
The first royal decree approves the investments for the data base referred to in Article 22, § 2 of the Annex to the Act of 13 June 2005 on electronic communications between 1 July 2007 and 31 December 2011. The second one approves the planned investments for the needs of the data base referred to in Article 22, § 2 of the Annex to the Act of 13 June 2005 on electronic communications for 2012 and 2013.
4. Verizon, Colt Technology Services, BT and Orange Business Consultation brought before the Council of State an action for annulment against the Belgian State with regard to the Royal Decree of 25 April 2013 amending the Royal Decree of 7 March 2007 on the notification of electronic communications services and networks and amending the Royal Decree of 10 December 2009 amending the Royal Decree of 7 March 2007 on the notification of electronic communications services and networks.  
However, at the end of 2013, the plaintiffs dropped their appeal.
5. Belgacom brought before the Brussels Court of Appeal an action for annulment against the BIPT Council Decision of 8 August 2013 on the analysis of the leased lines markets.

6. Coditel, Telenet, Tecteo and Brutélé brought before the Brussels Court of Appeal actions for annulment against the decisions of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 concerning the wholesale reference offers.



## C. ANNUAL REPORTS 2013

The Accounting Department ensures the proper collection of revenues and the payment of expenditure after evaluation. The department encodes data so that they can be immediately used as a source of functional information for BIPT financial policy.

Its main tasks are:

- the proper collection of revenues and the exact payment of the expenses;
- the proper management of BIPT's financial accounts both as regards revenues and expenses;
- the accounting verification of the financial operations;
- the preparation of the BIPT annual accounts.

The Act of 22 May 2003 on the organisation of the budget and accounting of the Federal State will enter into force on 1 January 2014 for BIPT. This Act introduces in the authority a patrimonial accounting similar to the one that exists for private companies, in addition to the traditional budgetary accounting.

In 2014, bad payers will continue to be tracked. By rendering uniform the various billing programmes linked to operational services a rapid and appropriate follow-up should be possible.

The internal budgetary policy aims at the one hand to protect BIPT's sound financial structure and on the other hand, to achieve budgetary control to guarantee at any moment that all the agreements made can be properly paid while allowing to switch priorities with the necessary flexibility. The main task consists of:

1. budgetary planning, as the case may be, also on a multiannual level;
2. critical follow-up of the execution of the budget, with a warning role;
3. critical financial analysis of political projects having financial repercussions;
4. adapting the internal financial procedures to better ensure a correct execution.

This must increase the transparency of the structure of expenses and contribute internally to a general empowerment.

The accounts of BIPT and the two Offices of the Ombudsman are given below.

BIPT ACHIEVEMENTS IN 2013			
REVENUES	EUR	EXPENSES	EUR
Repayments	318,361	Staff	21,983,399
Licence and monitoring fees for private radio communications	18,922,304	Functioning	6,359,943
Public licence fees	28,360,741	Investment expenditure	1,321,710
Post	2,549,234	Coordination organisations	1,843,786
Miscellaneous	6,704	Treasury	13,200,000
Services performed for third parties	635,561	CF/RT <sup>31</sup>	3,649,999
<b>TOTAL</b>	<b>50,792,905</b>	<b>TOTAL</b>	<b>48,358,837</b>

ACHIEVEMENTS OF THE OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR IN 2013			
REVENUES	EUR	EXPENSES	EUR
Repayments	189	Staff	1,491,208
Services on behalf of third parties (sector contribution)	1,793,784	Functioning	274,044
		Investment expenditure	75,300
		Coordination organisations	300
<b>TOTAL</b>	<b>1,793,973</b>	<b>TOTAL</b>	<b>1,840,852</b>

ACHIEVEMENTS OF THE OFFICE OF THE TELECOMMUNICATIONS OMBUDSMAN IN 2013			
REVENUES	EUR	EXPENSES	EUR
Repayments	93,070	Staff	2,086,514
Services on behalf of third parties (sector contribution)	2,387,927	Functioning	512,615
		Investment expenditure	39,408
		Coordination organisations	0
<b>TOTAL</b>	<b>2,480,997</b>	<b>TOTAL</b>	<b>2,638,537</b>



ANNEXES



## A. FOLLOW-UP OF THE 2012 AND 2013 OPERATIONAL PLANS ON 31 DECEMBER 2013

The pursuit of certain objectives of the 2012 operational plan extended into 2013:

STRATEGIC AXIS: EFFICIENT REGULATION	
OBJECTIVE	RESULT
Electronic communications: NGN/NGA cost model	Project is ongoing <sup>32</sup>
Market analysis 1(07)	Project completed
Market analysis leased lines (markets 6(07) and 7(03))	Project completed
Wholesale tariffs for obligations on the broadcasting market	Project completed
Market analysis 7(07)	Project completed
Market analysis 2(07)	Project is ongoing <sup>33</sup>
Market analysis (markets 3(03) and 5(03))	Project is ongoing <sup>34</sup>
Implementation of the broadcasting market analysis obligations	Project completed
BRxx – Belgacom reference offers	Project completed
Legal interception	Project completed

STRATEGIC AXIS: PROMOTION OF CONSUMER INTERESTS	
OBJECTIVE	RESULT
Electronic communications services barometer	Project stopped <sup>35</sup>

STRATEGIC AXIS: SOCIAL COHESION	
OBJECTIVE	RESULT
Universal service: postal universal service net cost calculation	Project is ongoing <sup>36</sup>
Universal service: modernisation of the telecom universal service	Project completed
Definition of the speed level of functional Internet access	Project is ongoing <sup>37</sup>
Cost calculation of the provision of social tariffs borne by the providing operators	Project is ongoing <sup>38</sup>

STRATEGIC AXIS: ADMINISTRATIVE EFFICIENCY	
OBJECTIVE	RESULT
"Networks and Services" database	Project is ongoing <sup>39</sup>
FRELIC: computerisation of frequency and licence management	Project is ongoing <sup>40</sup>
Renewal of BIPT website	Project completed

<sup>32</sup> See note 42.

