



2000



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# CONTENTS



<b>PREFACE</b> .....	3
<b>I. INTRODUCTION</b> .....	4
<b>II. TELECOMMUNICATIONS</b> .....	6
<b>II.1 THE REGULATORY FRAMEWORK</b> .....	6
II.1.1 At international level .....	6
European Union .....	6
International Telecommunication Union (ITU) .....	7
European Conference of Postal and Telecommunications Administrations (CEPT) .....	7
Organization for Economic Cooperation and Development (OECD) .....	7
Independent Regulators Group (IRG) .....	8
II.1.2 At Belgian level .....	8
Number portability .....	8
Radio and telecommunications terminal equipment .....	8
Local loop unbundling and bitstream access .....	8
<b>II.2 THE TELECOMMUNICATIONS MARKET</b> .....	9
II.2.1 Opening of the market .....	9
The market of fixed networks and services .....	9
The market of mobile networks and services .....	9
II.2.2 Successful operation of the market .....	11
Operators with significant market power (SMP) .....	11
Interconnection and special access .....	11
The management of the national numbering plan .....	12
Resolution of disputes between operators .....	13
The public telecommunications service .....	15
II.2.3 Consultative Committee on telecommunications .....	16
II.2.4 E-Security Platform .....	16
<b>II.3 OPERATIONAL TASKS OF THE INSTITUTE</b> .....	16
II.3.1 Networks and services: management of licences and declarations .....	16
II.3.2 Granting of licences for private radio communication networks and individual radio stations .....	17
II.3.3 Frequency management .....	18
Frequency allocations for land mobile services under the 1993 Vienna Agreement .....	18
Other files .....	18
II.3.4 Equipment .....	19
The R&TTE Directive 99/5/EC .....	19
Monitoring of terminal and radio equipment .....	20
II.3.5 Examinations for radio users .....	21
II.3.6 National spectrum monitoring service (NCS) .....	22
II.3.7 Monitoring tasks with regard to the Act of 21 March 1991 .....	24

# BIPT Annual Report 2000

<b>III. THE POSTAL SECTOR</b> .....	26
<b>III.1 REGULATORY FRAMEWORK</b> .....	27
III.1.1 At European level .....	27
III.1.2 At Belgian level .....	27
<b>III.2 POSTAL MARKET</b> .....	28
III.2.1 International economic context .....	28
III.2.2 European economic context .....	29
III.2.3 Belgian economic context .....	29
<b>III.3 OPERATIONAL TASKS OF THE INSTITUTE</b> .....	31
III.3.1 At regulatory level .....	31
III.3.2 At operational level .....	31
III.3.3 At international level .....	32
European Committee on Postal Regulation (CERP) .....	32
CEN /TC 331 Postal Services .....	32
Universal Postal Union (UPU) .....	32
III.3.4 Consultative Committee on postal services .....	33
<b>IV. THE BELGIAN INSTITUTE FOR POSTAL SERVICES AND TELECOMMUNICATIONS</b> .....	34
<b>IV.1 ORGANISATION</b> .....	34
<b>IV.2 PERSONNEL</b> .....	35
<b>IV.3 LOGISTIC AND FINANCIAL SUPPORT</b> .....	36
<b>IV.4 BUDGET</b> .....	37
IV.4.1 BIPT - regulator for postal services and telecommunications .....	37
IV.4.2 Mediation Service for Telecommunications .....	37
<b>ANNEXES</b> .....	38
Annexe 1 : References to legal texts prepared by BIPT and published in 2000 .....	39
Annexe 2 : List of abbreviations used .....	40

## PREFACE



The year 2000 was again marked by a bustling activity in the regulation of the postal and telecommunications sector: modernisation and adaptation of the legislative framework to the new market requirements, the stimulation of the development of new services, the growth of competition by way of the ADSL wholesale offer for instance or local loop unbundling.

The activities undertaken at European level following the review of the telecommunications regulatory framework, called "Review 99", were undoubtedly one of the most striking elements of the year 2000.

The review that is currently going on, will probably be finalised under the Belgian chairmanship, by the end of the second half of 2001. It will have a decisive impact on the way the European telecommunications market will function in the future. The outlines of that review are a decrease of the administrative obligations and of the *a priori* regulation of the sector in order to evolve towards more recourse to competition law and towards *a posteriori* verification of the market operation.

The activities at European level regarding the postal sector are not less important.

These changes in the European regulatory framework will inevitably entail an evolution in BIPT's work.

The new challenges of a telecommunications market now fully liberalised call for a strong regulatory body. That is why I have started an extensive consultation of the sector in order to determine the ideal circumstances in which to carry out the regulatory function but also to prepare the legislation in an optimal and medium-term stable manner.

In that respect I have no doubt that the result of these reflections will make it possible to valorise even better the current competence shown by the entire BIPT staff who is faced with a task that is sometimes hard but which is always of the utmost importance to the development of a key sector of the Belgian economy.

Rik DAEMS  
Minister of Telecommunications

## I. INTRODUCTION

As for the telecom sector firstly the progress made in opening up the market should be mentioned. This was done both on the legislative level, notably the transposition of all elements of the European rules into Belgian legislation, and on the regulatory level and the level of economic developments in the sector itself.

As to the regulatory action (BIPT) the following elements evidently should be underlined:

- the further progress made regarding the interconnection conditions which Belgacom has to offer its competitors;
- the consultation and quick preparation of unbundling Belgacom's local loop;
- the preparation of fixed wireless access licences;
- the preparation of the auction of 3G licences (including on the regulatory level the pioneering work concerning shared use of antenna sites and the health standards for electromagnetic waves);
- the designation of Proximus as an SMP operator for interconnection;
- the putting into practice of the new R&TTE Directive on terminal equipment and radio equipment;
- the intervention of the Chamber for Interconnection in a number of disputes;
- the support of systems of coregulation, such as for the non-profit institution "Domainnames" and for number portability.

Apart from that, BIPT's work volume has increased drastically by the task it was given to become the information point for internet viruses, because of the radiation measurements of GSM masts and the increase, both in number and in complexity, of the requests for formal and informal mediation in disputes or interpretation difficulties between telecom operators.



BIPT also wants to stress the fact that its procedures for consultation of the sector, as in the case of 3G licences, local loop unbundling, fixed wireless access, interconnection, the problem of price squeezes, etc. have largely contributed to getting a better view and therefore a better guidance of the developments in the sector. Therefore, this annual report is the obvious means to thank all operators who have invested so much in this undertaking.

Moreover, the follow-up of the international activities and especially the preparation of the European Review, and the problems regarding standardisation, frequency coordination and numbering have required a lot of effort.

It is striking, though, that in the Belgian telecommunications sector all the companies having obtained a licence or introduced a declaration in the years past, have consolidated their Belgian activities and acquired considerable market shares in certain segments. It cannot be denied, however, that already by the end of 2000 the sector was for various reasons faced with less favourable prospects. This concerns both the margins still existing on the end user market, and the less favourable financial conditions and the high costs of investment they are faced with. This can only mean that the role of an independent regulator in the sector will remain crucial for many more years in order to guarantee optimally the interests of the sector but primarily of the end users.

In the postal sector the year 2000 was marked by a calm economic growth, both for La Poste and for the other companies active in the sector, and by profound discussions at European level on the continuing liberalisation. Nevertheless BIPT intensified its activities in the sector. On the one hand it made preparations for the verification and calculation of the cost of universal service of La Poste and on the other it participated very actively in the CERP

activities (European Committee on postal regulation), which is indispensable because of the on-going internationalisation of postal activities.

For the coming years BIPT will try to continue its activities in the same way. A number of elements are crucial in that respect:

- the correct transposition of the new European regulation, which means that the Institute's tasks are thoroughly revised, certainly moving towards more authority to intervene, albeit where de facto deficiencies in market relations are found;
- a change of the status, so that it meets the requirements regarding independence;
- an extension of the establishment, in order to be able to handle the ever increasing pressure of work and to guarantee the quality and profundity of the work.

The goals of BIPT for the coming years focus on the following four elements:

- optimal cooperation with the Government in the field of policy preparation;
- optimisation of the regulated environment in the ICT sectors;
- confirmation of the autonomy on the national and international level within the Independent Regulators Group (IRG);
- in implementation of the Review, establishing the necessary cooperation with the competition authorities and the Communities (in the context of convergence).

As you can see in the text of this annual report and deduce from the preface, BIPT wishes to present its activities to the authorities and the public in as much detail as possible, because in the end, only by way of an open dialogue our work can be improved.



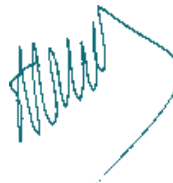
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Jean-Luc Dutordoit  
Administrator



Georges Deneff  
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General Administrator

## THE REGULATORY FRAMEWORK

### 1.1 AT INTERNATIONAL LEVEL

#### European Union

On 12 July 2000 the Commission adopted the regulatory package following the Review 99 of the functioning of the telecommunications market. This regulatory set includes the following text proposals:

- directive on a common regulatory framework for electronic communications networks and services;
- directive on access to, and interconnection of, electronic communications networks and associated facilities;
- directive on the authorisation of electronic communications networks and services;
- directive on universal service and users' rights relating to electronic communications networks and services;
- directive concerning the processing of personal data and the protection of privacy in the electronic communications sector;
- decision on a regulatory framework for radio spectrum policy in the European Community;
- directive on competition in the markets for electronic communication services.

In the framework of the convergence of telecommunications, audiovisual means and information technologies this restructuring sets out to organise the transition to the generalised application of the competition rules. Currently, the telecommunications sector is governed in a way that takes account of the dominant market position held by the historical telecom operators, who have often established their networks and developed their services in a monopoly situation. The new regulatory framework introduces provisions that will make it possible, as the markets become really competitive, to abolish the specific obligations (which have sometimes become useless) imposed on SMP operators.

In the course of 2000 the activities were mainly focused on the framework directive that establishes the main principles that apply to the electronic communications market as well as the tasks of the national regulatory authorities and the principles regarding the analysis of the telecommunications markets.

The Council also adopted a long-range Community programme, for which EUR 100 million was put aside, aimed at stimulating the development, operation and commercialisation of European digital content on worldwide networks and to promote linguistic diversity.

## II. TELECOMMUNICATIONS



Moreover, in March 2000 in Lisbon heads of state or of government adopted the “eEurope 2002 Action Plan – an Information Society For All” which was endorsed in Feira and in which they urged the Member States to foster access to the local telecommunications network and local loop unbundling before the end of 2000 and to adopt the regulatory package regarding electronic communications before the end of 2001. In December 2000 the Council and Parliament adopted a Regulation on unbundling access to the local loop, which has to enable competition in the local copper pair network of the historical telecommunications operator. This provision, which is applicable since January 2001, should strengthen the competitive offer of higher bandwidth Internet access and enable Europe to establish itself in the information society.

### **International Telecommunication Union (ITU)**

BIPT attended partially as an observer the ITU's Administrative Council. There the activities were followed up of the Administrative Council's special working group tasked with studying the ITU's structures and tasks and with proposing reforms. In view of the 2002 Plenipotentiary Conference this important working group will publish its final report in the course of 2001. Apart from that, the “cost recovery” of satellite network notifications and the various measures to enhance participation by the private sector were discussed.

BIPT participated in the World Telecommunication Standardization Assembly (WTSA) from 27 September to 6 October in Montreal. The Institute organised a coordination meeting at which all the Belgian sector members of ITU were invited. The main outcome of the WTSA:

- creation of an IMT-2000 Study Group that is tasked with analysing the standardisation problems of the third-generation mobile systems;
- reform of ITU-T in order to better structure the activities regarding standardisation of the radio and telecommunications sector;
- Alternative Approval Process (AAP) introducing a flexible voting procedure for technical recommendations. Only for decisions or recommendations having regulatory aspects (e.g. accounting rates) unanimity is maintained. This procedure is intended to tone down the criticism from the private sector, which often reproaches ITU with its all too slow functioning.

