

**Communication of the BIPT Council
of 03 September 2024
containing instructions for operators on the information
to be provided to the BIPT for the compilation of
statistics on the requests for retained data from
authorities**

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1. Legal framework and purpose

1. Article 127/1, § 7, of the Act of 13 June 2005 on electronic communications provides the following:

"§ 7. The Institute shall transmit annually to the Minister and the Minister of Justice statistics on the provision to the authorities of data retained under Articles 122, 123, 126, 126/1, 126/3 and 127. These ministers transmit the data annually to the Chamber of Representatives.

Such statistics shall include:

1° the cases where retained data were provided to the competent authorities in accordance with applicable legal provisions;

2° the time elapsed between the date on which the data were retained and the date on which the competent authority requested the transmission of the data;

3° the cases where requests for retained data could not be met.

These statistics may not include personal data or confidential information.

The data concerning the application of subparagraph 2, 1°, are also attached to the report that the Minister of Justice makes to the Parliament in accordance with Article 90decies of the Code of Criminal Procedure.

The Institute shall request from the operators and the service designated by the King the information which will enable it to fulfil the obligation referred to in subparagraph 1." (we underline).

2. The "service designated by the King", within the meaning of the last subparagraph of the aforementioned provision, is the NTSU¹.
3. The statistics referred to in the above-mentioned article are hereinafter referred to as statistics on access by authorities to retained data.
4. This document contains instructions for operators on the data to be provided to the BIPT to enable it to compile the above-mentioned statistics.

¹ Article 1 of the Royal Decree of 4 October 2023 on the data to be retained by the electronic communications operators for the authorities, pursuant to Articles 126 to 126/3 of the Act of 13 June 2005 on electronic communications, and the statistics on the communication of these data to the authorities.
The NTSU is the National Technical & Tactical Support Unit of the Federal Police.

2. Procedure

5. On 30 January 2024, a meeting was held between the BIPT, the ISPA, many operators and the NTSU concerning the information to be provided by operators to the BIPT to enable it to compile statistics on the access of authorities to retained data.
6. In preparation for this meeting, the BIPT sent operators a document containing instructions on the matter. This document had been the subject of prior consultation with the NTSU. At the same meeting, operators identified several difficulties concerning the statistical information to be provided to the BIPT.
7. This document presents the instructions that had been communicated to operators before the meeting of 30 January 2024 and provides solutions to the difficulties raised by operators at the above-mentioned meeting. These solutions were the subject of a consultation with the NTSU.
8. From 26 April 2024 to 24 May 2024, a consultation of operators was organised in relation to the draft of this document.

3. Sources of information for the compilation of statistics

9. To compile the statistics, the BIPT proceeds as follows.

3.1. Statistics from the TANK exchange platform of the NTSU

10. The BIPT takes as its starting point the figures from the TANK exchange platform² of the NTSU and, among others, the data collected to distribute among certain operators the flat rate of 1 300 000 EUR referred to in Article 3 of 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.

3.2. Request for statistics from operators

11. The BIPT requests statistical data from operators for the following reasons.

12. First, the following requests from the authorities do not pass through the NTSU's TANK exchange platform:

12.1. Requisitions from authorities that are not users of TANK: emergency services providing on-site assistance, the Office of the Ombudsman for Telecommunications, BIPT Judicial Police Officers, the Missing Persons Unit of the Federal police, the FSMA, the BCA, the FPS Eco (inspection service), the FPS Eco (statistics), the CCB, the BIPT within the framework of an administrative procedure and the FPS Health;

12.2. Requests from judicial authorities and intelligence and security services that can be processed in TANK but that, for some reason, have not been introduced in TANK. Neither the BIPT nor the NTSU may force these authorities and services to use TANK, but the NTSU encourages magistrates to use it;

12.3. Requests from judicial authorities and intelligence and security services regarding retained data that cannot currently be processed in TANK.

13. Currently, TANK can only process the following types of requests:

13.1. IDENTIFICATION_ICCID

13.2. IDENTIFICATION_IMSI

13.3. IDENTIFICATION_PHONENUMBER

13.4. TRACK_IMEI_IMSIPHONENUMBER

² TANK (Telecom Automation NTSU Knowledge Center) is a software that automates the sending of requests for electronic evidence from certain authorities and the responses of operators to these requests.