<sup>33</sup> See note 45.

<sup>34</sup> See note 46.

<sup>35</sup> The review of the consumer price index on the one hand and the benchmark studies of the price level of telecommunications products on the other have led to the project being stopped.

<sup>36</sup> See note 59.

<sup>37</sup> See note 61.

<sup>38</sup> See note 62.

<sup>39</sup> See note 63.

<sup>40</sup> See note 66.

<sup>41</sup> Considering the complexity of the project, planning all the decisions and projects in 2013 was not realistic.

<sup>42</sup> A consultant was designated for the cost model; the model is finished and the market analysis is being drawn up.

<sup>43</sup> This project has been suspended awaiting the future European recommendation.

<sup>44</sup> A national consultation has been launched.

<sup>45</sup> The consultant still has to deliver his report.

<sup>46</sup> Contrary to the expectations BIPT has not been called upon to intervene.

The 2013 operational plan encompassed the following objectives:

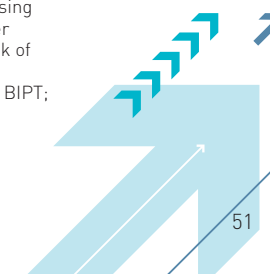
STRATEGIC AXIS: EFFICIENT REGULATION	
OBJECTIVE	RESULT
NGN/NGA cost models	Project is ongoing <sup>41</sup>
Analysis of the leased lines market	Project completed
Wholesale tariffs for obligations on the broadcasting market	Project completed
Analysis of the mobile call termination market (market 7(07))	Project is ongoing <sup>42</sup>
Analysis of the call origination market (market 2(07))	- <sup>43</sup>
Market analysis for fixed telephony services (markets 3(03) and 5(03))	Project is ongoing <sup>44</sup>
WACC calculation	Project is ongoing <sup>45</sup>
Post: access regulation	- <sup>46</sup>
Decision about the reference offers regarding the opening up of the cable	Project completed
Improvement and follow-up of operational processes	Project is ongoing
BRxx – Belgacom reference offers	Project completed
NGN/NGA implementation (LEX closing, vectoring, IP interconnection)	Project is ongoing <sup>47</sup>
Legal interception	Project completed
Notification of security incidents	Project completed
Survey about mobile network security	Project completed

STRATEGIC AXIS: SCARCE RESOURCES MANAGEMENT	
OBJECTIVE	RESULT
800 MHz band	Project completed
Study about spectrum pooling	Project aborted <sup>48</sup>
Spectrum hoarding	Project is ongoing <sup>49</sup>
Spectrum inventory	Almost finalised
Keeping the stock of geographical numbers up	Project completed

<sup>47</sup> Consultation of the BIPT Council of 24 September 2013 (closing of LEXs) and draft decision of the BIPT Council of 23 October 2013 (vectoring); IP interconnection is suspended due to lack of interest from the market.

<sup>48</sup> Reflections about the most appropriate action is ongoing at BIPT; the subject has therefore been put on hold.

<sup>49</sup> A national consultation has been launched.



STRATEGIC AXIS: PROMOTION OF CONSUMER INTERESTS	
OBJECTIVE	RESULT
Belgian consumer survey on the functioning of the electronic communications services market	Project completed
Systematic checks of the operators' compliance with consumer protection obligations	Almost finalised <sup>50</sup>
Tariff simulator	Project completed
Determination of the method to measure the download speed and volume of a broadband Internet connection	Almost finalised <sup>51</sup>
Creation of standardised information sheets for users	Project completed

STRATEGIC AXIS: SOCIAL COHESION	
OBJECTIVE	RESULT
Post - Quality control of the bpost service	Almost finalised <sup>52</sup>
Post: Declaration of conformity of the control of the bpost analytical accounting by the supervisory board	Almost finalised <sup>53</sup>
Post - Postal universal service net cost calculation	Almost finalised <sup>54</sup>
Modernisation of the universal telecommunications service	Project completed
Post - Price control of the products within the scope of the universal postal service	Project completed
Universal service - Definition of the speed level of functional Internet access	Almost finalised <sup>55</sup>
Harmonisation of the social tariffs system and the secondary regulatory framework with the new primary regulatory framework	Project completed
Cost calculation of the provision of social tariffs borne by the providing operators	Almost finalised <sup>56</sup>
Measures in favour of disabled users	Project completed

STRATEGIC AXIS: ADMINISTRATIVE EFFICIENCY	
OBJECTIVE	RESULT
"Networks and Services" data base	Almost finalised <sup>57</sup>
Royal Decree 2009 on private radio communications and trunk networks - Actions to be taken when the modifications take effect	Project completed
Automation of certain functions of the STTS system (system for treating social telephone tariffs)	Project is ongoing <sup>58</sup>
FRELIC project (computerisation of the end-to-end process for frequency and licence management)	Project is ongoing <sup>59</sup>

STRATEGIC AXIS: TARGETED MONITORING	
OBJECTIVE	RESULT
Post - Monitoring of postal operators	Project completed
Analyse of cross-border roaming	Almost finalised <sup>60</sup>
Automation of inspections in the field	Project completed
Preventive checks	Project completed
Validation of the "2.6 GHz band" measuring method	Project completed

STRATEGIC AXIS: DIALOGUE AND COMMUNICATION	
OBJECTIVE	RESULT
Publication of the key figures of the 2012 electronic communications sector	Project completed
Interactive visual presentation of the key figures of the 2012 electronic communications sector	Project completed
Post - Publication of an observatory of the postal sector 2011 and 2012	Almost finalised <sup>61</sup>

<sup>50</sup> The responses were still being analysed

<sup>51</sup> BEREC still had to finalise a recommendation about the measuring system to be adopted.

