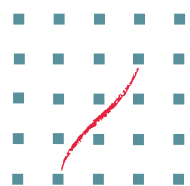


ANNUAL REPORT

2014



INNOVATION
COMPETITION AND
INVESTMENTS
RELIABILITY
INFORMATION
INVOLVEMENT
DIALOGUE
PERFORMANCE



BIPT



BELGIAN INSTITUTE FOR POSTAL SERVICES AND TELECOMMUNICATIONS

**CON-
TENT**



CONTENT

MESSAGE OF THE COUNCIL	4	3. REPORT OF THE HORIZONTAL SERVICES	44
1. BIPT	8	1. The Registry	45
A. In a few words	9	2. The Communication Department	45
Activities	9	3. The Translation Department	46
Environment	9	4. The IT Department	46
Democratic control	10	5. Human Resources, Staff and Training Department	47
B. Missions, vision, values and strategic axes	11	6. International Relations Department	48
Current missions	11	6.1. BIPT as a regulator	48
Vision of the future	11	6.2. International activities of BIPT as a representative of the Belgian State	49
Values	11	7. The Legal Department	52
Strategic axes	12	7.1. Electronic communications	52
Complaint Handling	12	7.2. Postal regulation	52
C. Key figures	13	7.3. Legal support and dispute coordination	53
Electronic communications sector	13	8. The Budget and Accounting Department	55
Postal sector	17	4. FINANCIAL REPORT AND ANNUAL ACCOUNTS	56
2. ACTIVITY REPORT	20	1. BIPT and the Offices of the Ombudsmen	57
1. Main achievements in 2014, ranked along the strategic axes	21	2. Annual accounts of the Universal Service Funds	57
1.1. The strategic axis "Innovation"	21	ANNEXES	58
1.2. The strategic axis "Competition and investments"	23	1. Situation of the 2014 Operational Plan	59
1.3. The strategic axis "Reliability"	25	2. Report on the monitoring aimed at in Article 21 of the Act of 17 January 2003	62
1.4. The strategic axis "Information"	28	3. List of the Council publications in 2014	63
1.5. The strategic axis "Involvement"	30	3.1. Decisions of general interest	63
1.6. The strategic axis "Dialogue"	30	3.2. Consultations	64
1.7. The strategic axis "Good performance"	32	3.3. Communications	65
2. Report of the operational services	32	3.4. Opinions	66
2.1. Electromagnetic spectrum management, licences and frequencies	32	3.5. Press releases	67
2.2. Inspections ensuring an interference-free spectrum	41	4. List of implementing measures published in the Moniteur belge	68
2.3. Market monitoring in the context of Directive 1999/5/EC	42	4.1. Decrees implementing the "BIPT Act" (17 January 2003)	68
2.4. Operational management of the numbering plan	42	4.2. Decrees implementing the "Electronic Communications Act" (13 June 2005)	68
		4.3. Decrees implementing "the Act on the reform of some economic public companies" (21 March 1991)	69
		5. Glossary	70
		6. Useful addresses	71

MESSAGE OF THE COUNCIL



MESSAGE OF THE COUNCIL

For BIPT, 2014 constituted in the first place the inaugural year of its second Strategic Plan, which covers the period 2014-2016. This plan considers reviewed and extended missions, following the modifications introduced in the Act of the 13 June 2005 on electronic communications (hereafter ECA).

Electronic communications, postal services and media in the Brussels Capital Region remain the main competences; in each of these domains, BIPT performs a regulatory activity characterised by five basic principles: safeguarding the interests of users, promoting competition, ensuring social integration, managing scarce resources and guaranteeing network security. The values embodied by BIPT are: professionalism, agility, independence and transparency.

The Strategic Plan is subdivided along seven strategic axes according to which BIPT wishes to target its efforts. In the following pages, we will find an overview of some of the 70 operational goals defined for 2014, divided according to the different strategic axes.

So, within the context of the implementation of the second strategic axis, "competition and investments", following a previous analysis dating from 2008, markets 3 (telephone services for residential customers) and 5 (telephone services for non-residential customers) have once again been analysed for fixed services. The analysis has shown that these two retail markets were evolving towards effective competition following the pressure exerted on prices by the cable operators and providers of the "Unmanaged VoIP" service types and also in the light of ancillary markets (mobile operators and peer-to-peer services). Those are the reasons why the existing obligations imposed on Belgacom have been removed.

Following the analysis of the leased lines markets in 2013, a new Belgacom reference offer was developed in 2014. This offer will allow to enhance competition on the business market thanks to the possibility for alternative operators to provide an alternative offer to the Belgacom retail offer on this basis. Within the context of this strategic axis, BIPT also calculated a new rate for the WACC (weighted average cost of capital) for fixed and mobile operators. The first works regarding the review of the analysis of the broadband and broadcasting markets were also launched in 2014.