13.5. TRACK_IMSI_IMEI

13.6. TRACK_PHONENUMBER_IMEI

14. Then, the BIPT requests statistical information from operators since the TANK exchange platform does not allow to determine the reasons for the lack of provision of retained data and the age of the data at the time of the request by the authority.
15. In their input on the draft communication, several operators insisted that the TANK exchange platform should be used more for the collection of statistics, which would reduce the need for operators to collect statistics and ensure consistency of results. They also stressed the need to ensure that they do not make IT developments to collect statistics and that these developments are lost with the evolution of the TANK exchange platform. After consultation with the NTSU, it appears that the TANK exchange platform will not be able to collect all the statistics (at least not the age of the data). In addition, the developments of the TANK exchange platform take time (at least a year).
16. Furthermore, one operator indicated that TANK already allows the age of data to be collected. This is not correct. TANK is used to determine the duration of the measurement (which is different from the age of the data requested).
17. Article 127/1, § 7, of the Act of 13 June 2005 on electronic communications does not specify a date on which operators must communicate these statistical data to the BIPT. In practice, the BIPT will ask operators to provide it with this data by a certain date at the latest, so that its statistical report on requests from authorities made to operators during a year can be finalised by the end of the following year. The FPS Justice asked the BIPT to provide it with the statistics for the end of October of each year, so that it can attach them to the report provided for in Article 90decies of the Code of Criminal Procedure³.

3.3. Information provided by the authorities that made the requests

18. The BIPT may also question the authorities that made the request for retained data, in particular if there is any doubt about the interpretation of the statistical data provided by the operators. However, Article 127/1 of the Act of 13 June 2005 on electronic communications does not stipulate any obligation for these authorities to respond to the BIPT's request for information.

3.4. Verification of the obtained information by the BIPT

19. The BIPT also verifies the information provided by operators with regard to requests for retained data that it has addressed to operators or that BIPT Judicial Police Officers have addressed to them.

³ See Article 127/1, § 7, subparagraph 4, of the Act of 13 June 2005 on electronic communications. "The data concerning the application of subparagraph 2, 1°, are also attached to the report that the Minister of Justice makes to the Parliament in accordance with Article 90decies of the Code of Criminal Procedure."

4. Cases in which retained data were transmitted to the competent authorities in accordance with the applicable legal provisions⁴

4.1. Number of requisitions and number of requests

20. Statistics should be collected on the number of **requisitions** as well as on the number of **requests** (ICT requests).
21. This allows to verify that operators have understood this distinction correctly and to determine the average number of requests per requisition.
22. A requisition is a document from an authority that may include several separate requests. This document uses the concept of **requisition** but may in practice bear another name.
23. The term "**request**" ("ICT request") is the technical translation of what is actually requested from operators. Requests to operators resulting from requisitions should be counted as follows:
 - 23.1. when a requisition is sent to multiple operators, the requests are counted per operator;
 - 23.2. when a requisition relates to several periods, each period constitutes a separate request;
 - 23.3. a requisition contains one or more requests to one or more operator(s);
 - 23.4. a request is characterised by a single type of service provision and a single request criterion communicated for the provision of the service;
 - 23.5. by service provision, we expect in particular the freezing of data or the provision of identification data, metadata, or the content of communications;
 - 23.6. a request criterion contains a single element, combined or not with other elements, time or period, that further specify the request;
 - 23.7. these include, but are not limited to: telephone number, IP address, e-mail address, name and home address, name of a legal person, address, location, route, MAC address, Cell Global Identification (CGI), Cell Identification (CellID), International Mobile Equipment Identity (IMEI), Permanent Equipment Identifier (PEI), SIM card number, International Mobile Subscriber Identity (IMSI), Subscription Permanent Identifier (SUPI), Subscriber Concealed Identifier (SUCI), Globally Unique Temporary Identity (GUTI) and Generic Public Subscription Identifier (GPSI). An input of an operator in the context of the consultation on the draft communication rightly indicates that the "Global Unique Temporary Identity (GUTI)" and the "Generic Public

⁴ Article 127/1, § 7, subparagraph 2, 1^o, of the Act of 13 June 2005 on electronic communications.

Subscription Identifier (GPSI)" are not data that the operators have to retain pursuant to Article 126 of the Act of 13 June 2005 on electronic communications. These data have not been included in this article, as the judicial authorities only request it from operators on an ad hoc basis. However, this does not prevent operators from retaining this information on a technical or commercial basis, in compliance with the applicable legislation.