Another discussion was held on the regulatory aspects of Internet payments. The question is whether there is a need for regulatory intervention or whether Internet should be left entirely to bilat-

eral commercial agreements. This issue was sent for study to Study Group (SG3) of the Standardisation sector, which deals with economic aspects.

### **European Conference of Postal and Telecommunications Administrations (CEPT)**

On 27 and 28 June 2000 a high-level Plenary Assembly of CEPT was held in Oslo. At this meeting a number of important policy decisions were taken that should fundamentally reform CEPT:

- the structure will be changed and the European Radio Office (ERO) and the European Telecommunications Office (ETO) will be fused into a single permanent office of CEPT;
- the presidency is reevaluated and the term is reduced to 1 year;
- the creation of a single telecommunication committee by the fusion of the current European Telecommunication Committee and European Radio communication Committee;
- the relations with the EC are extended and improved.

An implementation group was created, which should lay the foundation for the reorganisation. It should be completed during the Plenary Assembly in September 2001.

The United Kingdom was elected the next Managing Administration to succeed Norway in September 2001.

### **Organization for Economic Cooperation and Development (OECD)**

BIPT attended the 37th session of the OECD's Committee for Information, Computer and Communications Policy (ICCP) that took place respectively on 17 and 18 March in Paris. In 2000 the main activities were related to the follow-up of the activities regarding electronic commerce. BIPT advocated among other things more involvement from all sector players in the social aspect and the so-called digital “gap”. Also a new working programme was approved for the years to come. BIPT also participated in the various ICCP working parties, including the Working Party on Telecommunications and Information Services Policies (TISP).

### **Independent Regulators Group (IRG)**

IRG is composed of 19 European National Regulatory Authorities (NRAs), including BIPT. In recent years IRG has progressively become a useful instrument for tackling concrete problems encountered while regulating the telecommunications sec-



tor. On the one hand IRG endeavours to take common positions on important issues and on the other, the NRAs exchange useful information concerning concrete problems encountered in everyday practice.

In 2000 five plenary meetings were held with the heads of the various NRAs. The first meeting was held in Zürich on 21 January, the second in Naples on 5 May, the third in Brussels on 19 May, the fourth meeting took place in Stockholm on 25 September and finally the last meeting was on 24 November also in Stockholm. These meetings were primarily focused on the common position taken by IRG on the review of the European regulatory framework, the so-called Review 99. These positions were elaborated and followed up by the task force that was created to prepare a common answer to the draft directives of the European Commission regarding the Review 1999. This task force met six times.

IRG also created a number of working groups in order to discuss specific problems such as interconnection, local loop access, the exchange of confidential information, market analysis, the analysis of organisations having significant market power and mobile access.

## 1.2 AT BELGIAN LEVEL

The major changes in the regulatory framework in 2000 were related to:

- number portability;
- a new regime for equipment;
- the introduction of local loop unbundling and bitstream access.

### Number portability

The Royal Decree of 16 March 2000 taken in implementation of Article 105bis of the Act of 21 March 1991 obliges all operators to offer number portability to their subscribers. This facility should enable the subscribers to keep their geographical or non-geographical number when they switch operators. This Decree transposes the provision of European Directive 98/61/EC of 24 September 1998 that introduces number portability in all Member States starting from 1 January 2000.

### Radio and telecommunications terminal equipment

On 7 April 1999 Directive 99/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity was published in the Official Journal of the European Communities. The provisions of this Directive entered into force on 8 April 2000 in all the European Union's Member States.

The basic principles of the directive were transposed by the Act of 3 July 2000 that amended the Act of 30 July 1979 on radio communications and the Act of 21 March 1991 on the reform of some economic public companies. As a result of these amendments all provisions related to prior approval of radio and telecommunications terminal equipment were abolished. The new general principles governing the equipment conformity assessment were incorporated into the renewed Chapter VIII of the Act of 21 March 1991. From now on this Act also includes all basic principles regarding both radio and telecommunications equipment. In doing so the expected fusion of the Acts of 30 July 1979 and of 21 March 1991 into one overall Telecommunication Act is somewhat anticipated.

The Royal Decree of 26 September 2000 contains the detailed implementing provisions for the conformity regulation.

### Local loop unbundling and bitstream access

The Royal Decree of 12 December 2000 amending the Royal Decree of 22 June 1998 on the conditions for the establishment and operation of public telecommunications networks lays down the terms that are necessary to enable unbundled access to the local loop. Such terms are needed in the light of the European Regulation No 2887/2000 of 18 December 2000 on unbundled access to the local loop, in which it is stated that any operator with significant market power in the provision of telephone networks should publish a reference offer that enables full unbundling and shared access to the local loop.

This Royal Decree also lays down the terms to be observed by an operator having significant market

## II. TELECOMMUNICATIONS



power in the provision of fixed public telephone networks with regard to the provision of bitstream access. Bitstream access is a form of access to the end user that cannot however be considered as a form of unbundled access as defined in the European regulation concerned: this is a special kind of access in which the higher frequency band of the access line to the (end) user is used to provide higher bandwidth access services and which differs from shared use meant in the European regulation

mentioned above in that it offers bitstream access as transmission capacity of which the operator, in his capacity of access provider, manages the technical specifications himself, both the equipment directly connected to the copper pair and installed in his premises, and the interface offered at the end user's end (those technical specifications are defined differently in the case of shared use). Moreover, bitstream access can also be obtained at another network level than at the local loop level.

### 2

## THE TELECOMMUNICATIONS MARKET

### 2.1 OPENING OF THE MARKET

#### The market of fixed networks and services

Competition continues to make progress on the Belgian telecommunications market. At the end of 2000, a public networks licence had been granted to 39 operators and 33 operators had received a voice telephony licence. 22 operators held at the same time a public networks and a voice telephony licence.

subscription. It is still too early to measure the impact of the future local loop unbundling on the market of higher bandwidth connections.

#### The market of mobile networks and services

##### *Mobile telephony*

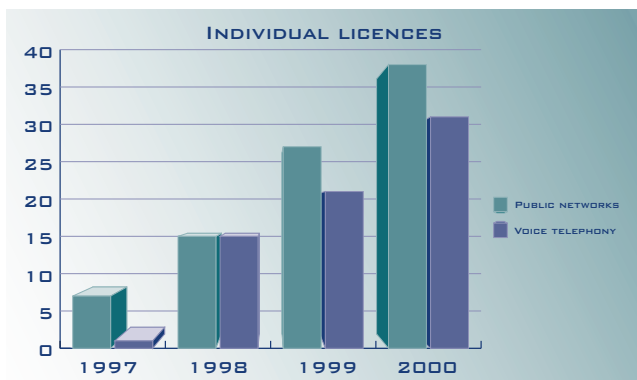
Once again 2000 was marked by a strong growth of the Belgian mobile telephone market: the total number of users of all three Belgian networks combined (Proximus, Mobistar, KPN Orange) has risen to approximately 80% in a year's time and achieved a penetration of about 55% of the Belgian population at the end of 2000.

Moreover, Mobistar was authorised by way of the Royal Decree of 5 December 2000 to set up an additional radio network at 1800 MHz for its GSM service in order to solve certain capacity problems resulting from the expansion of its clientele.

On 5 December 2000 the Institute published an opinion on the standards regarding public exposure to electromagnetic fields.

##### *Third generation mobile communications systems*

All through 2000 BIPT assisted the Minister of Telecommunications during the preparation of the legislative framework for the introduction of third generation mobile communications systems in our country, often called UMTS. This new technology, which will operate at about 2000 MHz based on sophisticated spread spectrum techniques, aims at providing multimedia services in a mobile environment (allowing Internet access, for instance).



Belgium also has 31 non-public networks, 19 leased line providers and numerous other telecommunication service providers or resellers. The European Commission expected the growth of the telecommunications market to reach 10% in 2000, i.e. just over the European average. This growth is largely supported by the mobile services market.

Internet has made great progress in the course of 2000. Belgium now numbers more than 2,300,000 connections to the worldwide network. The number of connections has tripled in one year's time, and increased tenfold in two years' time, boosted by the phenomenon of Internet without

The Institute especially prepared the practical organisation of the licence auctioning, planned for the beginning of 2001 and administrated a specific website ([www.umts.bipt.be](http://www.umts.bipt.be)) on which various information documents concerning this procedure were published.

### *Mobile satellite services*

New publicly available mobile communications systems based on satellite links – providing services such as voice telephony, radio messaging and to a lesser extent data transfer – have been placed on the Belgian market since 1998. These systems, welcomed by the sector with huge media interest, failed however to have the success hoped for with the general public.

For more specialised applications, such as fleet tracking and security, these systems are being commercially developed in specific niches of the telecom market.

Based on the Royal Decree of 7 May 1999 on the specifications for the operation of satellite personal mobile communication services the licence applications from IRIDIUM, Télécommunications par Satellites Mobiles (TE.SA.M.), which provides the services of the GLOBALSTAR satellite system and from European Datacomm, which has exclusive distribution rights in the Benelux countries for the services of the ORBCOMM satellite system were treated in 2000. TE.SA.M. and European Datacomm both received a licence. Although the licence application from IRIDIUM had been given a favourable opinion, no licence was granted at the company's own request.

The GLOBALSTAR system provides the users with voice telephony, radio messaging and data transfer, whereas the ORBCOMM system transmits “data-grams” designed for tracking and/or positioning means of transport – on land or at sea – such as vehicles, containers, sensitive or precious cargos, etc.

### *Satellite communications*

The intergovernmental satellite communications organisations, which Belgium belongs to as a “Party” and in which Belgacom is involved as a “Signatory” continued their reorganisation process in 2000.

The 25th Assembly of Parties of the worldwide organisation INTELSAT has taken all necessary decisions to accomplish the complete privatisation of INTELSAT on 18 July 2001. After that date a new private entity, Intelsat Ltd., will provide worldwide satellite communications services on a commercial basis. However, this organism will be under the obligation to maintain worldwide connectivity and coverage, of providing access to dependent clients having vital links, which are primordial to a large number of third world countries, and to provide non-discriminatory access to its space system. An intergovernmental organisation, named “International Telecommunications Satellite Organization” (ITSO) will supervise the observance by Intelsat Ltd. of those public service obligations.

This profound evolution of the old international space communication organisations is made necessary by the liberalisation of the telecommunications sector, as well as by the need to see to the respect of the rules regarding competition with other satellite system operators.

### *Public telecommunications services operating Fixed Wireless Access (or Wireless Local Loop)*

Since the telecommunications market has been fully liberalised one of the biggest difficulties encountered by new operators is setting up the local loop to the end user quickly. Traditional techniques using cables require extensive excavation works and much planning, and offer little flexibility to quickly meet customer demands.

New commercially available technologies using radio techniques make it possible to gain rapidly and with much flexibility local access to the end user. The distance that can be covered by such means can, according to the frequency band and the technology used, reach about ten kilometres.

“Fixed Wireless Access”, “Wireless Local Loop”, “Broadband Wireless Access”, “radio in the local loop”, etc. are all terms designating these techniques.

A consultation held by the Institute in 1998 showed that the operators were greatly interested in integrating these technologies into their networks. This resulted in the Royal Decree of 27 June 2000 amending the Royal Decree of 22 June 1998 on the conditions for the establishment and operation of public telecommunications networks, which creates a legal framework for these technologies. Spectrum



## II. TELECOMMUNICATIONS



was available in the bands 3.4 – 3.6 GHz, 10.15 – 10.65 GHz and 24.5 – 26.5 GHz.