<sup>52</sup> Out of the five actions to perform, the first three were done in 2013.

<sup>53</sup> Publication planned in the spring of 2014.

<sup>54</sup> Publication planned in the spring of 2014.

<sup>55</sup> BIPT will probably give its opinion in the beginning of 2014.

<sup>56</sup> The royal decrees enabling BIPT to take decisions to charge the operators for the costs caused by the STTS application have been adopted. The designated consultant has started his task.

<sup>57</sup> The application is in the test phase.

<sup>58</sup> The realisation of the project depends on tasks to be performed by the Crossroads Bank for Social Security.

<sup>59</sup> The software development was delayed due to modifications that had to be introduced following the implementation of the Royal Decree.

<sup>60</sup> BIPT has developed and tested a method; its generalisation at the national level is being examined.

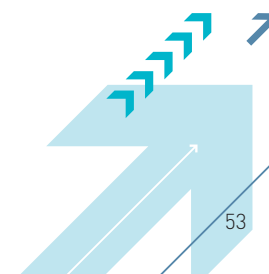
<sup>61</sup> Publication planned in the spring of 2014.

## B. LIST OF THE COUNCIL PUBLICATIONS IN 2013

### 1. Decisions of general interest

DATE	TITLE
10/12/2013	BIPT Council decision of 10 December 2013 regarding the review of the BRUO, BROBA and WBA VDSL2 reference offers (BRxx 2012) (Incl. Remapping project)
19/11/2013	Decision of the BIPT Council of 19 November 2013 concerning the conformity of the cost accounting system of Belgacom for 2011
21/10/2013	BIPT Council Decision of 21 October 2013 regarding the granting to BASE Company of temporary rights to establish and operate a transmitting installation in the Northwind wind farm situated on the Lodewijkbank in Belgium's exclusive economic area in the North Sea, which is considered to be part of the same network as the Belwind wind farm situated on the Bligh Bank
10/09/2013	Decision of the BIPT Council of 10 September 2013 on the composition of the board referred to in the Royal Decree of 5 May 2006 regarding a conciliation procedure before BIPT for the year 2013
26/08/2013	Decision of the BIPT Council of 26 August 2013 concerning the granting to Arcelor Mittal Belgium NV of an authorisation for the operation of a public radio communications trunk network according to the NEXEDGE standard
26/08/2013	Decision of the BIPT Council of 26 August 2013 concerning the granting to BASF SA of an authorisation for the operation of a public radio communications trunk network according to the TETRA standard
13/08/2013	Decision of the BIPT Council of 13 August 2013 concerning the access for the radio amateurs to the frequency band 472,000-479,000 kHz and 70,1900-70,4125 MHz
8/08/2013	Decision of the BIPT Council of 8 August 2013 regarding the analysis of market 7 (Recommendation 2003) and market 6 (Recommendation 2007)
28/06/2013	Decision of the BIPT Council of 28 June 2013 imposing an administrative penalty upon Telenet-Tecteo BidCo for non-compliance with Article 4 § 1, of the Royal Decree of 18 January 2001 laying down the specifications and the procedure for granting licences for third-generation mobile telecommunications systems and the imposition of a deadline to put an end to this non-compliance
18/06/2013	Decision of the BIPT Council of 18 June 2013 on the spectrum allocated to KPN GB in the 900 MHz band
6/05/2013	Decision of the BIPT Council of 6 May 2013 on the abolition of universal service obligations regarding the provision of public pay phones and other access points to public voice telephony services
24/04/2013	Decision of the BIPT Council of 24 April 2013 concerning the granting to Entropia Digital NV of an authorisation for the operation of a public trunked radio network according to the TETRA standard

DATE	TITLE
16/04/2013	Decision of the BIPT Council of 16 April 2013 concerning the granting to NV Total Raffinaderij Antwerpen of an authorisation for the operation of a public trunked radio network according to the TETRA standard
5/04/2013	Decision of the BIPT Council of 5 April 2013 concerning the refusal to grant to Telenet-Tecteo Bidco the postponement of the business offer regarding 3G services until 15 January 2013 at the latest and the postponement of the population coverage levels after 3, 4 and 5 years after the 3G- licence notification
28/03/2013	BIPT Council Decision of 28 March 2013 concerning the publication by operators of information on products and services for disabled users
28/03/2013	Decision of the BIPT Council of 28 March 2013 concerning the granting to Fluxys LNG of an authorisation for the operation of a public trunked radio network according to the TETRA standard
31/01/2013	Decision of the BIPT Council of 31 January 2013 regarding the composition of the board mentioned in the Royal Decree of 5 May 2006 laying down a reconciliation procedure before BIPT for 2006
31/01/2013	Decision of the BIPT Council of 31 January 2013 regarding the market definition, the competitiveness analysis, the identification of SMP operators and the determination of appropriate remedies for market 1 from the list of the Commission Recommendation of 17 December 2007: Access to the public telephone network at a fixed location
31/01/2013	Decision of the BIPT Council of 31 January 2013 imposing an administrative penalty upon Mobistar for non-compliance with Article 110, § 4, of the Act of 13 June 2005 on electronic communications
31/01/2013	Decision of the BIPT Council of 31 January 2013 imposing an administrative penalty upon Telenet for non-compliance with Article 110, § 4, of the Act of 13 June 2005 on electronic communications
31/01/2013	Decision of the BIPT Council of 31 January 2013 imposing an administrative penalty upon Scarlet for non-compliance with Article 4 of the Ministerial Order of 12 November 2009 fixing the level of detail of the detailed basic invoice regarding electronic communications
30/01/2013	Decision of the BIPT Council of 30 January 2013 on radio interfaces B18-01 and J03-02