- 23.8. if the same request is addressed to several operators, one request must be counted for each operator questioned. For example, a history data request based on an MSISDN number that is sent to 3 operators is counted as 3 requests;
- 23.9. a request that covers two periods is counted as two requests. For example, if an operator is asked for history data regarding communications related to a telephone number over two distinct periods of time, this means one request per period;
- 23.10. whenever a requisition targets the same type of element more than once, there will be as many requests as the number of elements of the same type. This can be illustrated with the following examples:
 - i. if it is requested in the requisition to identify 5 MSISDNs, this will be counted as 5 requests;
 - ii. if it is requested in the requisition to perform a location history on the basis of two routes (for example points A to B and points C to D), this will be considered as two requests.

This explains why this form does not refer to the concept of a billable unit (for example, when requesting history data on multiple telephone numbers, each telephone number is a billable unit). Each billable unit forms a request;

- 23.11. if, in the requisition, an operator is asked to perform an address-based location history for a single period (for example, the operator is asked to provide a list of all the telephones that were connected to the mobile network in a given location and for a certain period of time), this will be considered as a single request, even if the address is covered by several antennas.
24. These principles are illustrated in the following example: a requisition issued by examining magistrate XYZ, in case 123, concerning the identification of all telephone numbers found in a seized mobile phone. This application is the subject of a request for the identification of 230 telephone numbers of operator 1; 120 numbers of operator 2; 100 numbers of operator 3; 80 numbers of operator 4; 72 numbers of operator 5. Therefore, there are 5 different queries arising from the same initial application. These 5 queries will finally generate at least 602 requests or ICT requests made to the operators.

25. In the event that a telephone number that is the subject of an identification request made to operator 1 is, by mistake, one digit short, then, on the basis of the same application, a correction will be sent to the operator with, this time, the full number. This "new" query, following a correction, will then give rise to an additional request ("ICT request"). This means that the operator 1 database, in this particular case, will have to be re-checked to get the correct answer.
26. Finally, an operator asked the BIPT the following question: "If an inquiry is initiated by a magistrate but leads to new inquiries (for example BIPT Judicial Police Officers), how should these requests be counted?" The answer to this question is that each requisition (called "inquiry" here) must be counted separately. A requisition may include several requests.

4.2. Distinction between different authorities

4.2.1. Introduction

27. Operators told the BIPT that they could not collect statistical data for requests from certain authorities.
28. For the coming years, operators must be able to distinguish between requests from the different Belgian authorities, including those from the Missing Persons Unit and the BIPT Judicial Police Officers.

4.2.2. Request from an authority made by a magistrate

29. An operator asked the BIPT the following question: "Sometimes we receive inquiries from an authority, but with an application document from a magistrate. Should we handle these requisitions as judicial requests or as requests from the authority concerned?" "
30. To answer this question, one can rely on the example of requests from the Missing Persons Unit:
 - 30.1. if it is a requisition from the Missing Persons Unit without going through a magistrate, it is then appropriate to consider it as a requisition from this unit;
 - 30.2. if this is a requisition from a judicial authority (public prosecutor or examining magistrate) which was made at the request of the Missing Persons Unit, it should be counted as a requisition from the judicial authorities.

31. If the requisition for the operator comes from an authority (for example, the FSMA or BIPT Judicial Police Officers) other than a judicial authority, but it has been the subject of a prior review by an examining magistrate (and, potentially, the signature of this magistrate is also found on this requisition), it must be considered as a requisition from the authority making the request (in the same example the FSMA or BIPT Judicial Police Officers) and not from the judicial authorities (in the same example, the examining magistrate).

4.2.3. Statistics based on the requesting authority and/or the service/type of investigation

32. An operator asked the BIPT the following question: "In the future, will the statistics be based on the requesting authority and/or the service/type of investigation?"
33. Statistics are based on the type of requesting authority and the requesting service (see answer to the previous question). Statistics on the type of investigation will not be requested from operators. With regard to requisitions from judicial authorities, this type of information is generally not provided.