A first call to candidates was made on 17 August 2000, but soon after it was suspended because a certain number of elements of the procedure needed to be clarified in order to avoid any conflicts with the procedure for the grant of UMTS licences. The procedure was started again by way of an announcement on 31 October 2000. When the term for introducing applications expired on 31 December 2000, a total number of 11 candidates had applied.

The allocation procedure was concluded on 15 February 2001 when four operators were granted a licence for the complete project set forth in the file they had introduced. Because of the great interest at the time additional spectrum was cleared in the 27.5 - 29.5 GHz band, which by way of an amending Royal Decree will be incorporated into the Royal Decree on public telecommunications networks, as a consequence of which it will be possible to grant additional licences at a later time in 2001.

### 2.2 SUCCESSFUL OPERATION OF THE MARKET

#### Operators with significant market power (SMP)

On 5 December 2000 the Belgian Institute for Postal services and Telecommunications published on its website an updated list of bodies designated as organisations having significant market power. Based on an extensive analysis the decision was taken in the course of 2000 to designate Belgacom Mobile SA for the first time as an operator having significant market power on the national interconnection market. This designation was the result of the findings that a share of more than 25% of the market concerned had been reached.

The SMP designation of Belgacom Mobile SA reflects the position of this operator on the national interconnection market and its purpose is to ensure that the incumbent mobile operator does not unfairly prevent any competitors from entering the market. As a consequence the stimulation of adequate interconnection should lead to maximum

economic efficiency and to maximum benefit for the end users.

The status of operator having significant market power on the national interconnection market entails a number of obligations towards other operators. Apart from the obligation to meet any reasonable requests to obtain access to the network and to apply non-discriminating interconnection rates, the main obligation is to provide cost-oriented interconnection tariffs. As a result this can lead to a considerable decrease of interconnection costs for other market players that interconnect with the organisation concerned.

The effective application of the cost-orientation principle results from the use of an adequate cost accounting system for the cost allocation of the designated SMP operator. The elaboration of such a cost model by the designated SMP operator Belgacom Mobile SA took the first months of 2001 and was verified at the same time by BIPT, so that ultimately from 1 July 2001 it will be possible to apply fully cost-oriented tariffs for call termination on the mobile Proximus network.

In anticipation of the decrease that may be expected, at the end of 2000 BIPT also fixed a transition period marked by a reduction of the peak duration tariff by BEF 1.2, excluding VAT. This transition period which started on 15 February 2001, is based on an analysis of three elements, namely a European bench-mark, the application of the non-discrimination principle and the evolution of the unit cost per minute in relation to the volume of investments.

#### Interconnection and special access

The legal and regulatory interconnection framework is intended to allow market entrants to connect their own infrastructures to those of the historical operator under conditions that favour the development of competition (non-discrimination, cost-orientation). One of the essential tasks of the Institute is to ensure that this legal and regulatory framework is complied with.

Each year the analysis of the Belgacom Reference Interconnect Offer (BRIO) is one of the major items on BIPT's agenda. Version 2001 of this reference interconnect offer was approved on 19 December 2000 following an opinion from the Institute. The most important innovations of BRIO

2001 are related to the introduction of new services in the reference offer (collecting services for Virtual Private Network and for data services, extension of the half links offer, carrier (pre)selection for zonal calls and calls to 0800 numbers) and the integration of the operational procedures annexed to the reference offer.

Owing to the application of the cost-orientation principle a new decrease was decided for the main interconnection tariffs (collecting and terminating), thus following the tendency observed in the previous years.

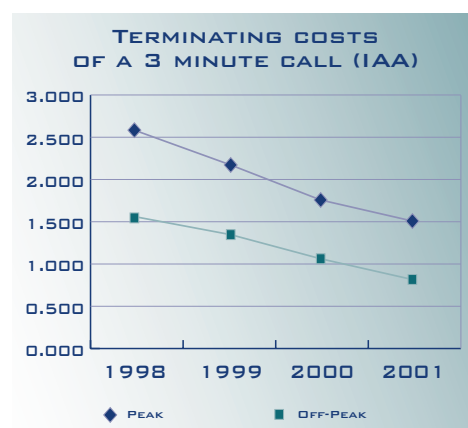
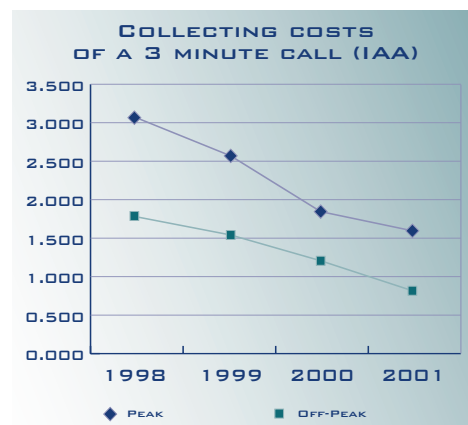
## The management of the national numbering plan

Equal access for operators to adequate number series, in terms of both quality and quantity, is of crucial importance to the development of a competitive telecommunications services market.

On 1 July 2000 the numbering plan was changed successfully: the system of "full dialling" was introduced. This implies that end users should always dial the complete number, even for calls within the zone. As a result the quantity of geographical numbers has been increased by about 25%, so that in the short term operators will have sufficient capacity regarding geographical numbers. The working group set up in 1999 with a large participation of several actors belonging to the telecommunications sector with the purpose of coordinating publicity for the public, has continued its activities intensely. For example, several technical information brochures were written and a media campaign was held.

The "number portability task force" which was set up in 1998 continued its activities this year under the chairmanship of the Institute. All specifications with regard to number portability of both geographical and non-geographical numbers (excepting numbers for mobile services) have been finalised and approved by the "number portability task force". On the basis of these specifications, which include the description of the services, the network architecture and signaling, the database and operational aspects, the financial and regulatory aspects, number portability was introduced in Belgium as from 17 January 2000. The Royal Decree of 16 March 2000 on the portability of numbers of telecommunications services subscribers contains the practical terms for the introduction of number portability. In pursuance of that Decree BIPT has determined the costs of porting and prepared a Ministerial Decree on this basis. At the end of 2000 a total number of 42,328 PSTN/ISDN numbers, 442 non-geographical numbers and the numbers of 455 complex installations had been ported.

In October 2000 it was decided to further extend the reach of the carrier select and preselect service to all numbers. The procedures and the tariffs for introducing the carrier preselect service were re-evaluated. Just as for number portability any end user interested will only have to address his new operator to obtain preselect. BIPT has intervened several times in response to a number of complaints about the less effective procedure. At the end of 2000 CPS was available to 114,735 telephone numbers in Belgium.



In 2001 the Institute's efforts will focus on the extension of its cost model to fixed interconnection costs, the elaboration of a new interconnection model for value added services and Internet services (in the meantime the first stage has been completed), as well as on the verification of the interconnection tariffs of Belgacom Mobile, the operator designated in 2000 as having significant market power on the national interconnection market.

## II. TELECOMMUNICATIONS



The explicative notes making concrete the Royal Decree of 10 December 1997 on the management of the numbering plan have been modified in order to take into account a number of new telecommunications applications the operators wish to provide.

At operational level, 35 different entities submitted 215 files. Among other things, this has resulted in the reservation/allocation of the following number series:

Number series	Reservations	Allocations	Annulments	Applications rejected
1yxx	6 new 1 renewal	6	6	
4pq x 1,000,000nos	6 new	1	0	0
70-700 x 10,000nos	3 new 1 renewal	6	3 nos	2
77 x 10,000nos	4 new	5	0	0
78	6 x 10,000 nos 1 x 1,000 nos 2 renewals	3 x 10,000 nos 0 x 1,000 nos	4	2
800 x 1,000nos	4 new 0 renewal	3	0	2
90A x 1,000nos 90A x 100 nos	17 new + 5 renewals 33 new	27	3	
IMSI	0	0	0	0
ISPC	9 new	3	1	1
NSPC	36 new 0 renewal	28	2	1
PQYZ x 10,000nos (geographical)	61 new 1 secondary res.	85 2 new allocations	6 nos	2 + 10 nos + 6 nos + 10 nos
ADMD	1	0	1	0
DNIC	1	0	0	0

The Institute investigated a number of complaints and found some infringements on the numbering regulation for which appropriate measures were taken. The Institute also published on its website all available information on numbering which is important to the sector from an operational point of view. At international level, the Institute participated in various meetings in the framework of the ECTRA working group "numbering".

### Resolution of disputes between operators

The Institute gives a lot of attention to the continuous follow-up of the market. It also plays an important part in case of conflict situations between competing companies, especially when these conflicts involve legal or regulatory obligations. These conflicts between operators and/or telecommunications service providers can be treated according to different procedures:



- the presentation of a file before the Chamber for Interconnection, Leased Lines, Special Access, Unbundled Access to the Local Loop and Shared Use, in accordance with Article 79ter of the Act of 21 March 1991;
- the Institute's intervention as mediator as stipulated in Article 75 (8) of the Act;
- the direct intervention of the Institute as part of its general task of supervising and monitoring stipulated in Article 75 (3) of the Act of 21 March 1991;
- serving notice, followed by an audition and a possible administrative fine based on Article 109quater of the Act of 21 March 1991.

Despite these various possible actions operators or service providers are still entitled to turn to ordinary courts or the Competition council.

The procedure before the Chamber for Interconnection, Leased Lines, Special Access, Unbundled Access to the Local Loop and Shared Use is governed by the Royal Decree of 4 October 1999. Since the Chamber started to function at the end of 1999 it has given five decisions in cases relating to the operators Belgacom, Mobistar, GTS and Codenet. The Chamber's decisions can be consulted on the BIPT internet site.



Case	Decision
S.A. MOBISTAR / S.A. BELGACOM	Decision of 8 March 2000 Decision of 20 June 2000
S.A. GTS Belgium / S.A. BELGACOM	Decision of 5 June 2000
S.A. CODENET / S.A. BELGACOM	Decision of 5 October 2000 Decision of 27 October 2000

The Royal Decree of 10 December 1997 lays down the practical rules for a reconciliation procedure for BIPT, pursuant to Article 75 (8) of the Act of 21 March 1991. This procedure has not been applied yet because until now the companies interested have given preference to other legal possibilities.

Apart from these two procedures (Chamber and reconciliation), the Institute regularly intervenes in relations between operators and/or service providers when they ask the Institute questions about matters

in which the parties are opposed (e.g. the way to interpret certain legal or regulatory provisions) or when they inform the Institute of elements that presumably infringe on the regulatory framework. BIPT also acts on its own initiative whenever it deems it necessary in order to verify observance of the regulatory framework.

The table on the next page shows the most important interventions of the Institute per theme.

## II. TELECOMMUNICATIONS



BIPT interventions, on its own initiative or at the request of operators and/or service providers since 1 January 2000
<b>Interconnection</b> <ul style="list-style-type: none"><li>• Interconnection conditions applicable to the I-Line service</li><li>• Demand for half-links with a capacity of 45 and 155 Mbits per second</li><li>• Application of the bank guarantee between operators</li><li>• Migration of interconnection links</li></ul>
<b>Collocation</b> <ul style="list-style-type: none"><li>• Reimbursement of installation costs</li><li>• Verification of cost-orientation</li></ul>
<b>Numbering</b> <ul style="list-style-type: none"><li>• Introduction of Carrier Select Code</li><li>• Modifications of call numbers</li><li>• Problems regarding the introduction of full dialling</li><li>• Access to 070 numbers from abroad</li><li>• CSC/CPS for zonal calls</li><li>• Application of number portability</li><li>• Activation of unrequested CPS</li></ul>
<b>Leased lines</b> <ul style="list-style-type: none"><li>• Tarification of galvanic leased lines</li><li>• Abolition of the offer of certain types of analogue leased lines</li><li>• Billing of leased lines between operators</li></ul>
<b>Tariffs and competition</b> <ul style="list-style-type: none"><li>• Belgacom Tariff reform on 1 October 2000</li><li>• Belgacom Turboline wholesale offer</li><li>• "Win back" practices between operators</li><li>• Relations between an SMP operator and its subsidiaries</li></ul>

### The public telecommunications service

The public telecommunications service includes:

- the universal telecommunications service;
- mandatory telecommunications services with a view to providing universal access;
- tasks of general interest in the telecommunications sector.