On the postal market, within the context of the implementation of this second strategic axis, a postal observatory has been set up in order to guarantee a maximum transparency, increase market knowledge and monitor trends in the light of a European benchmarking. Three years after the opening of the postal market, BIPT launched a study meant to take stock of the functioning of competition, a study that could lead to suggestions for improvement of the regulatory framework so that it meets the current needs and the objectives laid down by the European directive. BIPT has also been tasked by the Government to organise a (transparent, open and non-discriminatory) selection procedure to award the service concession for the delivery of acknowledged newspapers and acknowledged periodicals. This procedure has to

result in the selection of a concessionaire who will have to take up duties on 1 January 2016 according to a decision of the European Commission.

The objectives of the fourth strategic axis "Information" have been made concrete through the realisation of a new national price comparison, a make-over of the tariff simulator www.besttariff.be (following a public consultation) and monitoring of the operators' compliance with the legislation, among other things as regards information on contract termination and obligations regarding the removal or anonymization of traffic and location data. Besides, a new study was carried out in 2014 to compare Belgian prices with prices prevailing in neighbouring countries for the residential users and, for the first time, non-residential users.

Within the context of the fifth strategic axis, "Involvement", BIPT finalised, among other things, the cost model to calculate the net cost of the universal postal service and a draft decision regarding the determination of a possible unfair burden which could lead to the calculation of the net cost for the provision of social tariffs for electronic communications.

In 2014, BIPT also carried out some legislative preparatory work regarding smartphone access to all 4G networks, par-

STRATEGIC PLAN

ticularly following the restrictions deployed by certain smart-phone manufacturers against certain operators. Regulations have also been introduced as regards the shared use of cables and ancillary facilities in the buildings. In implementation of the Act on electronic communications, different implementation orders have been prepared, such as those relating to private radio frequencies, antenna site sharing, the functioning of the fund for emergency services and radio waves monitoring.

To carry on the universal service modernisation regarding electronic communications, the removal of the obligation to



maintain public telephone booths by BIPT in 2013 was followed by regulatory adjustments in 2014, after preparations by BIPT. Thus different proposals regarding the provision of the universal service geographical component have been adapted to the current needs, both in the Act and in implementation orders, and the bitrate for functional Internet access was set. Those activities will be pursued in 2015.

In execution of the postal legislation, several implementation orders prepared by BIPT have also been adapted according to the opinions of the Council of State and published in the *Moniteur belge*, such as the one on the regulation of the postal service, the one implementing Title IV of the Act of 21 March 1991 on the reform of certain economic public companies, the one on declaring and transferring postal services not included in the universal service, or the one on the analytical accounting of the universal postal service provider.

PER- FOR- MANANCE

In order to promote mobile broadband penetration in Belgium, BIPT formulated eight recommendations aiming among other things at enhancing users' confidence, bringing increased transparency regarding the actual use or avoiding bill shocks.

Following the risk of power shortage in the winter of 2014, the FPS Internal Affairs drew up a large-scale National Electricity Shortage Emergency Plan. Planned black-outs in certain geographical areas constituted one of the measures considered. Consequently, BIPT conducted a study on the resilience of fixed and mobile electronic communications networks and services and on the service interruptions due to a large-scale power shortage. BIPT contributed to the preparation of the telecom operators and to the coordination with the energy sector. As a member of the Assessment Unit that has to be activated in the event of a crisis, BIPT also instituted a 24/7 duty during the critical period.

Given the major impact of the work carried out by the IRG (Independent Regulators Group), BEREC (Body of European Regulators of Electronic Communications) and the ERGP (European Regulators Group for postal services) on the strategic preparations of the regulation at European level, BIPT maintained a high level of involvement with those bodies. Further details on these activities can be found at page 48 and following.

BIPT's work is carried out by 218 qualified and motivated staff members. The Council wants to thank them for the devotion and assiduity they display in the execution of their

tasks. Every day, they embody the BIPT values: professionalism, agility, independence and transparency.

Stimulating investments, guaranteeing healthy competition, facilitating innovation and development of ever-increasingly

qualitative and attractive offers for the benefit of all remains our everyday concern. That is why we have to continue to reinvent ourselves each day. Let us all act together today.

Charles Cuvelliez

Axel Desmedt

Luc Vanfleteren

Jack Hamande



BIPT



A /// IN A FEW WORDS

BIPT is a federal institution which takes on the following roles:

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

- It also acts as the Belgian authority for the fulfilment of various missions of public interest.