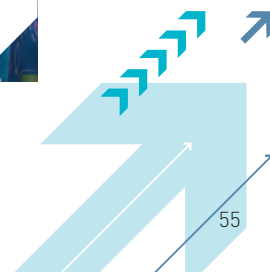
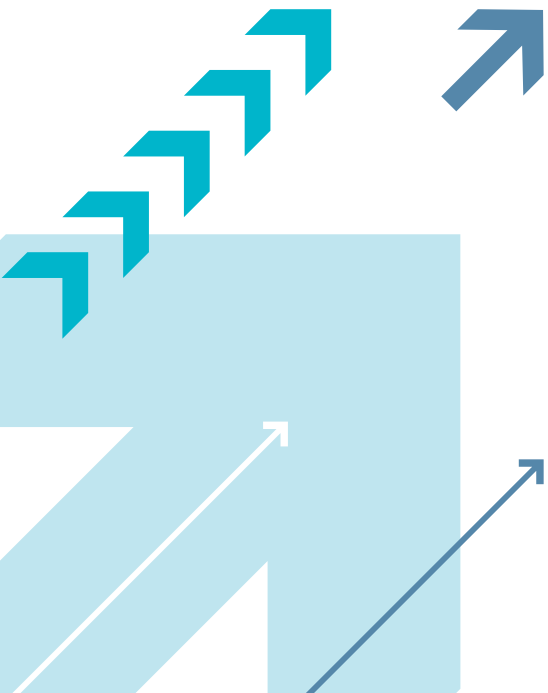


## 2. Consultations

DATE	TITLE
18/12/2013	Review of the broadband and broadcasting markets - Qualitative questionnaire
4/12/2013	Consultation organised by the BIPT Council regarding the draft proposal on the definition of the bitrate for functional Internet access in the context of the geographical element of the universal service and draft opinion of the BIPT Council of 3 December 2013 on the geographical element of the universal service
3/12/2013	Consultation held by the BIPT Council of 3 December 2013 concerning a service concession arrangement regarding the distribution of the acknowledged newspapers and the acknowledged periodicals
22/11/2013	Consultation by the BIPT Council at the request of the Private Office of the Minister for Economy of 20 November 2013 on the draft Article 106/1 of the ECA
5/11/2013	Consultation by the BIPT Council regarding the draft decision of 30 October 2013 regarding the analysis of bpost's tariff proposal for full tariffs per piece for the year 2014
4/11/2013	Consultation of the BIPT Council of 4 November 2013 regarding the statistical follow-up of the business market
30/10/2013	Draft Decision of the BIPT Council of 23 October 2013 concerning the addendum "vectoring"
25/10/2013	Consultation of 25 October 2013 on the request of Telenet NV to reallocate the entire number block 09 332 of Belgacom NV/SA to Telenet NV
8/10/2013	Consultation of the BIPT Council of 24 September 2013 regarding the closing down of exchanges
30/09/2013	Consultation organised by the BIPT Council at the request of the Private Office of the Minister of Economy of 30 September 2013 on the draft Royal Decree implementing for "eCall" Articles 107, § 3, and 127 of the Act of 13 June 2005 on electronic communications
21/08/2013	Consultation at the request of the BIPT Council as commissioned on 20 August 2013 by the Private Office of the Minister for Economy regarding the draft Royal Decree amending the Royal Decree of 27 April 2007 on managing the national numbering space
4/07/2013	BIPT Council Draft Decision of 3 July 2013 regarding the pricing of the wholesale multicast offer and the Ethernet transport for the BROBA and WBA VDSL2 offers
27/06/2013	Consultation organised by the BIPT Council at the request of the Minister of Economy regarding the draft Royal Decree amending the Royal Decree of 26 February 2010 on the transfer of rights of use for radio frequencies that are used entirely or in part for publicly available electronic communications services

DATE	TITLE
25/06/2013	Consultation on the draft Royal Decree implementing in the electronic communications sector Article 13 of the Act of 1 July 2011 on the security and protection of critical infrastructures
21/06/2013	Consultation held by the BIPT Council on 21 June 2013 at the request of the private office of the Minister of Economy regarding the draft Royal Decree on the shared use of antenna sites
20/06/2013	Annex B to the consultation regarding the handling of operational issues within the framework of the reference offers BRUO, BROBA & WBA VDSL2 (ROOSA 2013)
20/06/2013	Consultation regarding the handling of operational issues within the framework of the reference offers BRUO, BROBA & WBA VDSL2 (ROOSA 2013)
30/05/2013	Draft decision of the BIPT Council on access for radio amateurs to the 472.000 - 476.000 kHz and 70.1900 - 70.4125 MHz frequency bands
7/05/2013	Draft decision of the BIPT Council of 3 May 2013 laying down the circumstances in which the operators have to notify BIPT of a security incident and the terms and conditions of this notification
24/04/2013	Consultation of 05 April 2013 on the draft Royal Decree amending the Royal Decree of 16 April 1998 concerning ground satellite stations and abolishing the Royal Decree of 7 May 1999
24/04/2013	Consultation organised by the BIPT Council at the request of the Minister of Economy on the draft royal decree on mobile communication services on board ships
09/04/2013	Draft decision of 28 March 2013 on the impact of the FttH roll-out
02/04/2013	Draft decision of the BIPT Council regarding wholesale tariffs for access services to cable networks in the bilingual Brussels-Capital Region
26/03/2013	Consultation of 19 March 2013 on the extension of the available numbering space in a number of geographical areas
26/02/2013	Draft opinion of the BIPT Council on the removal of the universal service obligations regarding the provision of the universal directory enquiry service and the provision of the universal directory
26/02/2013	Draft decision on the annulment of the universal service obligations regarding the provision of public payphones and other access points to public voice telephony services
22/02/2013	Draft Decision of 4 September 2012 determining the net costs for the universal postal service for the year 2010