BIPT has submitted a report on the universal telecommunications service regarding 2000 to the Minister of Telecommunications. This report constitutes an evaluation of the level of compliance with the obligations imposed on Belgacom as the universal service provider. One of the things checked by BIPT are the parameters regarding the quality of service and the obligation to offer an affordable price throughout the territory. In January 2000 the Institute organised for the first time a specific action to check compliance with the obligations regarding public pay phones. The Institute's report is available on its Internet site.

The principle of universal access guarantees the provision throughout the territory of certain services in accordance with the technical, commercial and financial conditions defined by the King. These services are the provision of ONP quality leased lines, the data switching service, ISDN access, the telex and telegraph service.

The tasks of general interest are organised by means of a management contract concluded between the federal State and Belgacom. This management contract regulates the provision of Internet connections for schools, libraries and hospitals as well as Belgacom's collaboration with civil defence and the Mixed Commission on Telecommunications (Comixtelec). In addition to that management contract concluded with Belgacom, the law now also enables other operators to collaborate on the tasks of general interest.

## 2.3 CONSULTATIVE COMMITTEE ON TELECOMMUNICATIONS

The Belgian Institute for Postal services and Telecommunications provides secretarial duties for the Consultative Committee on telecommunications, both at plenary Committee level and in the various working groups:

- Rules of conduct for operators towards their clients;
- Statistics;
- European regulation;
- Information Society.

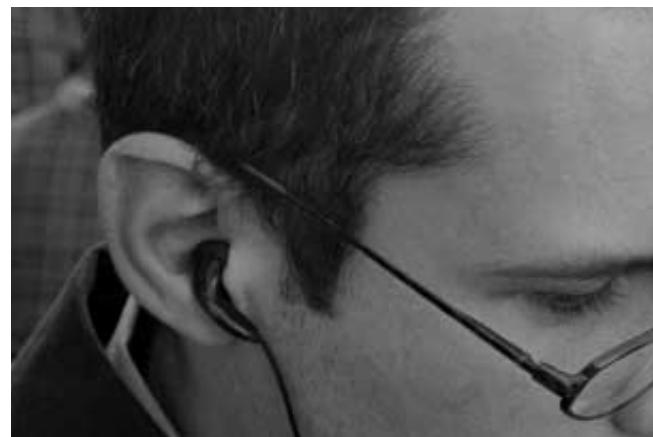
The Consultative Committee on telecommunications constitutes a forum on which the sector interlocutors have a seat: the social partners (trade unions, employers' organisations and consumer representatives), the sector players (operators, manufacturers, users), and the representatives from the federal, community and regional authorities. Because of its composition the Committee constitutes an observatory that focuses on the evolution and the tendencies of this primordial telecommunications sector.

The reports and opinions prepared by the Consultative Committee on telecommunications are published in the Committee's annual report. The annual report of the Committee also includes relevant statistics regarding the evolution of the telecommunications market.

## 2.4 E-SECURITY PLATFORM

On the initiative of the Minister of Telecommunications a system of virus warnings was set up in May 2000, after the infamous "I Love You" virus had also struck in Belgium. This E-Security Platform is managed by the Institute and includes apart from the "contact point" that is permanently available, a team of 30 external specialists in the field of network monitoring and analysis of virus warnings. Following a virus warning it can be decided to inform the public by way of the Institute's website, through a press release or by announcements on radio and television. Since the end of 2000 the public can register on a mailing list, in order to be notified automatically when the virus warning page of the Institute's website was changed following an alert.

From May to the end of December 2000 the virus contact point intervened 36 times. Upon analysis in 29 cases a message was put on the Institute's website and three press releases were published.



## 3

## OPERATIONAL TASKS OF THE INSTITUTE

### 3.1 NETWORKS AND SERVICES: MANAGEMENT OF LICENCES AND DECLARATIONS

The Institute handles all applications regarding the operation of fixed networks and services. Depending on the procedure to be followed, the telecommunications services are divided into voice telephony (for which an individual licence is required), the leased line service (which is subject to a declaration on the basis of specifications); and

voice and data services (which are subject to a declaration). With regard to telecommunications networks, a distinction is made between public telecommunications networks, for which an individual licence is required, and non-public telecommunications networks which are subject to a declaration.

## II. TELECOMMUNICATIONS



Number of registrations and individual licences	
	Total number of registrations or licences on 31/12/2000
Voice service	112
Voice service provided to one or more closed user groups	19
Data service	95
Data service provided to one or more closed user groups	19
Data service, specifically a service for data switching	28
Data service, specifically Internet access	79
Private telecommunication office	
- in the private field	312
- in the public field	36
Leased line service	25
Individual licence voice telephony service	33
Individual licence public networks	39
Non-public networks	31
<b>TOTAL</b>	<b>828</b>

Furthermore, for all parties interested, the Institute has put on its website not only the current legislation and a list of FAQs, but also information including a registration form for any kind of service and for non-public networks.

### 3.2 GRANTING OF LICENCES FOR PRIVATE RADIO COMMUNICATION NETWORKS AND INDIVIDUAL RADIO STATIONS

Last year the migration of intensive users of the frequency spectrum to trunking networks continued, whereas a high number of users with only a limited number of transceivers, exchanged their private radio network for GSM lines. Both phenomena explain the decline of the number of licences for private mobile networks. The same tendency is observed in the sixth category where many users opt for DECT telephones.

The use of walkie-talkies outside the limits of one operation area is now also covered by ministerial licences of the eighth category (PMR equipment).

1,169 temporary ministerial licences in categories one and six were issued. 373 of these temporary ministerial licences were delivered to clients by way of companies leasing transceivers. This new proce-

cedure was well received by both the leasing companies and the users of transceivers.

Despite the fact that many potential users of walkie-talkies are still unaware of this new procedure, BIPT has nonetheless already delivered 1,163 ministerial licences for PMR 446 walkie-talkies.

The following table shows the total number of ministerial licences granted on 31.12.2000 in the different categories of private radio communication networks and individual stations, in accordance with the Act of 30 July 1979 on radio communications, the implementing orders of 15 and 19 October 1979 on private radio communications and the Royal Decree of 16 April 1998 on satellite earth stations.



Total number of private radio communication networks and individual stations		
Category 1:	private mobile radio networks	1,451
Category 2:	fixed networks	222
Category 3:	public administrations	1,566
Category 4:	private mobile networks on common frequency 27 MHz	1
Category 5:	radio amateurs	5,477
Category 6:	fixed and mobile networks within the limits of one property	6,980
Category 7:	remote control of scale models	8,960
Category 8:	CB – B27 radio telephones	34,129
	PMR 446	1,163
Stations on board:		
	a) aircraft	2,377
	b) seagoing and fishing vessels	288
	c) barges and river vessels	2,549
	d) yachts	6,746

For any persons interested, the Institute has systematically adapted its website as regards radio legislation, application forms in order to obtain a ministerial licence and the fees to be paid.

### 3.3 FREQUENCY MANAGEMENT

BIPT is responsible for managing the radio spectrum in Belgium. This task covers both the everyday frequency allocations and coordinations and the long-term policy regarding frequency plans and readjustments.

Frequencies for land mobile services are allocated under the 1993 Vienna Agreement and constitute one of the department's main activities.

Frequency allocations for land mobile services under the 1993 Vienna Agreement (mobile and fixed services under 1 GHz)	
New and altered exclusive frequency allocations	912
Canceled exclusive frequency allocations	281
New and altered common frequency allocations	429
Canceled common frequency allocations	169
Temporary frequency allocations	797

However, the table above does not include the data concerning the following activities:

- allocations and studies for trunking networks and temporary frequencies for mass events (e.g. EURO 2000, Francorchamps, ...);
- embassies, soldiers.

#### Other files

Although BIPT is not responsible for planning frequencies for broadcasting, BIPT's frequency management department is in charge of everyday coordination applications as well as the application of international agreements: Geneva 1975, Geneva 1984, Stockholm 1961, Wiesbaden 1995, Chester 1997) and the LEGBAC agreement (compatibility between FM broadcasting and flight navigation).

This department also coordinates frequencies for satellite links (earth stations, networks, etc.) and radio relay links, and is responsible for correspondence with the ITU radio communications office.

## II. TELECOMMUNICATIONS



Types of files	Number
1961 Stockholm Agreement (television broadcasting)	
1997 Chester Agreement (DVB-T)	325
1984 Geneva Agreement (FM band)	1,253
1975 Geneva Agreement (LF and MF audio broadcasting)	11
1993 Vienna Agreement (general details)	132
Earth stations, satellites, radio relay links	995
Miscellaneous (coordination, interference, temporary frequencies, information, ...)	164
1995 Wiesbaden Agreement (T-DAB)	140
COMIXTELEC	150
ITU – Radiocommunications Office and Conferences	379
Satellite organisations (EUTELSAT, INTELSAT, INMARSAT)	66
CEPT – ERO	109
<b>TOTAL</b>	<b>3,724</b>

Some major achievements by the frequency management department are:

- updating the national frequency table in accordance with the harmonisation work at European level; this frequency table is also available on the BIPT website;
- in implementation of the R&TTE Directive (99/5/EC) the details of the frequency plan have been published on the website;
- heading the Belgian delegation at the ITU World Radio communications Conference (WRC-2000);
- systematically monitoring the national frequency register with a view to transferring it to the new

system within the framework of the computerisation project;

- determining the frequency bands for the “Wireless Local Loop” and coordination with the neighbouring countries;
- following up the issue of IMT-2000/UMTS in the framework of CEPT in order to prepare the auction;
- examining Mobistar’s request to use the 1800 MHz frequency bands in order to have a dual-band network;
- coordinating frequencies in order to move the BEMILCOM network.

### 3.4 EQUIPMENT

#### The R&TTE Directive 99/5/EC

The R&TTE Directive was transposed into Belgian law by:

- the Act of 3 July 2000 amending the Act of 30 July 1979 on radio communications and amending the Act of 21 March 1991 on the reform of some economic public companies (Moniteur Belge/Belgisch Staatsblad of 13/07/2000);
- the Royal Decree of 26 September 2000 on radio and terminal equipment and the recognition of their conformity (Moniteur Belge/Belgisch Staatsblad of 31/10/2000);
- the Communication of the Belgian Institute for Postal services and Telecommunications in implementation of Article 19 (2) of the Royal Decree of 26 September 2000 on radio and terminal equipment and the recognition of their conformity (Moniteur Belge/Belgisch Staatsblad of 16/1/2001).

Since 8 April 2000 it is no longer possible to grant (national) approvals for radio equipment and telecommunications terminal equipment. In order to be allowed to place equipment on the (European) market, it has not only to comply with a number of technical essential requirements, but also the other - more administrative - relevant provisions have to be met. The manufacturer becomes fully responsible for the conformity of his equipment with all legal provisions. In some cases, however, a (limited) intervention of a notified body is required.

According to the provisions of the R&TTE Directive radio equipment and telecommunications terminal equipment has to bear the appropriate CE marking (at least **CE**). This marking also has to be printed on the packaging. If a licence is needed for the use of the radio equipment or if the equipment makes use of frequencies of which the use is not harmonised in Europe, an obligatory information sign with the following form is part of the CE

marking: ⚠. This sign indicates that the radio equipment cannot be used freely everywhere (in Europe).