ACTIVITIES

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

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

ENVIRONMENT

Working alone is unproductive; on the contrary, sharing knowledge and exchanging points of view about technological developments allows to take the right decisions. BIPT is in constant contact with numerous Belgian, European and foreign institutions. By getting actively involved in those exchanges, BIPT wants to be an efficient regulator:

- At the Belgian level, BIPT is in regular contact with the Chamber of Representatives (see below) and the federal minister responsible for the postal and telecommunications sectors. Likewise, BIPT cooperates with the Belgian Competition Authority (BCA): Article 55 of the ECA states that BIPT asks the BCA's opinion¹ on the draft decisions regarding market analyses. BIPT, the FPS Economy, SMEs, Self-employed and Energy and the two mediation bodies²

are natural partners in the field of the promotion of users' interests. Together with the media regulators of the Flemish (VRM), French (CSA) and German-speaking (Medienrat) Communities, BIPT forms the CRC: the Conference of regulators in the electronic communications sector. BIPT also provides the secretariat for the two consultative committees (the Consultative Committee on postal services³ and the Consultative Committee on Telecommunications⁴).

- At the European level, BIPT cooperates fully with numerous bodies. Among which the European Commission⁵, the European Committee for Postal Regulation (CERP), the



¹ The BCA (<http://economie.fgov.be/en/entreprises/competition/>) is composed of an investigation service and a decision-making body (the Competition College). In 2014, BIPT submitted a draft decision to the BCA.

² The Office of the Ombudsman for Telecommunications (www.ombudsmantelecom.be) and the Office of the Ombudsman for the Postal Sector (www.smspo.be).

³ <http://www.cccsp-rcp.be/webpaginas/pagedaccueil.html>

⁴ <http://www.rct-cct.be/FR/index.html>

⁵ Among the groups set up by the Commission, we quote more in particular the CoCoM (Communications Committee), the RSPG (Radio Spectrum Policy Programme) and the RSC (Radio Spectrum Committee).

European Regulators Group for Postal services (ERGP), the European Conference of Postal and Telecommunications Administrations (CEPT) and the Body of European Regulators of Electronic Communications (BEREC).

- At the international level, BIPT participates actively or follows the activities carried out by the Universal Postal Union (UPU) and the International Telecommunication Union (ITU).

DEMOCRATIC CONTROL

BIPT is an independent body; the legislator has seen to this. However, it goes without saying that it conducts its activities in full transparency and in accordance with democratic control mechanisms.

- Every three years the BIPT Council draws up a Strategic Plan, submitted for approval to the Council of ministers in 2014, except for the aspects relating to the *ex ante* market regulation and disputes between operators, and the final version of which is presented to the Chamber of Representatives. On the basis thereof the Council then prepares an annual Operational Plan. Finally, an annual report on the activities and the development of the postal services and telecommunications markets is submitted to the government. The Government also had the possibility to suspend certain BIPT decisions violating the law or harming the general interest⁶.
- The Budget and Finance ministers also monitor the draft budget drawn up by BIPT and the Court of Auditors monitors the annual accounts. Since its creation in 1993, BIPT is entirely financed by resources coming from the regulated sectors, without any public subsidies.

- BIPT decisions may be challenged before the Brussels Court of Appeal. The Court of Appeal may suspend BIPT decisions and annul them with retroactive effect. As such an appeal against a decision has no suspensive effect.



⁶ In the spring of 2015, the Status Act of 17 January 2003 was modified in order to take account of the objections raised by the Commission regarding BIPT's independence: the Government's right of suspension has been withdrawn and the BIPT Strategic Plan does no longer have to be approved by the Council of ministers.

B /// MISSIONS, VISION, VALUES AND STRATEGIC AXES

Those concepts were defined by the BIPT Council in the 2014-2016 Strategic Plan, in the spring of 2014, following an open and transparent process. BIPT's draft Strategic Plan was submitted for consultation from 17 to 31 January 2014; after adaptation of the documents, the Council of Ministers approved it on 28 March 2014, in accordance with (former) Article 34 of the Status Act of 17 January 2003. This orientation document was then published on the BIPT website on 25 April 2014⁷.

CURRENT MISSIONS

An organisation's missions give this organisation its *raison d'être* through the goals it seeks to achieve. They provide a framework for the strategy as well as for the operational functioning. They allow to verify that a specific action or an evolution of the organisation in one way or the other goes in the right direction.

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

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

VISION OF THE FUTURE

The vision enables an organisation to project itself in what it seeks to be or how it wants to shape the world that surrounds it within the context of its mission and objectives. That is why BIPT expresses as follows its vision of its role and impact in the field of telecommunications, media and postal services:

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

VALUES

An organisation's values are essential for everyone to recognise themselves in the action it undertakes to accomplish its mission and to implement its vision. They enable everyone, its staff, its customers, its providers, to make sure on a daily basis that any action taken fits the mission and the vision. Upholding those values is the prerequisite for accomplishing them.