DATE	TITLE
22/02/2013	Draft Decision of the Council of 29 October 2012 on the full tariffs of bpost for the year 2013
11/02/2013	Consultation on the request of Scarlet Business to reallocate the following entire number series of Scarlet Business: 7025, 90084, 90225 to BT; 90325 to Verizon; 80028 and 80084 to Belgacom; and 9090 to Telenet or 3StarsNet of 7 February 2013
28/01/2013	Consultation on the request by Scarlet Business NV/SA to reallocate the entire 078 25 number block of Scarlet Business NV/SA to BT Limited of 11 January 2013
28/01/2013	Consultation on the draft BIPT Council decision concerning the publication by operators of information on products and services for disabled users
25/01/2013	Draft decision of 18 January 2013 regarding the addendum "Specifications for P=5 service quality"
23/01/2013	Draft decision concerning the reference offer from Coditel



### 3. Communications

DATE	TITLE
14/12/2013	Communication by the BIPT Council of 3 December 2013 on BIPT's monitoring in 2012 of the postal service providers
12/12/2013	Annex to the common communication of the regulators represented within the CRC of 12 December 2013 regarding the setting of wholesale tariffs for access to cable networks
12/12/2013	Common communication of the regulators represented within the CRC of 12 December 2013 regarding the setting of wholesale tariffs for access to cable networks
29/10/2013	Communication about the reference offers for the cable
18/10/2013	Inquiry about the users' perception of the Belgian electronic communications market
16/09/2013	Communication of the BIPT Council of 16 September 2013 regarding hacking at Belgacom
13/09/2013	Composition and competences of the BIPT Council
11/09/2013	Communication of the BIPT Council of 11 September 2013 regarding the opinion of the BIPT Council of 31 January 2013 concerning the adaptation of the legislation and regulation relating to 3G user rights
20/08/2013	Communication by the BIPT Council of 8 August 2013 on the declaration of conformity of bpost's costs accounting system for the year 2010
10/07/2013	National benchmarking of the telecommunications services rates in Belgium [Rates applied on 03 June 2013]
1/07/2013	Auction of user rights for the 800 MHz band: information memorandum

DATE	TITLE
11/06/2013	Communication of the BIPT Council of 30 April 2013 on the possible risks of a safety breach regarding the mobile telephony networks and services in the context of the 2G and 2.5G technology
24/05/2013	List of the postal operators who have been granted an individual licence for the provision of a service that is part of the universal service
14/05/2013	Television broadcasting market - Common communication by the regulators represented in the CRC about the next steps to implement the quantitative and qualitative decisions
29/03/2013	Communication of the BIPT Council of 28 March 2013 concerning the economic value of the band 790-862 MHz for DTT and for broadband
27/02/2013	Communication of the BIPT Council of 22 January 2013 regarding the Belgian postal services observatory for 2010 and 2011
25/02/2013	Communication by the BIPT Council on BIPT's monitoring in 2011 of bpost's quality of service
25/02/2013	Communication by the BIPT Council on BIPT's monitoring in 2011 of the postal service providers
20/02/2013	Comparative study of telecommunication product prices in Belgium, France, the Netherlands, Germany and the United Kingdom [tariffs applied between 8 and 28 August 2012]
15/02/2013	Communication by the BIPT Council of 15 February 2013 on the radiation standards in the Brussels Capital Region
1/02/2013	Inquiry about the users' perception of the Belgian electronic communications market

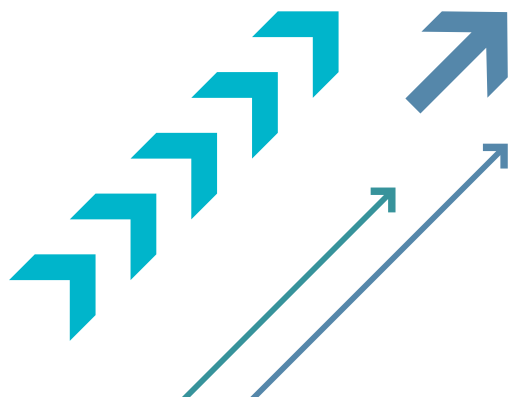
### 4. Opinions

DATE	TITLE
24/12/2013	Draft opinion on the 2012 improvement plan and the 2013 action plan of bpost following the 2012 customer satisfaction
24/05/2013	Opinion on the lifting of the universal service obligations concerning the provision of the universal directory enquiry service and the provision of the universal directory
28/02/2013	Opinion on the 2012 improvement plan and the 2013 action plan following the customer satisfaction survey for the year 2012
31/01/2013	Opinion concerning the draft Royal Decree on radio access in the 790-862 MHz frequency band