The manufacturer or supplier has to supply enough information with the equipment so that the user is informed of the conditions for use and of any restrictions on use. For radio equipment it has to be clearly indicated on the packaging in which countries or areas the radio equipment may be used.

The user has to use the equipment according to the intended purpose. In the case of terminal equipment this implies that he may only connect the apparatus on the network interfaces designated by the manufacturer or supplier. For radio equipment he has to take into account any restrictions; the presence of the alert sign ⚠ therefore is highly important to the consumer. Further comment and information concerning the R&TTE Directive are available on the BIPT website.

The former "approval system" ended on 7 April 2000. In this short period 273 radio licences were still granted against 239 in 1999. This probably shows that the importers and manufacturers felt rather insecure about the R&TTE Directive conditions of application. The number of Belgian approvals for terminal equipment, however, dropped drastically. Until April 2000 only 21 approvals for terminal equipment were issued against 173 in 1999. In this context, it has to be noted that under the approval system for terminal equipment more and more European approvals were issued. Naturally, supervising the observance of the "control agreements" was also continued. Thus it was checked whether the manufacturers and the importers were observing their obligations concerning the approvals. On these occasions both administrative and technical deviations were sometimes found.

The transitional measures remain applicable up to and including 7 April 2001; therefore as from 8 April 2001 it will no longer be allowed to manufacture or import equipment intended to be used on the European market on the basis of an approval issued according to the former system. Equipment which left the production process and/or was imported in the European Union before 8 April 2001, can of course still be sold. Equipment with an approval which was issued earlier in Belgium, can keep on being used as long as the conditions of the former approval system are observed.

The operators and providers of public telecommunications services are obliged to publish accurate

and appropriate technical specifications of their interfaces. These specifications are the basis for the manufacturers to be able to build appropriate apparatus. The Institute attaches great importance to these publications. All the operators were given written notice of this obligation, appealing to their good will. On the website of the Institute can be found which technical specifications are available and in which way they can be obtained. It is worth mentioning that the system is functioning well in Belgium.

The Institute's approval department was transformed into the equipment department. This department is inter alia responsible for supervising compliance with the R&TTE Directive. Great effort was made to:

- on the one hand, move the operators to observe the obligation to publish their interface specifications and
- on the other, inform the manufacturers, importers and points of sale of the new provisions.

The Institute is also active at the fora in which a further European harmonisation is strived for:

- European Commission;
- TCAM committee (Telecommunication Conformity Assessment and Market Surveillance Committee);
- European Radio communications Committee (ERC);
- Administrative cooperation (ADCO);
- European Telecommunications Standards Institute (ETSI);
- EMC Working Party (Electromagnetic compatibility);
- EMC SLIM (Simpler Legislation for the Single Market).

## Monitoring of terminal and radio equipment

It was found that a fairly large number of apparatus placed on the market fail to meet or only partially meet the legal requirements. These infringements give cause to unfair competition and penalise manufacturers and importers who do comply with the legal obligations. This type of monitoring (which is not aimed at private individuals) is therefore needed in everyone's interest: manufacturers, importers, salesmen, public authorities but also the users. Market surveillance is considered to be crucial to the successful implementation of the R&TTE Directive. In a number of cases it was deemed necessary to act in a repressive way.



## II. TELECOMMUNICATIONS



An overview of the results in 2000:

Equipment seized following checks:			
Terminal equipment	Radio equipment		
Telephones .....	1,249	Remote-controlled toys .....	1,226
Answering machines .....	180	Cordless telephones .....	430
Fax machines .....	20	Remote controls (radio-controlled) .....	373
Other .....	5	CB equipment .....	204
		Scanners .....	98
		Cordless intercoms (baby intercoms) .....	79
		Walkie-talkies .....	67
		Cordless alarms and security equipment .....	52
		Nonspecific low power devices .....	40
		Cordless microphones & "in-ear" systems .....	23
		Apparatus for radio amateurs .....	15
		Cordless headphones .....	10
		Cordless audio and video equipment .....	9
		Other .....	67
<b>Total</b> .....	<b>1,454</b>	<b>Total</b> .....	<b>2,693</b>

The seizures mainly concerned equipment which was placed on the market according to the previous approval system and of which the former approval conditions had not been met.

When checking the equipment which was placed on the market according to the R&TTE Directive, it appeared that most problems arose with the accurate marking and that often the necessary information for the user is lacking. The Institute attaches much importance to this information and regards it as essential. In case of radio communications equipment it has to be indicated in which countries or areas the equipment can be used. This should not only be mentioned in the instructions, but also on the packaging. If this information is lacking, the Institute will take appropriate measures in order to remove the equipment from the racks. This information is after all indispensable for the user of the equipment.

The inspectors' main task during the initial period of the R&TTE Directive was to give information.

After the transitional period stricter supervision will be exercised over the observance of all the R&TTE Directive provisions. The Institute does not only intend to check the administrative requirements, but it will also spot-check whether the equipment meets the technical essential requirements (electrical safety, protection requirements concerning EMC and use of appropriate radio parameters). If the equipment does not comply with the legal requirements, the Institute can impose a total sales ban on this equipment.

### 3.5 EXAMINATIONS FOR RADIO USERS

The Institute organises examinations for people wishing to obtain radio amateur certificates as well as certificates authorising the use of stations on board ships. These examinations are held in Brussels except for the GMDSS examinations, which are organised at the training centres.

# BIPT Annual Report 2000

In 2000, 37 examinations were organised, divided as follows:

Type	Number of examinations	Number of participants	Number and percentage of passes	Number and percentage of failures
<b>Maritime radio</b>				
VHF	9	741	630 (85%)	111 (15%)
Global GMDSS	8	56	49 (87.5%)	7 (12.5%)
Restricted GMDSS	11	90	73 (81%)	17 (19%)
<b>Total</b>	<b>28</b>	<b>887</b>	<b>752 (85%)</b>	<b>135 (15%)</b>
<b>Radio amateur</b>				
Category A	4	37	27 (73%)	10 (27%)
Category B	2	114	50 (44%)	64 (56%)
Category C	3	64	34 (53%)	30 (47%)
<b>Total</b>	<b>9</b>	<b>215</b>	<b>111 (52%)</b>	<b>104 (48%)</b>

Less candidates passed the B examination than in 1999, because it was slightly more difficult than the other examinations, which disturbed the candidates. The Examination board will take the necessary steps so that this situation will not happen again making sure however that the examination's goal of selection will be maintained.

As for the C examination (which has become the A examination since the coming into force of the Ministerial Decree of 9 January 2001), BIPT hopes that changing the speed of the morse examination to five words a minute will lead to an increased number of successful candidates.

### 3.6 NATIONAL SPECTRUM MONITORING SERVICE (NCS)

One has to make certain that the users of the radio spectrum comply with the terms of their licence in order to avoid mutual interference. That is the role of the National spectrum monitoring service. This role consists of preventive checks and checks in response to complaints.

The preventive checks of professional networks form an important part of the department's work. Most new radio networks are checked by the NCS technicians. This makes it possible to verify whether the networks have been installed in accordance with the licence and that the frequencies actually correspond to the plans made by the frequency management department. It also enables the restriction of the use of illegal transceivers. Finally these preventive checks reduce the number of interferences, which benefits the users. The number

of preventive checks carried out by NCS has clearly increased (1,476 files in 2000 compared with 775 in 1999).

Moreover, each citizen has the right to address NCS to report any radio interference of which he is a victim. The NCS technicians, equipped with professional monitoring systems, identify the source of the interference and take the necessary measures to eliminate it.

NCS, charged with "supervising the waves" in the broad sense of the word, has several additional tasks. Thus the department deals with interference which affects the aviation band and supervises the observance of the standards of teledistribution networks. NCS also carries out operational tasks relating to maritime radio communication:

## II. TELECOMMUNICATIONS



it monitors radio broadcasts on maritime and inland navigation services, as well as on pleasure boats, and deals with interference on maritime frequencies.

NCS also checks whether the GSM operators fulfil their obligations in terms of coverage and quality of service. In March 2000 NCS thus conducted a measuring campaign in order to verify the quality of the Orange network.

During the performance of its tasks NCS closely cooperates with various authorities: judicial authorities, police, gendarmerie and the Belgian criminal investigation department. The NCS technicians are accorded the rank of CID officers so that they can take the necessary action when infringements are recorded. In addition, all security services have access to a 24-hour guard service in case of interference on their radio network.

An important task for NCS in 2000 was to prevent radio interference on the spot during Euro 2000.

Moreover, a new assignment was given to NCS in 2000: measuring the radiation of the GSM base stations and other radiation sites in order to check whether the standards were observed for the protection of the public against possible effects of electromagnetic radiation on public health. In that context NCS made a thorough preliminary study and during the months of June and July 2000 it conducted a measuring campaign throughout the territory at the request of the Minister of Telecommunications. Since August 2000 NCS has regularly carried out radiation measurements at the sites concerned at the request of the Minister of Telecommunications and the Minister of Public Health.

Another project which NCS started in 1999, is the installation of six measuring stations throughout the country which make it possible to monitor the use of the radio frequencies and to identify the source of transmissions. The design of those stations, more specifically developing the software, was done internally and was continued in 2000. The first station should be operational in 2001.

Moreover, two new measurement vehicles were put into service in 2000. In all new vehicles of the single volume type the existing material was completed with a new professional direction finder.

Apart from the administrative department in Brussels NCS includes five control centres located around the country in Seneffe, Liège, Anderlecht, Ghent and Antwerp respectively.

On the international level NCS participated in 2000 in the international working group CEPT/ERC/FM-PT22 (monitoring) and in the PT/Rainwat working group. The latter unites the Telecom and Maritime Affairs Administrations of the Rhine and Danube countries. A regional arrangement concerning the radiotelephone service on inland waterways was signed in Basel on 6 April 2000. The following countries signed this arrangement: Belgium, Germany, France, Hungary, Croatia, Luxemburg, Moldova, the Netherlands, Austria, Poland, Rumania, the Slovak Republic, the Czech Republic, the Federal Republic of Yugoslavia and Switzerland. Belgium is responsible for the administrative follow-up of that new Arrangement, called the "Regional Arrangement concerning the radiotelephone service on inland waterways".

The following table lists the NCS actions during 2000.

NCS interventions	
Number of "interference" files	910
Preventive checks of professional users	1,476
Measurements radiation sites	41
Measurements teledistribution stations	3
Monitoring during events	18
Monitoring on the road	24
Interventions by guard service	47
Total number of files	2,519
Checks capacity GSM networks	550 man-hours
Measurements radiation teledistribution networks	650 man-hours
Number of reports prepared	361

## 3.7 MONITORING TASKS WITH REGARD TO THE ACT OF 21 MARCH 1991

The telecommunications liberalisation has profoundly changed the necessities with regard to market monitoring. The Act of 21 March 1991 includes numerous compulsory provisions which aim at:

- preventing the market players from abusing a possible dominant position on the market in a sector;
- enforcing universal service criteria;
- suppressing fraud which may multiply in a market in full motion;
- imposing common rules for providing services and installing infrastructure.

The role of the “telecommunications networks and services” department is to exercise permanent control in that field. It operates either in response to complaints introduced by operators or service providers or at the request of other services within the Institute when they suspect a possible violation in the files treated.

Just as for the Act of 30 July 1979 on radio communications, the Act of 21 March 1991 grants some of the Institute’s officials the power to act as CID officer in order to see to the observance of the Act and its implementing orders. These officials can, within the scope of their activities, perform tasks for the public prosecutor’s office or cooperate with the federal police services for certain actions.