4.2.4. Statistics by country or requesting authority

34. An operator asked the BIPT the following question: "Will future statistics have to be established by country or by requesting authority?"
35. The answer to this question is that both must be done. Article 127/1, § 7, of the Act of 13 June 2005 on electronic communications provides in particular the following: "§ 7. The Institute shall transmit annually to the Minister and the Minister of Justice statistics on the provision to the authorities of data retained under Articles 122, 123, 126, 126/1, 126/3 and 127. These ministers transmit the data annually to the Chamber of Representatives [...]". (we underline).
36. The term "authorities", as used in this article, is not restricted to the Belgian authorities. Of course, the statistics only relate to the provision to the authorities of data retained, pursuant to Articles 122, 123 and 126 to 127 of the Act of 13 June 2005 on electronic communications.
37. As from 18 August 2026, the e-evidence Regulation⁵ will apply and operators with their designated establishment or legal representative in Belgium will receive requisitions from foreign judicial authorities to provide them with retained data⁶. For the coming years, it is therefore necessary to count the number of requisitions as well as the number of requests for retained data coming directly from foreign authorities. If in practice the requisition of the foreign authority involves a requisition from the Belgian judicial authorities to the operator, this requisition should be counted as a requisition from the Belgian judicial authorities.

⁵ Regulation (EU) 2023/1543 of the European Parliament and of the Council of 12 July 2023 on European Production Orders and European Preservation Orders for electronic evidence in criminal proceedings and for the execution of custodial sentences following criminal proceedings.

⁶ Article 34.2 of the Regulation lays down the date on which it shall apply.

5. Age of the data

5.1. End date for calculating the age of the data

38. Article 127/1(7), of the Act of 13 June 2005 on electronic communications provides that statistics include, among others , "2° the time elapsed between the date from which the data were retained and the date on which the competent authorities requested their transmission". Further in this document, this time frame is referred to as the "age of the data".
39. The above-mentioned provision refers to "competent authorities". These are the authorities that are legally empowered to request electronic evidence from operators (e.g. the public prosecutor or examining magistrate).
40. The above-mentioned provision refers to "the date on which the competent authorities requested their transmission". There are two ways to understand this date:
- 40.1. The date of signature of the requisition by the competent authority;
 - 40.2. The date on which the request of the competent authority was brought to the attention of the operator; this request must be based on a requisition or an oral order⁷.
41. It is this second interpretation (date of receipt by the operator of the authority's request) that is adopted for the following reasons.
42. Data age statistics aim to assess the appropriate duration for data retention, by identifying which data would not be available anymore to authorities based on different retention periods. For example, these statistics may show that if the data retention period were set at 6 months (instead of the current 12 months provided by law), there would be a number of requests that operators would not be able to respond to, because they receive requests from the authorities more than 6 months after the date of retention of the requested data. For the operator to be able to provide data to the authority, the data must at least be retained until the moment they are actually requested from the operator (and not until the moment the application is signed)⁸.

5.2. Age classification of the data provided

43. In the past, the BIPT asked operators to make the following distinctions in terms of data age:
- 43.1. from 0 to 3 months;
 - 43.2. from 3 to 6 months;

⁷ Oral orders are only possible for judicial authorities and intelligence and security services and must be confirmed by a requisition.

⁸ In fact, in order for the data to be provided to the operator, the data must be available until the operator searches for the data in its databases, i.e. in principle shortly after the request from the authority.

- 43.3. from 6 to 9 months;
- 43.4. from 9 to 12 months.
- 44. However, this distinction is not suitable for MAC addresses which, in some cases, are only retained for 6 months (see below). Therefore, the BIPT proposes to add a new period, namely data from 0 to 1 month old.
- 45. It is also useful to determine whether the data provided are older than 12 months. This may be the case if these data are kept by operators for their own needs or in the interest of their customers.
- 46. In the end, the BIPT asks operators to report the age of the data to it as follows:
 - 46.1. from 0 to 1 months;
 - 46.2. from 1 to 3 months;
 - 46.3. from 3 to 6 months;
 - 46.4. from 6 to 9 months;
 - 46.5. from 9 to 12 months;
 - 46.6. older than 12 months.

5.3. The specific case of MAC addresses

- 47. An operator asked the BIPT the following question: "What about inquiries regarding MAC addresses which should only be retained for 6 months?"
- 48. Article 126 of the Act on electronic communications lays down the following in particular:

"§ 1. Without prejudice to the GDPR and the Act of 30 July 2018, operators providing electronic communications services to end-users, as well as operators providing the underlying electronic communications networks enabling the provision of these services, retain the following data, in so far as they process or generate them within the framework of the provision of these networks or services:

[...]