## 5. Press releases

DATE	TITLE
4/12/2013	BIPT suggests laying down the bitrate for functional Internet access at 1 Mbit/s
3/12/2013	BIPT launches a public consultation regarding the granting of a concession for the distribution of acknowledged newspapers
12/11/2013	BIPT makes the results of the 800 MHz auction public
18/10/2013	Telecom from a consumer perspective
8/10/2013	BIPT finds the three applications to be admissible for the 800 MHz auction
23/09/2013	Three candidates about to participate in the auction of the digital dividend
20/08/2013	BIPT has approved the market analysis decision regarding the leased lines markets
7/08/2013	A fine has been imposed on the fourth mobile operator BidCo
1/07/2013	BIPT publishes information memorandum for potential applicants for 800 MHz licences for mobile broadband Internet (4G)
5/06/2013	BIPT sets out an indicative time schedule for the auction of the 800 MHz band for mobile broadband Internet (4G)
30/05/2013	BIPT publishes statistics of the electronic communications sector in 2012
22/05/2013	BIPT grants TBC POST a postal licence
26/04/2013	BIPT forces telecommunications operators to give sufficient information to disabled persons
24/04/2013	BIPT would like that the fourth mobile operator "Telenet Tecteo BidCo" sets off
26/02/2013	BIPT suggests modernising the electronic communications universal service
20/02/2013	Average Belgian telecom prices compared to neighbouring countries
19/02/2013	BIPT warns against illegal "DECT 6.0" cordless telephones
4/02/2013	BIPT imposes a fine on Telenet, Mobistar and Scarlet because of incomplete information on subscribers' invoices



## 6. Acts of the CRC

- The regulatory framework for the opening of the cable is now comprehensive (Press release of 12 December 2013)
- Decisions of 11 December 2013 (reference offer - quantitative aspects - "retail minus"):
  - Decision of the Conference of regulators in the electronic communications sector (CRC) of 11 December 2013 regarding the wholesale tariffs for the access services to the cable networks on the territory of the bilingual Brussels-Capital Region
  - Decision of the Conference of regulators in the electronic communications sector (CRC) of 11 December 2013 regarding the wholesale tariffs for the access services to the cable networks on the territory of the Dutch-speaking Region;
  - Decision of the Conference of regulators in the electronic communications sector (CRC) of 11 December 2013 regarding the wholesale tariffs for the access services to the cable networks on the territory of the French-speaking Region;
  - Decision of the Conference of regulators in the electronic communications sector (CRC) of 11 December 2013 regarding the wholesale tariffs for the access services to the cable networks on the territory of the German-speaking Region.

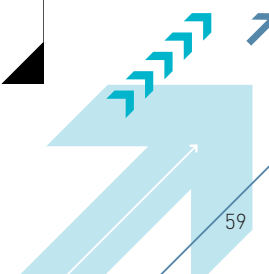
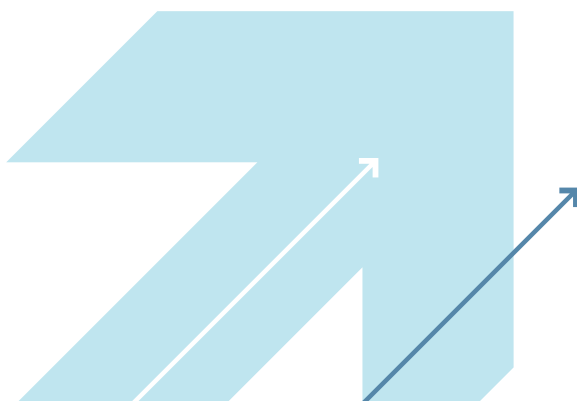


- The CRC adopts decisions regarding the qualitative aspects of the reference offers of Brutélé, Coditel (Numericable), Tecteo and Telenet (Press release of 9 September 2013).
- Decisions of 3 September 2013 (reference offer - qualitative aspects):
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Telenet's wholesale reference offer in the bilingual Brussels-Capital Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Brutélé's wholesale reference offer in the bilingual Brussels-Capital Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Coditel's wholesale reference offer in the bilingual Brussels-Capital Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Telenet's wholesale reference offer in the Dutch-speaking Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Tecteo's wholesale reference offer in the Dutch-speaking Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Coditel's wholesale reference offer in the Dutch-speaking Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Telenet's wholesale reference offer in the French-speaking Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Tecteo's wholesale reference offer in the French-speaking Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Brutélé's wholesale reference offer in the French-speaking Region;
  - Decision of the Conference of Regulators of the electronic communications sector (CRC) of 3 September 2013 regarding Tecteo's wholesale reference offer in the German-speaking Region.

## C. LIST OF IMPLEMENTING MEASURES PUBLISHED IN THE MONITEUR BELGE

### Decrees implementing the “BIPT Act” (17 January 2003)

1. Royal Decree of 14 April 2013 approving the investments for the database referred to in Article 22, § 2, of the Annex to the Act of 13 June 2005 on electronic communications between 1 July 2007 and 31 December 2011 ([M.B. 23 May 2013](#))
2. Royal Decree of 14 April 2013 approving the planned investments for the needs of the database referred to in Article 22, § 2, of the Annex to the Act of 13 June 2005 on electronic communications for 2012 and 2013 ([M.B. 23 May 2013](#))
3. Royal Decree of 17 August 2013 on the four-day week, half-time working from the age of 50 or 55, and the retirement age of the civil servants of the Belgian Institute for Postal services and Telecommunications ([M.B. 23 August 2013](#))
4. Recommendation of 11 September 2013 of the Consultative Committee on Telecommunications: publication laid down in Article 6 of the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors ([M.B. 23 September 2013](#))
5. Royal Decree of 15 September 2013 amending certain provisions on the status of the staff of the Belgian Institute for Postal services and Telecommunications ([M.B. 25 September 2013](#))
6. Royal Decree of 15 September 2013 amending the Royal Decree of 10 January 2006 laying down the budgetary and accounting regulations of the Belgian Institute for Postal services and Telecommunications ([M.B. 25 September 2013](#))
7. Royal Decree of 5 November 2013 on the organisational structure of the Belgian Institute for Postal services and Telecommunications ([M.B. 27 November 2013](#))