Last year various fraud files were treated, especially with regard to prepaid cards and phone shops. Contacts are maintained with the “fraud” cell of some operators.

More than a hundred checks were made for lack of declaration of service, mainly in Antwerp when action was taken together with other police forces.

Various complaint files with the Ethical Commission led to a report after examination, or even to filing a complaint with the public prosecutor’s office concerned.

As regards domestic switches fifteen companies were inspected. In view of the amendments of the Act of 3 July 2000 which abolished the recognitions in that field, the activities after the Act’s date of publication have been limited to the furnishing of information to the end users.

Numerous series of test calls were made from all regions in the country in response to complaints concerning interconnection problems or the restriction of access to several services.

The department also performed information tasks regarding the tariffs applied in order to obtain the necessary data to be able to verify possible abuse of dominant position.



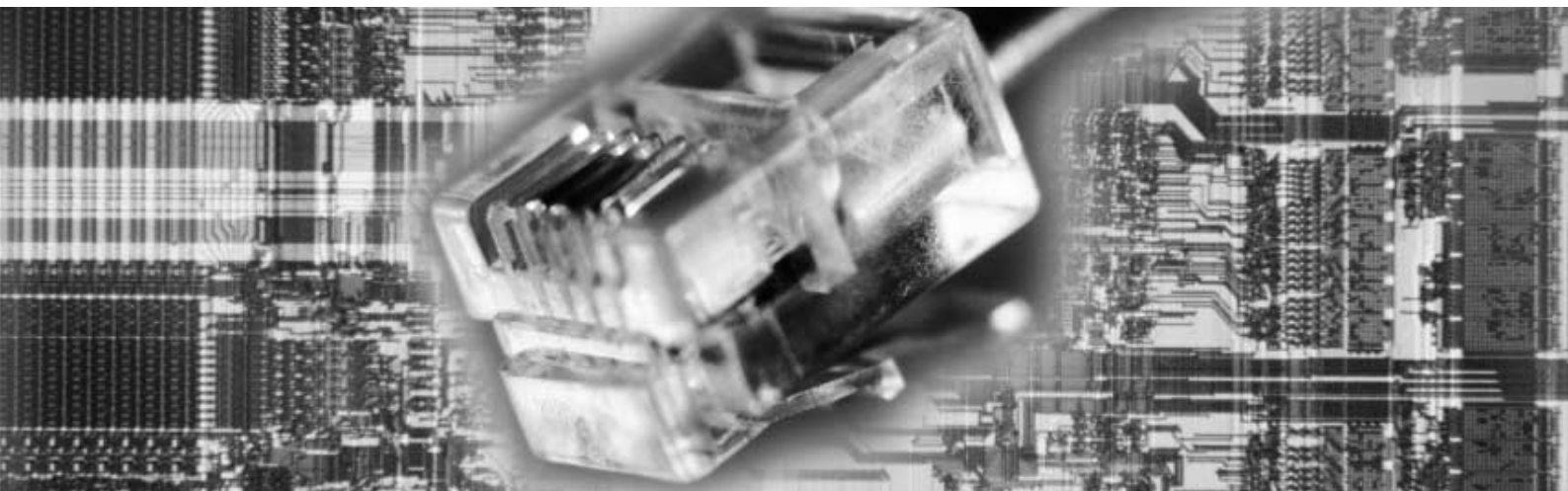
## II. TELECOMMUNICATIONS



With regard to universal service, besides theoretical quality checks of services based on various data collected, measurements were carried out directly in the main exchanges of the historical operator in order to have reference material, on the basis of which the reliability of the results given by the operator, can be verified.

As far as telephone directories are concerned, each publication was checked in order to verify whether the legal provisions were met; it should be pointed out that this department also follows the evolution of the legislation in that field, including the aspects concerning the database management and the management of the information service.

Finally the department also ensures, within the framework of the tasks confided to the Institute by Article 75 of the Act of 21 March 1991, the collaboration within COMIXTELEC for planning the measures to be taken in the field of telecommunications in exceptional situations, and also participates in the activities of the Commission for electromagnetic compatibility.



## INTRODUCTION

Two events marked the activities of the Postal Sector Directorate of the Institute in the course of 2000:

- at national level a further step was taken in the transposal of the Directive via Article 239 of the Act of 12 August 2000 on the social, budgetary and other provisions in confirmation of the Royal Decree of 9 June 1999 transposing the obligations of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service;
- at international level, as president of the European Committee on Postal Regulation (CERP), Belgium strived to give the Committee dynamism and to lead it into the 21st century by opening it to the different market players of the European postal sector and by proposing the creation of an independent secretariat.

# III. THE POSTAL SECTOR



1

## REGULATORY FRAMEWORK

### 1.1 AT EUROPEAN LEVEL

The transposal of the first Postal Directive by the EU member states, which had to be completed in February 1999, is now almost accomplished in all EU member states.

As part of the continued liberalisation of the European postal sector introduced by Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service, the first discussions on the proposal to amend this Directive took place in the course of 2000.

The further opening of the postal market was given special attention by the European Council of the heads of state and government during the Lisbon Summit.

The European Commission proposed at the end of May that with effect from 1 January 2003 the maximum limits in the Postal Directive for the postal services which Member States may reserve to their universal service provider(s) solely to the extent necessary to finance the universal service will be reduced from the current level of 350 grams and five times the basic standard tariff to 50 grams and two and a half times the basic tariff respectively for ordinary domestic correspondence, incoming cross-border correspondence and direct mail; and 0 grams in respect of outgoing cross-border correspondence. In respect of outgoing cross-border mail and express mail, the current price limit is to be abolished.

Moreover, the concept of "special services" has been inserted in the text in order to identify more clearly the services which cannot be reserved for universal service providers.

Further, the Commission proposal determines that a subsequent step in the market-opening will have to be taken by 1 January 2007, provided that the universal service remains at the centre in a competitive environment.

The European Parliament, on the other hand, has voted a number of amendments which by no means go as far as the Commission proposal. Therefore Parliament proposes to liberalise only mail over 150 grams and four times the basic tariff, not to develop the concept of "special services", and not to liberalise outgoing nor incoming cross-border mail and to apply those provisions as from 2005.

Despite all initiatives of the EU Commissioner Fritz Bolkenstein, at the end of 2000 it had to be concluded that the European Union was in a deadlock in respect of further liberalisation. The European Commission proposal would have resulted in the fact that by 2003 around a quarter of all postal revenues would be opened to competition. Today this represents only 3% (items over 350 grams). Subsequently, the proposal for further liberalisation within the postal sector will also in 2001 remain a very current topic.

Along with Denmark, Sweden, the Netherlands, Finland and Austria, Belgium is willing to accept the Commission proposal, emphasising the necessity to liberalise the special services and to have a final date for the liberalisation. The Council met in December 2000 but was not able to reach a compromise between the countries wanting a fast liberalisation and those opting for a gradual liberalisation.

### 1.2 AT BELGIAN LEVEL

The Council of State made remarks in its opinion on the authorisation conferred to the King with regard to the creation of the compensation fund when drawing up the Royal Decree of 9 June 1999 transposing the obligations resulting from Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market. In order to meet those remarks, Parliament passed the Act of 3 July 2000 amending the Act of 30 July 1979 on radio communications and the Act of 21 March 1991 on the reform of some economic public companies. The purpose was to put into an Act a number of provisions from the above-mentioned Royal Decree.

In order to bring the Royal Decree of 9 June 1999 in conformity with the European Directive 97/67/EC, the Act of 12 August 2000 on the social, budgetary and other provisions has repealed a number of compulsory measures concerning the drawing-up of licences and declarations.

On 22 March 2000 the Royal Decree approving the transformation of La Poste in a public limited company and approving its articles was published. Further, the Royal Decrees were published concerning the appointment of the delegated administrator of the public limited company La

Poste and concerning the appointment of the ordinary members and the president of the Board of Management at the public limited company La Poste.

Following the Royal Decree of 17 July 2000 on the granting of the rank of CID officer to some staff members of the Belgian Institute for Postal services and Telecommunications the number of persons active in the Postal Sector Directorate was increased to five.

Further, on the initiative of the supervising Minister, BIPT consulted by way of a round table the different parties involved in the distribution of unaddressed items. The objective is to harmonise on the one hand the stickers by means of which the citizen can express if he wants to receive that kind of items in his letterbox or not, and on the other to distinguish the nature of that unaddressed item by means of a logo printed on each item: advertising, information or free press.

## 2

### POSTAL MARKET

#### 2.1 INTERNATIONAL ECONOMIC CONTEXT

Also in 2000 the craving to increase and expand activities held the postal sector firmly in its grasp. This year showed that the important market players realised this increase in scale and internationalisation rather via joint ventures and partnerships than via takeovers. This new tendency may be primarily explained by the increasing incertitude on the exchanges and capital markets.

This year's most striking event was the announcement that "TNT Post Group" (Netherlands), "UK Post Office" (United Kingdom) and "Singapore Post" (Singapore) had signed an agreement to start a global joint venture in cross-border mail. The alliance will create what is claimed to be the world's largest business mailing partnership, combining the expertise, systems and networks of three main international mailing companies.

In order to survive mailing companies have to become worldwide operators or become part of an international alliance. Contrary to what some may think, this industry is going through a rapid change. A few years ago, each country still had its own national postal service, but now the European or international market has become the main playing field.

The postal services have been under pressure for a long time. Without taking into account the exponential growth of electronic mail, express mail has

acquired important market shares. Electronic mail is the most used Internet service. As a result of the new electronic economy, the postal service is faced with a new challenge in the third millennium.

Under the general title of "Beijing Postal Strategy", the 22nd Universal Postal Congress approved the Union's strategic planning for 2000-2004. UPU wants to achieve the "Beijing Postal Strategy" objectives by means of the six following basic strategies:

- universal postal service throughout the world;
- quality of service in the international postal network (reliable and efficient services);
- economic viability of the international postal network and improvement of the ratio between cost price and efficiency;
- launching of postal products that meet the clients' expectations;
- postal reform and development, taking into account technological and regulatory development;
- cooperation and interaction among postal stakeholders.

These objectives apply equally to governments, postal administrations and the UPU bodies. All contribute to the accomplishment of the UPU mission and cover the issues that have been expressed as priorities at the various strategic planning fora organised by UPU and at the UPU Conference in Geneva on 3, 4 and 5 October 2000.

### III. THE POSTAL SECTOR



#### 2.2 EUROPEAN ECONOMIC CONTEXT

First, the Union set itself a new general strategic goal for the next decade, namely to become the most competitive and dynamic knowledge-based economy in the world capable of sustainable growth with more and better jobs and greater social cohesion. Second, with regard to postal services in particular, the heads of state and government called upon the Commission, the Council and the Member States to act in accordance with their respective powers to achieve the following objectives:

- to set out by the end of 2000 a strategy for the removal of barriers to postal services;
- to speed up liberalisation of postal services, with the aim of achieving a fully operational internal market in this area.

Abroad the hunger for takeovers by Deutsche Post was less explicit than the last two years. Still 2000 was for Deutsche Post AG a crucial year with the application for a stock market quotation of "Aktie Gelb" and the increase of its share in DHL from 25% to 51%. The application for a stock market quotation was the largest but one this year and DP AG now has a market value of almost 950 billion BEF and an annual turnover of 904 billion BEF.

The other historical postal operator, TPG Post Group (Netherlands) which has been quoted on the stock exchange since 1998, took over the American company "CTI Logistics" for 650 billion dollars in September, after the above-mentioned joint venture with "UK Post Office" and "Singapore Post" for international post. Furthermore, it realised all sorts of takeovers in Europa and it also concluded collaboration agreements with other postal operators such as P&T Luxembourg, Swiss Post AG and PT Post Indonesia.