16° the identifier of the terminal equipment of the end-user, or if the operator does not process or generate it, the identifier of the equipment which is closest to that terminal equipment, namely in particular:

- the International Mobile Equipment Identity, or IMEI;*
- the Permanent Equipment Identifier, or PEI;*
- the Media Access Control address, or MAC;⁴*

§ 2. [...] Notwithstanding subparagraph 2, the retention period for the data referred to in paragraph 1, subparagraph 1, 16°, third indent, shall be reduced to six months after the end of the session where the operator retains another data referred to in paragraph 1, subparagraph 1, 16°."(we underline).

49. As a result, the MAC address will be retained for 12 or 6 months, depending on whether the condition referred to in paragraph 2 above is fulfilled or not.
50. Regarding the reporting of the age of the data, the operator must be able to provide separate statistics for MAC addresses, which will make it possible to conduct a specific assessment in this respect.

5.4. Multiple encoding of the age of the data

51. When the BIPT requested statistics for the provision of retained data, following requisitions issued in 2022, the Institute indicated the following: *"Please always fill in the columns of the table below the number of requests that require data from the respective periods. If a request requires data from several periods, please count the request in both periods. E.g.: If a request concerns data from both two months ago and four months ago, please count it in both columns."*
52. An operator responded as follows: *"Wanneer een vordering betrekking heeft op 2 periodes, leveren we aan de autoriteiten de informatie voor de gevraagde periodes. Echter het rapporteringssysteem [van de operator] zal deze slechts als 1 aanvraag beschouwen en zal 1 periode in de statistieken opnemen."* In the same vein, it states the following: *De operator "behandelt de zoller historiek over meerdere periodes zoals gevraagd. Echter het [rapporteringssysteem van de operator] zal deze vordering slechts als 1 aanvraag en voor 1 periode in de statistieken opnemen."* This operator adds that keeping track of the age of data by period would require IT developments.
53. The BIPT considers that this operator should not change its way of proceeding for the following reasons:
 - The operator considers that there is only one request, which is also the case in the TANK exchange platform of the NTSU;
 - It can be assumed that the periods concerned are close in time, so that they will all fall within the same time period (see these periods in point 46).
54. If the data necessary to respond to a request were retained at different times (for example, a 15-day retro in the past), we propose to take the oldest retention date.

5.5. Repetitive daily action

55. This can be illustrated with the following example: On 13 May 2024, an operator receives a request from an authority to carry out a search relating to certain metadata from and including 1 May 2024, and every day until and including 31 May 2024, communicating the results of the search to the authority making the request at the end of each day.

In this case, there will be:

- 55.1. a judicial requisition sent to 1 operator;
 - 55.2. as many ITC requests as there are periods concerned:
 - i. ICT request No. 1: from 1 May to 13 May;
 - ii. ICT request No. 2: 14 May;
 - iii. ICT request No. 3: 15 May;
 - iv. etc., until 31 May.
 - 55.3. ICT request No. 1 will concern data with various ages, the oldest being 13 days old.
56. As regards the age of the data, only data that have been stored prior to receipt of the authority's request should be taken into account. Article 127/1, § 7, of the Act of 13 June 2005 on electronic communications indeed provides that statistics include, among others, "2° the time elapsed between the date from which the data were retained and the date on which the competent authorities requested their transmission". This provision therefore assumes that the date on which the data is stored is prior to the date of receipt of the authority's request. As regards the age of the data, only ICT request No. 1 should be taken into account.
57. In principle, the age of the data is calculated per ICT request and per data. However, in complex cases or when the data related to an ICT request have different ages, such as the example above, and in order to simplify the computer processing, the counting of the age of the data can be done at the level of the requisition to the operator or by taking into account the oldest data related to the ICT request. In this case, it will therefore be necessary to take the oldest data (13 days) of ICT request No. 1.