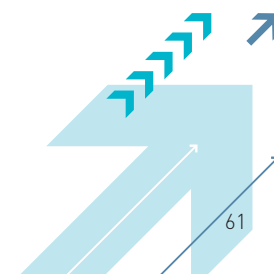
## Decrees implementing the “Electronic Communications Act” (13 June 2005)

1. Royal Decree of 22 January 2013 amending the Royal Decree of 1 April 2007 regarding the procedure and the practical rules relating to the functioning of the Ethics Commission for the provision of premium rate services on electronic communications networks [\(M.B. 8 February 2013\)](#)
2. Royal Decree of 31 January 2013 replacing the Annex to the Royal Decree of 9 January 2003 on the terms and conditions of the legal collaboration obligation in case of judicial requests on electronic communications [\(M.B. 4 March 2013\)](#)
3. Royal Decree of 11 February 2013 on systems providing mobile satellite services [\(M.B. 8 March 2013\)](#)
4. Royal Decree of 4 March 2013 on the transfer terms of certain beneficiaries of the social element of the universal service [\(M.B. 29 March 2013\)](#)
5. Royal Decree of 4 March 2013 on the content and terms of the notification regarding the voluntary provision of the social element of the universal service [\(M.B. 29 March 2013\)](#)
6. Royal Decree of 25 April 2013 amending the Royal Decree of 7 March 2007 on the notification of electronic communications services and networks and amending the Royal Decree of 10 December 2009 amending the Royal Decree of 7 March 2007 on the notification of electronic communications services and networks [\(M.B. 27 May 2013\)](#)
7. Royal Decree of 6 June 2013 on radio access in the 790-862 MHz frequency band [\(M.B. 17 June 2013\)](#)
8. Royal Decree of 2 July 2013 on the number portability for electronic communications services subscribers [\(M.B. 12 July 2013\)](#)
9. Royal Decree of 9 July 2013 on alert messages aiming at controlling the costs of electronic communications services [\(M.B. 23 July 2013\)](#)
10. Royal Decree of 15 July 2013 amending the Royal Decree of 18 December 2009 on private radio communications and user rights for fixed networks and trunk networks [\(M.B. 19 August 2013\)](#)
11. Royal Decree of 15 July 2013 regarding mobile communications services on board aircraft [\(M.B. 5 August 2013\)](#)
12. Royal Decree of 19 September 2013 implementing Article 126 of the Act of 13 June 2005 on electronic communications [\(M.B. 8 October 2013\)](#)
13. Ministerial Order of 8 October 2013 amending the Ministerial Order of 12 November 2009 fixing the level of detail of the basic invoice regarding electronic communications [\(M.B. 15 October 2013\)](#)
14. Royal Decree of 26 November 2013 amending the Royal Decree of 16 April 1998 concerning ground satellite stations and abolishing the Royal Decree of 7 May 1999 on the specifications applicable to the operation of mobile personal satellite communications services [\(M.B. 12 December 2013\)](#)
15. Royal Decree of 15 December 2013 determining the content of the information sheets, referred to in Articles 111, § 2, of the Act of 13 June 2005 and 5, § 2, of the Act of 15 May 2007 [\(M.B. 13 January 2014\)](#)
16. Ministerial Order of 15 December 2013 on the lifting of the universal service obligations concerning the provision of the universal directory in the electronic communications sector [\(M.B. 9 January 2014\)](#)
17. Royal Decree of 15 December 2013 on the lifting of the universal service obligations concerning the provision of the universal directory enquiry service and the provision of the universal directory in the electronic communications sector [\(M.B. 9 January 2014\)](#)



## D. GLOSSARY

<b>BEREC</b>	Body of European Regulators for Electronic Communications	<b>LEGBAC</b>	Limited Exploratory Group on Broadcasting to Aeronautic Compatibility
<b>BROBA</b>	Belgacom Reference Offer Bitstream Access	<b>LL</b>	Leased Line
<b>BRUO</b>	Belgacom Reference Unbundling Offer	<b>MTR</b>	Mobile Termination Rate
<b>CA</b>	Council of Administration	<b>NCS</b>	National Spectrum Monitoring Department
<b>CEPT</b>	European Conference of Postal and Telecommunications Administrations	<b>NGA</b>	Next Generation Access
<b>CERP</b>	European Committee for Postal Regulation	<b>NGN</b>	Next Generation Network
<b>COCOM</b>	Communications Committee	<b>NGLL</b>	Next Generation Leased Lines
<b>CRC</b>	Conference of Regulators of the electronic communications sector	<b>NRA</b>	National regulatory authority
<b>CSA</b>	Conseil supérieur de l'audiovisuel	<b>PNCT-NOT</b>	National consultation forum on telecommunications
<b>DVB-T</b>	Digital Video Broadcasting - Terrestrial	<b>ROC</b>	Restricted Operator's Certificate
<b>ECA</b>	Act of 13 June 2005 on electronic communications	<b>RSC</b>	Radio Spectrum Committee
<b>ECC</b>	Electronic Communications Committee	<b>RSC</b>	Radio Spectrum Committee
<b>EMC</b>	Electromagnetic compatibility	<b>RSPG</b>	Radio Spectrum Policy Group
<b>ENISA</b>	European Network and Information Security Agency	<b>R&amp;TTE</b>	Radio and Telecommunications Terminal Equipment
<b>ERGP</b>	European Regulators Group for Postal services	<b>SGEI</b>	Services of general economic interest
<b>ERO</b>	European Radiocommunications Office	<b>SMP</b>	Significant Market Power
<b>ESA</b>	European Space Agency	<b>SMS</b>	Short Message Service
<b>ETSI</b>	European Telecommunications Standard Institute	<b>SRC</b>	Short Range Certificate
<b>FPS</b>	Federal Public Service	<b>STT</b>	Social Telephone Tariff
<b>FttH</b>	Fiber to the Home	<b>STTS</b>	Social telephone tariffs department
<b>GMDSS</b>	Global Maritime Distress and Safety System	<b>T-DAB</b>	Terrestrial Digital Audio Broadcasting
<b>GOC</b>	General Operator's Certificate	<b>TDD</b>	Frequency Division Duplex
<b>GSM</b>	Global System for Mobile communications	<b>UMTS</b>	Universal Mobile Telecommunications System
<b>HAREC</b>	Harmonised Amateur Radio Examination Certificate	<b>UPU</b>	Universal Postal Union
<b>HCM</b>	Harmonised Calculation Method	<b>VHF</b>	Very High Frequencies
<b>IP</b>	Internet Protocol	<b>VRM</b>	Vlaamse Regulator voor de Media
<b>IRG</b>	Independent Regulators Group	<b>WBA</b>	Wholesale Broadband Access
<b>ITU</b>	International Telecommunication Union	<b>WRC</b>	World Radio Conference
		<b>WTO</b>	World Trade Organisation