For the French La Poste the year 2000 was crucial because to this day it was not linked with one of the important integrators. By the end of 2000, however, an operational collaboration agreement for Europe was concluded between Chronopost International and FedEx. In June GeoPost was established as holding company for the parcel and logistic services of La Poste.

Following the other European postal companies, UK Post Office ranges all its European parcel services in a holding company, namely "General Logistics System International Holding (GLS)".

In 1999 Poste Italiane was still loss-making but the company expects to be profitable soon and has, as the "Belgian Post Group", also plans to apply for a stock market quotation.

ABX Logistics has in barely seven years' time grown from the heavily loss-making SNCB subsidiary into one of the five largest logistic companies in Europe, boasting a turnover of 100 billion BEF and 16,000 employees.

The above-mentioned postal operators develop into international operators via takeovers and alliances and often rely on a very profitable domestic market generating sufficient financial means to finance this internationalisation. The new technology and activities are important. For the time being, however, it is still domestic correspondence that generates the majority of the cash flow, even in the case of leading and innovative postal groups such as the Dutch TPG and Deutsche Post AG.

Private companies active in logistics, courier services and mail follow the expansion of these companies suspiciously. In the scope of its competition policy the European Commission treated last year several matters belonging to the postal sector. The various takeovers, joint ventures and mergers between postal companies, have caught due attention of the European Commission to verify whether European regulations are observed.

#### 2.3 BELGIAN ECONOMIC CONTEXT

The autonomous public company La Poste was on 1 March transformed into a public limited company. The "Master plan" elaborated by the management in cooperation with consultant McKinsey has to transform La Poste into a modern and energetic company. By improving service, increasing commercial power and adapting the cost structure, La Poste should remain a profitable company.

On 21 December a social framework agreement was signed between the management and the unions of La Poste for the period of 2001-2004. The total cost amounts to 22,260 billion BEF. Twelve billion is intended for the continuation of the "pre-pension leave" system as from 57 years and after 30 years of service. The other measures cost 10 billion.

In the second half of 2000 the Belgian Post Group (BPG) incorporating La Poste, established a number of new subsidiaries as part of its diversification and expansion strategy:

- firstly, eXbo Services International N.V., which will focus on the following activities: mailing activities, printshop (reprography and digital printing-on-demand) and datacenter (in which the experience of Securipost will be validated), filing (electronically or not) and "transport services" (related logistic service). The courier company

# BIPT Annual Report 2000

VDK N.V. is already the first acquisition of eXbo in the domain of "transport services";

- secondly, "e-services", the new subsidiary of La Poste, which will invest over the next five years five billion BEF in Internet activities. This department includes among other things all activities scheduled in the framework of "e-government" and "electronic mail services". Moreover, initiatives will be taken regarding portal sites and the division "e-fulfilment" will offer delivery of goods purchased via Internet;
- thirdly, Vicindo, the new daughter company of the Belgian Post Group, which is responsible for the completely new direct marketing future of La Poste. The group is active in four areas, namely business-to-business and business-to-consumer data management, graphic and conceptional creative services, the production of the message and response consultancy. Last autumn Vicindo already acquired Inter-Mailing, a company specialised in personalised and digital production.

Instead of the 1.5 or 2 billion previously earmarked for it, La Poste announced that it will invest more than 22 billion BEF before 2005 in order to safeguard the competitiveness of La Poste in a liberalised environment. Half of that sum will be spent on the sorting centres, whereas the rest will be divided between the modernisation of the computer equipment and the renovation of the distribution network. By means of this investment policy La Poste should within five years bring turnover to 90 billion BEF through internal growth. Turnover is now 75 billion BEF. BPG also has plans for a stock market quotation within three years.

ABX Logistics too grew in 2000. This was partly the result of acquisitions in Europe and the Far East. In Belgium this division realised a turnover of approximately five billion BEF.

Just like on the international level, a strong growth is also found in Belgium among courier and express companies. In Belgium the four international integrators have developed major activities and they directly employ almost 6,000 persons. Apart from these large integrators a number of smaller national courier companies are also active on the Belgian market such as Chronopost, TBC Halbart Express, Day by Day, World Courier, etc.. Finally there are also numerous local courier companies and one-man businesses offering similar services. A job@ survey shows that the Brussels region is faced with an acute shortage of couriers.

The Belgian Courier Association (BCA) has remained very active in defending the express companies' interests.





### OPERATIONAL TASKS OF THE INSTITUTE

#### 3.1 AT REGULATORY LEVEL

During 2000 BIPT concentrated especially on the preparation of secondary legislation, namely:

- a draft of Royal Decree establishing a compensation fund destined to finance the universal postal service, if the charges the universal service provider (currently La Poste) has to bear, should become unfair;
- a draft of Royal Decree establishing a licence system and another one establishing a system of declarations;
- a draft of Royal Decree fixing the quality standards of the universal postal service and the information to be provided by the providers of the universal postal service in order to enable them to supervise the respect of these standards.

BIPT has followed up the activities regarding the WTO negotiations, among other things as regards possible subsidisation for periodicals and any disturbing effects on the services trade.

#### 3.2 AT OPERATIONAL LEVEL

In accordance with the provisions of Article 4 (2) of the second management contract between the State and La Poste, the Institute carries out a monitoring task with regard to the respect of the quality criteria in correspondence.

The quality criteria to be observed by La Poste in terms of postal time limits are defined in Article 4 (1) of the management contract. Herein La Poste undertakes to deliver at least 90% within a time limit of D + 1 and at least 97% by D + 2 of internal mail, assessed using the end-to-end method.

Following an open invitation to tender this study was assigned to RESEARCH INTERNATIONAL in May 1998. Applying the end-to-end method

RESEARCH INTERNATIONAL carried out three quality controls during one week in the months of May, June and October 2000.

The results show that 82% of standard letters reach their destination on D + 1, taking into account a statistical error of 0.6%, which is 8% difference from the goal of 90% so that the criterion aimed at of D + 1 was not met. Since 97.5% of standard letters reach their destination on D + 2, taking into account a statistical error of 0.3%, which is 0.5% more than the goal of 97%, this criterion was met.

Following an open invitation BIPT chose Bureau van Dijk to follow up a study on setting up a cost model to calculate the cost of the universal service provided by the designated universal service provider. This study will essentially take place in 2001.

The BIPT officials have also fulfilled their CID officer tasks. Specifically with regard to infringements of the sector reserved to La Poste, no complaints were filed. In another area BIPT took action in the investigation of fraud originating in West African countries involving attempted fraud: 35,670 postal items were seized in a single investigation. The difference compared to the year 1999 (approximately 100,000) results from restructuring the gendarmerie services in the Brussels National airport and from the gendarmerie setting different priorities. This has led to fewer checks.

## 3.3 AT INTERNATIONAL LEVEL

### European Committee on Postal Regulation (CERP)

Just like in 1999 BIPT continued its active participation in all CERP working groups. However, it focused its special attention on four working groups: the working group "UPU issues", the working group "Regulatory issues", the working group "Economic issues" and the working group "Standardisation".

#### • Working group "UPU issues"

Now that the five-yearly UPU Congress is behind us, the resolutions taken there need to be implemented. As the observer for Belgium and CERP, BIPT participated in the meetings of the High Level Group, which is to study the future task, structure, composition, financing and decision making process of UPU. In that respect special emphasis is put on the needs of the developing countries and on the need to define and distinguish more clearly the function and responsibility regarding regulation on the one hand and regarding operation on the other for the provision of international postal services.

#### • Working group "Regulatory issues"

This working group specifically addressed European regulatory issues:

- analysis of the follow-up of the implementation of the European Directive 97/67/EC in the various European countries and also of the pre-accession countries;
- reflection on a proposal for a new Directive amending Directive 97/67/EC;
- completion of the compendium that will be available on Internet. This compendium is meant to give to all the members of the European Committee on Postal Regulation all information of a legal nature in a nutshell, especially regarding the status of the regulatory bodies, the definition and perimeter of the reservable area, the range of the universal service, and its financing.

#### • Working group "Economic issues"

The following subjects were examined:

- the judgment of the European Court of Justice on remailing;
- the UPU terminal dues studies;
- the VAT problem;
- the problem concerning the dimension of the postal office network and of its accessibility for all citizens taking into account the preservation of the post offices.

#### • Working group "Standardisation"

In the framework of the European directive this working group discusses and analyses the normalisation activities of the European Committee for Standardisation (CEN/ TC 331 Postal services).

In the course of 2000 the CERP chairmanship headed by Belgium set three priorities in consultation with the CERP directorate:

- the development of contacts with all persons involved in the European postal sector, including the European Commission, PostEurop and the European Express Association (EEA);
- without its proper secretariat CERP is unable to function at optimum level. That is why Belgium has started a reflection and decision process in order to solve this matter;
- in cooperation with the Universal Postal Union and PostEurop, the association representing the interests of postal operators tasked with providing the universal service, a ministerial conference was held on 20 September 2000 in Brussels regarding the pre-accession countries from Central and Eastern Europe.

### CEN /TC 331 Postal Services

CEN/TC 331 Postal Services harmonises on European level the quality standards and technical specifications. This technical normalisation is of essential importance to foster interoperability between national networks and an efficient universal service within the Union.

BIPT partially follows up the European normalisation activities and especially the quality standards developed by CEN (European Committee for Standardisation) for the European Commission. At the end of 2000 the important standard concerning "Measurement of quality of end-to-end services for priority and first class mail" was close to being finalised.

### Universal Postal Union (UPU)

As mentioned before BIPT actively represented Belgium and CERP in the UPU bodies.

As a logical continuation of the 1999 activities regarding liability of postal administrations BIPT made in cooperation with other countries a comparative study about the liability rules between the Universal Postal Convention (applicable to the postal administrations of all the countries in the world) and the various other conventions which apply to private postal operators (CMR, COTIF, Warsaw Convention, Convention on the bill of lading). Based on these results it will be possible to evaluate to what extent a harmonisation between

### III. THE POSTAL SECTOR



the UPU Convention and those various rules can be considered.

BIPT finalised the “Memorandum on universal postal service obligations and standards”, which is meant to implement the universal service in the various Union member states. That memorandum was adopted by the international postal community with the support of the International Bureau and the project team of the Council of Administration, headed by Brazil.

BIPT chairs the “Multilingual vocabulary” project team whose task it is to review the usual postal terminology in the light of the developments in the postal sector.

#### 3.4 CONSULTATIVE COMMITTEE ON POSTAL SERVICES

In 2000 the Consultative Committee on postal services gave an opinion on the proposal for a European Parliament and Council Directive amending Directive 97/67/EC with regard to the further opening to competition of Community postal services. That opinion was sent to the supervising Minister of BIPT. The opinion includes the various viewpoints of the actors involved in the liberalisation of the postal sector.

- *Working group “Europe”*

The European Commission proposal on further liberalisation was presented and discussed.

- *Working group “Postal services”*

Principally two subjects were treated:

- an explanation about the price/quality ratio of the service provided by La Poste;
- a presentation of the various European quality standards developed by CEN/TC 331.

The annual reports of the Consultative Committee are available on the Institute’s website.