5.6. Age of the data for requests passing through TANK

58. As highlighted at the meeting of January 30, 2024, the TANK platform is unable to calculate the age of the data requested by the authorities. Therefore, having to record the age of the data for requests that have been submitted via TANK implies that operators record the age of these data themselves. As a result, we lose all the benefits of counting statistics via TANK. However, as indicated in the preparatory work of the Act⁹, the objective of the legislation was to lighten the burden for operators, which should only provide statistics that cannot be derived from the TANK platform:

"During the public consultation, several operators proposed to abolish the obligation for operators to provide statistics to the BIPT, as these statistics can be extracted from the TANK tool of the NTSU-CTIF (tool allowing the automation of requests to operators and of their responses to the authorities). Removing this obligation is not an option at present: it cannot

⁹ Bill on the collection and retention of identification data and metadata in the electronic communications sector and the provision of such data to authorities, *Doc.Ch.*, 2021-2022, No. 2572/1, p. 117.

be excluded that some statistics cannot be extracted from TANK at first and many authorities do not use TANK to request identification or traffic data from operators. However, the text of the article has been adapted to allow more flexibility in practice. From now on, operators will no longer have to automatically send statistics to the BIPT, but only at its request. The BIPT will be able to obtain certain statistics via the TANK platform of the NTSU-CTIF and request the missing information from operators."

59. On the other hand, not having data age statistics for requests that go through TANK means that there would be no statistics on the subject for a large number of requests from authorities.
60. In order to meet the objective of the legislation and find a balance and with regard to requests made in TANK, operators are requested to calculate the age of the data only for requests made in TANK on the following dates: 21/03/xx¹⁰, 21/06/xx¹⁰, 21/09/xx¹⁰, 21/12/xx¹⁰. The data requested on these dates will serve as a sample that should be sufficiently representative for the expected purpose of these statistics. It should also be noted that, in principle, statistics on the age of the data should not change fundamentally from year to year, assuming that the work methods of the authorities do not change radically from year to year.
61. The BIPT considers that the request to collect the age of the data sent via TANK on 4 dates is a reasonable application of the law, given that it could, on the basis of this law, require operators to collect the age of the data sent via TANK for all requests for one year, which operators have done in the past.

5.7. Age of the data for identification and subscription data

62. It was highlighted during the meeting of January 30, 2024, that the age of subscriber identification data and service subscription data is often over 1 year (in any case for post-paid products), as long as it concerns data that are collected at the beginning of the contract concluded between the operator and its customer and that must be retained for as long as the electronic communications service is used and a year. The age of these data then depends on the usage duration of the service and certain changes that may occur (for example, the change of billing address or SIM card).
63. Therefore, including this type of data in the calculation of the age of the data could distort the statistics. Operators are therefore asked not to include in the data age statistics the data that must be retained for as long as the electronic communications service is used and for twelve months after the end of the service (see Article 126, § 2, subparagraph 1, of the Act of 13 June 2005 on electronic communications).
64. This proposal corresponds to what some operators do for "zollers"¹¹. Some operators have thus indicated to the BIPT that in the case of a "zoller" (historical usage data), in addition to the usage data, they also communicate the identification in 1 result. Until now, they have indicated this in their statistics as 1 event, thus measuring only the "time" of the usage data and not the resulting identifications.

¹⁰ Reference year for statistics.

¹¹ History of the communications.

6. Cases in which the operator cannot provide the requested data¹²

65. The BIPT requests operators to provide it with information on the reasons why the retained data cannot be communicated, for example:

Justification	Encoding
The operator does not process or generate the data (example: the authority addresses the wrong operator)	No account found
The data have already been destroyed or anonymised at the time of the request	Destroyed data
The operator is not able to provide reliable data	Non-reliable data
The operator considers that there are certain legal grounds against the provision of the data (with the exception of the following point)	Legal document not valid
The operator considers that the authority is not authorised to obtain the data, as it has no territorial jurisdiction to do so	Outside jurisdiction

66. To this day, in TANK, there is no "remark" field specifically related to reasons why an operator does not provide the requested data.

¹² Article 127/1, § 7, 3°, of the Act of 13 June 2005 on electronic communications.

7. First application of this communication

67. Operators are asked to make every effort to follow this communication for statistical data to be provided to the BIPT within the framework of requests from the authorities communicated to them in 2023. When, for technical reasons, it is not possible for an operator to implement certain elements of this communication, it is required to communicate these elements to the BIPT when sending the statistics.

68. The BIPT expects operators to apply this communication for the requests for retained data that the authorities will send them from 2025 onwards (statistics compiled in 2026).

8. Annex

69. At the meeting of 30 January 2024, operators requested that the BIPT provide them with a template for the reporting of statistical data. This template is in the annex.

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