## E. USEFUL ADDRESSES

### FPS ECONOMY, SMES, SELF-EMPLOYED AND ENERGY

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### OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR

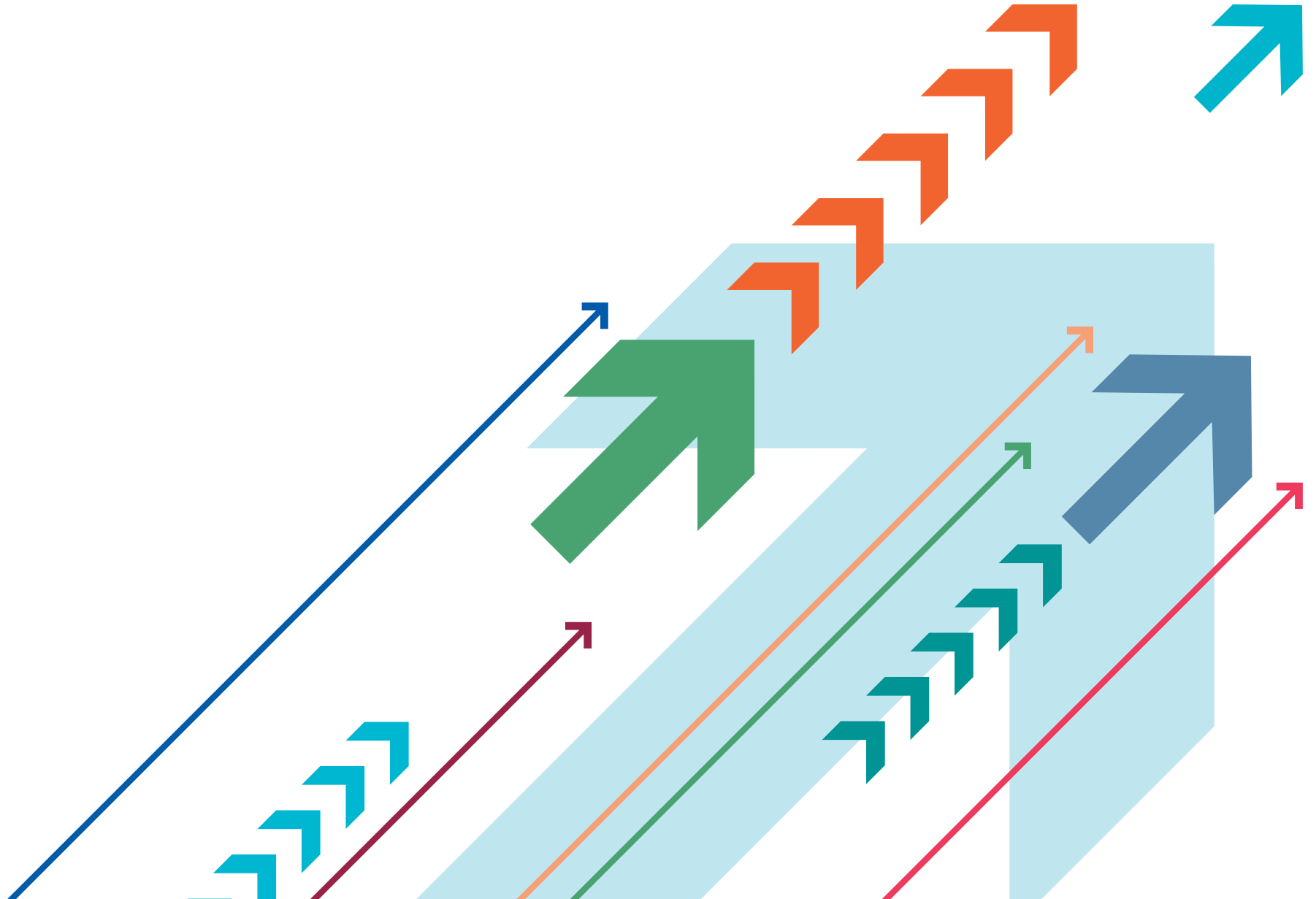
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