### ORGANISATION

#### BOARD OF DIRECTORS

**Chief Administrator and Senior Civil Servant**  
*Eric Van Heesvelde (Directorate I)*

**Director-General**  
*Georges Denef (Directorate II)*

**Administrator**  
*Freddy Baert (Directorate III)*

**Administrator**  
*Jean-Luc Dutordoit (Directorates IV and V)*

#### DIRECTORATES' COMPETENCE

##### Directorate I – Telecommunications

General policy  
National spectrum monitoring service  
Interconnection Chamber  
Conciliation procedures and administrative decisions

##### Directorate II – Telecommunications

Strategic policy  
Regulatory framework and legal matters  
Administration of public networks and services:  
licences and declarations  
International relations  
Numbering  
Statistics  
Consultative Committee on telecommunications  
Monitoring in respect of the Act of 21 March 1991

##### Directorate III – Telecommunications

Licences for private radio networks  
Market surveillance for radio and terminal equipment  
Notifications radio equipment  
Frequency management  
Examinations for radio users

##### Directorate IV – Postal sector

Strategic policy and regulatory matters  
International relations  
Consultative Committee on postal services

##### Directorate V – Logistic and financial support

Human resources  
Training  
Finance  
Purchasing  
Organisation  
Information technology  
Translation

## IV. THE BELGIAN INSTITUTE FOR POSTAL SERVICES AND TELECOMMUNICATIONS



2

### PERSONNEL

At the end of 2000 the BIPT staff included 184 statutory agents, divided as follows: 50 level 1, 116 level 2 and 18 level 3 agents. This statutory personnel was supplemented by a number of contractual agents, 18 of whom were still in service at the end of 2000. These extra staff were necessary to offset the total or partial unavailability of certain staff members (career break, voluntary four-day week, etc.), in order to perform tasks requiring a certain expertise or a high level of experience, or to meet the legal obligation to recruit young people on a training contract.

The extension of the establishment, approved in order to perform the additional tasks assigned to the Institute by the Act of 19 December 1997, thus bringing the budgetary framework to 196 units, was rounded off in the course of last year. The twelve positions still to be filled became vacant by retirement, pre-pension or voluntary resignation of statutory agents.

Because of the rapid evolution in the postal and telecommunications sectors and the arrival of numerous operators and service providers the pressure on the Institute has increased to such an extent that the regulator was forced to introduce another file for an extension of the establishment. This extension should enable the Institute to properly carry out the competences and tasks it is entrusted with.

On the other hand 2000 is the year in which a number of files were introduced aiming at updating certain existing legislative provisions, such as the administrative status and the linguistic framework. As to the pecuniary status a file was introduced transposing all wage scales, compensations and allowances into euro.

With regard to staff training, the efforts to provide various technical, language and computer courses were continued.



## LOGISTIC AND FINANCIAL SUPPORT

The logistic support of BIPT puts special emphasis on five aspects:

- correct installation and equipment of the staff;
- management and maintenance of buildings and material;
- centralisation of all purchases and market consultation;
- overall financial management, both of receipts and outgoing; this especially concerns accounting, budgeting and budget control;
- support when concluding contracts for other services.

In 2000 the centre in Ghent was fully re-equipped, and the first initiatives were taken to put a mast on the Astro tower in Brussels.

For the benefit of the now almost completed establishment an extra half floor was hired, BIPT now occupying five floors in the Astro tower.

The logistic and accounting support of the separate Mediation Service for Telecommunications works out well. In 2000 a special effort was made as for computerisation in view of the creation of a proper database.

BIPT took care of the logistic support of the UMTS file and took the appropriate measures in order to make sure that the procedure was followed correctly.

In 2000 major investments were also made in the technical equipment required for BIPT to carry out its monitoring operations properly: BEF 20 million on purely technical measurement equipment, in particular the gradual construction of a complete measuring station for each centre and vehicle equipment, 13 million on computer material and 4 million to purchase vehicles used to perform monitoring operations.

Investments in information technology mainly covered:

- partial and systematic renewal of computer material;
- replacement of the server;
- adaptation of accounting, wages and licence billing in connection with the introduction of the euro;
- updating of the geographical maps for frequency management.

Financial management is characterised by strict budgetary control, and a sound approach with regard to obtaining the best market conditions.

The tables below show the accomplishments in 2000 of BIPT-regulator and - separately - of the Mediation Service for Telecommunications.



## IV. THE BELGIAN INSTITUTE FOR POSTAL SERVICES AND TELECOMMUNICATIONS



### 4

#### BUDGET

##### 4.1 BIPT – REGULATOR FOR POSTAL SERVICES AND TELECOMMUNICATIONS

Receipts 2000 (in BEF millions)	Outgoings 2000 (in BEF millions)
Repayments ..... 6.82	Staff ..... 369.78
Licence and monitoring rights for private radio communications ..... 896.38	Operation ..... 132.11
Public licence rights ..... 123.72	Investment expenditures ..... 37.18
Approval rights for terminal equipment ..... 2.84	Coordination organisations ..... 66.23
Depreciations ..... -1.01	Treasury ..... 190.00
Miscellaneous ..... 1.20	CFRT (*) ..... 92.33
UMTS ..... 23.42	
<b>Total</b> ..... <b>1,029.95</b>	<b>Total</b> ..... <b>911.05</b>

(\*) Radio and television licence fees service: part of the costs taken on by BIPT for paying and managing the personnel.

##### 4.2 MEDIATION SERVICE FOR TELECOMMUNICATIONS

Receipts 2000 (in BEF millions)	Outgoings 2000 (in BEF millions)
Repayments ..... 0.00	Staff ..... 27.18
Services on behalf of third parties (contribution from the sector) ..... 50.93	Operation ..... 19.19
	Investment expenditures ..... 5.20
<b>Total</b> ..... <b>50.93</b>	<b>Total</b> ..... <b>51.57</b>

# BIPT

Annual Report 2000





## REFERENCES TO LEGAL TEXTS PREPARED BY BIPT AND PUBLISHED IN 2000

Promulgation date	Publication date in Moniteur belge	Title
04/10/99	10/02/00	Royal Decree fixing the specifications regarding the radio messaging service and the procedure for the grant of individual licences
12/01/00	09/02/00	Royal Decree on the identity card of the staff of the Belgian Institute for Postal services and Telecommunications who were granted the rank of CID officer
31/01/00	18/02/00	Administrative circular letter destined to specify the notion of "turnover" in connection with the contribution to the universal service fund
13/03/00	17/08/00	Belgian Institute for Postal services and Telecommunications. — Appointments
16/03/00	22/03/00	Royal Decree approving the first modification of the second management contract concluded between La Poste and the State
16/03/00	13/04/00	Royal Decree on the portability of numbers of telecommunications services subscribers
17/03/00	22/03/00	Royal Decree approving the transformation of La Poste in a public limited company and approving its articles
22/03/00	06/04/00	Royal Decree on the appointment of the delegated administrator of the public limited company LA POSTE
22/03/00	06/04/00	Royal Decree on the appointment of the ordinary members and the president of the Board of Management at the public limited company LA POSTE
27/03/00	06/04/00	Royal Decree on the appointment of the ordinary members of the Board of Management at the public limited company LA POSTE
24/05/00	08/06/00	Royal Decree fixing the date of renewal of the joint committee of La Poste
24/05/00	19/07/00	Royal Decree confirming two Royal Decrees of 26 April 1999 (postal values)
27/06/00	17/08/00	Royal Decree amending the Royal Decree of 22 June 1998 on the conditions for the establishment and operation of public telecommunications networks
03/07/00	13/07/00	Act of 3 July 2000 amending the Act of 30 July 1979 on radio communications and the Act of 21 March 1991 on the reform of some economic public companies
17/07/00	17/08/00	Royal Decree on the granting of the rank of CID officer to some staff members of the Belgian Institute for Postal services and Telecommunications
20/07/00	30/08/00	Royal Decree implementing the Act of 26 June 2000 on the introduction of the euro in legislation pertaining to matters referred to in Article 78 of the Constitution concerning the postal and telecommunications sector
12/08/00	31/08/00	Act of 12 August 2000 on the social, budgetary and other provisions
03/09/00	12/09/00	Royal Decree on the dismissal and appointment of the government commissioner at La Poste
03/09/00	20/10/00	Royal Decree amending the Royal Decree of 28 June 1999 on the grant of the rank of CID officer to some staff members of the Belgian Institute for Postal services and Telecommunications
26/09/00	31/10/00	Royal Decree on radio and terminal equipment and the recognition of their conformity
29/09/00	21/12/00	Ministerial Decree granting leave for specific tasks to some officials of the Belgian Institute for Postal services and Telecommunications
27/10/00	28/11/00	Royal Decree amending various legal provisions regarding telecommunications (voice telephony service - individual licences, public telecommunications networks, mobile telephony)
12/12/00	29/12/00	Royal Decree amending the Royal Decree of 22 June 1998 on the conditions for the establishment and operation of public telecommunications networks

The complete list of texts published by BIPT are available on [www.bipt.be](http://www.bipt.be).

# BIPT Annual Report 2000

2

## LIST OF ABBREVIATIONS USED

3G	Third generation	ICCP	Information, Computer and Communication Policy
AAP	Alternative Approval Process	IMSI	International Mobile Subscriber Identity
ADCO	Administrative Cooperation	IMT 2000	International Mobile Telecommunications 2000
ADMD	Administration Management Domain Name	INMARSAT	International Maritime Satellite Organization
BCA	Belgian Courier Association	INTELSAT	International Telecommunications Satellite Organization
BEF	Belgian franc	IRG	Independent Regulators Group
BEMILCOM	Belgian Military Communications	ISDN	Integrated Services Digital Network
BIPT	Belgian Institute for Postal services and Telecommunications	ISPC	International Signalling Point Code
BPG	Belgian Post Group	ITU	International Telecommunication Union
BRIO	Belgacom Reference Interconnect Offer	KPN	Koninklijke Post Nederland
CB	Citizen Band	LEGBAC	Limited Exploratory Group on Broadcasting to Aeronautic Compatibility
CEN	European Committee for Standardization	MHz	Megahertz
CEPT	European Conference on Postal and Telecommunications Administrations	NCS	National spectrum monitoring service
CERP	European Committee on Postal Regulation	NRA	National Regulatory Authority
CMR	Convention on the international transport contract of goods by road	NV	Naamloze Vennootschap
COMIXTELEC	Commission mixte des télécommunications	NSPC	National Signalling Point Code
COTIF	Convention concerning International Carriage by Rail	OECD	Organization for Economic Cooperation and Development
CPS	Carrier Preselect System	ONP	Open Network Provision
DECT	Digital Enhanced Cordless Telecommunications	PMR	Private Mobile Radio
DHL	Dalsey, Hillblom & Lynn	PSTN	Public Switched Telephone Network
DNIC	Data Network Identification Code	PT22	Project Team – monitoring
DVB-T	Digital Video Broadcasting – Terrestrial	R&TTE	Radio & Telecommunication Terminal Equipment
EC	European Commission	SA	Société anonyme [Limited Company]
EC	European Community	SMP	Significant Market Power
ECTRA	European Committee for Telecom Regulatory Affairs	SNCB	Société Nationale des Chemins de fer Belges
EEA	European Express Association	TCAM	Telecommunication Conformity Assessment and Market Surveillance Committee
EMC	Electromagnetic compatibility	T-DAB	Terrestrial Digital Audio Broadcasting
ERC	European Radiocommunications Committee	TE.SA.M	TElécommunications par SATellites Mobiles
ERO	European Radiocommunication Office	TISP	Telecommunications and Information Services Policies
ETO	European Telecommunication Office	TNT	Thomas Nationwide Transport
ETSI	European Telecommunications Standards Institute	UMTS	Universal Mobile Telecommunications System
EUTELSAT	European Telecommunications Satellite Organization	UPU	Universal Postal Union
FAQs	Frequently asked questions	VHF	Very High Frequencies
FedEx	Federal Express	WRC	World Radiocommunications Conference
FM	Frequency Modulation	WTO	World Trade Organization
GHz	Gigahertz	WTSA	World Telecommunication Standardization Assembly
GMDSS	Global Maritime Distress and Safety System		
GSM	Global System for Mobile communications		

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