Those values are:

- professionalism,
- agility,
- independence
- transparency.

The **professionalism** promoted by BIPT is meant to be multidisciplinary by combining technical, economic and legal expertise in the field of electronic communications, postal services and media. The technical expertise regarding the regulated matters allows to make the distinction between possible and impossible, reality and utopia, usefulness and uselessness.

BIPT seeks to react quickly, with **agility**, to the situations that arise and to the often very fast technical and economic evolutions on the market; employees' flexibility and internal and external collaboration are dear to BIPT. BIPT adapts its structures and its way of functioning whenever necessary.

⁷ Following the modification of the Status Act already mentioned, the next Strategic Plan shall be presented to the Chamber of Representative by the Council members.

The regulator's **independence** ensures his credibility in his role for the market players he regulates as well as all stakeholders. The independence enables the stakeholders to enjoy a regulator the action of whom is stable and predictable over time, without losing the need to adapt to the market situations that are evolutionary by nature.

Transparency is an important element that ensures democratic control over its action, strictly limited by its independence. It is made up of an open mind, dialogue, honesty and coherence. All acts and decisions are appropriately motivated and submitted for consultation in advance.

STRATEGIC AXES

The 2014-2016 Strategic Plan, which serves as a programming tool, has defined seven strategic axes intended to guide the work of BIPT and its employees:

1. *Innovation*: supporting the arrival of increasingly innovative services for consumers;
2. *Competition and investments*: promoting a sustainable framework for competition and investments;
3. *Reliability*: ensuring a reliable and high-quality digital environment;
4. *Information*: contributing to a better provision of information to consumers;
5. *Involvement*: promoting involvement and social inclusion
6. *Dialogue*: having a continuous dialogue;
7. *Good performance*: being an attractive employer and a well performing regulator.

For more details regarding the strategic axes, we refer our readers to BIPT's Strategic and [Operational Plans](#)⁸.

COMPLAINT HANDLING

In 2014 the FPS P&O invited BIPT to join the federal complaints handling network regarding the operation of the member organisations of said network. A complaints handling system includes the organisation of the receipt, the analysis and the processing of complaints. The analysis of the complaints allows to distil the underlying motives and consequently to learn lessons on a functional and organisational level.

BIPT took this invitation as an opportunity to concretize its commitment to the values it adheres to and thus designated a complaints coordinator. Information on the topic was published on BIPT's website, as well as the *ad hoc* form. Eight complaints were processed in 2014: the majority of which regarded the social telephone tariffs procedure. The coordinator made recommendations to the Council. A collaboration with the federal ombudspersons was officially set up as well.

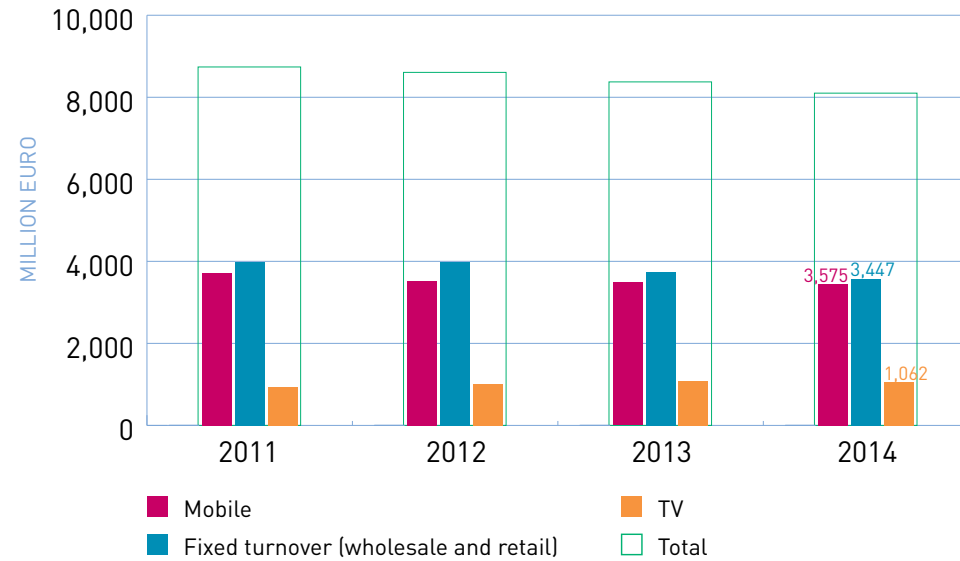
INFORMATION FRONTIER

⁸ www.bipt.be/en/operators/folders/16-operational-plans

C /// KEY FIGURES

1) ELECTRONIC COMMUNICATIONS SECTOR

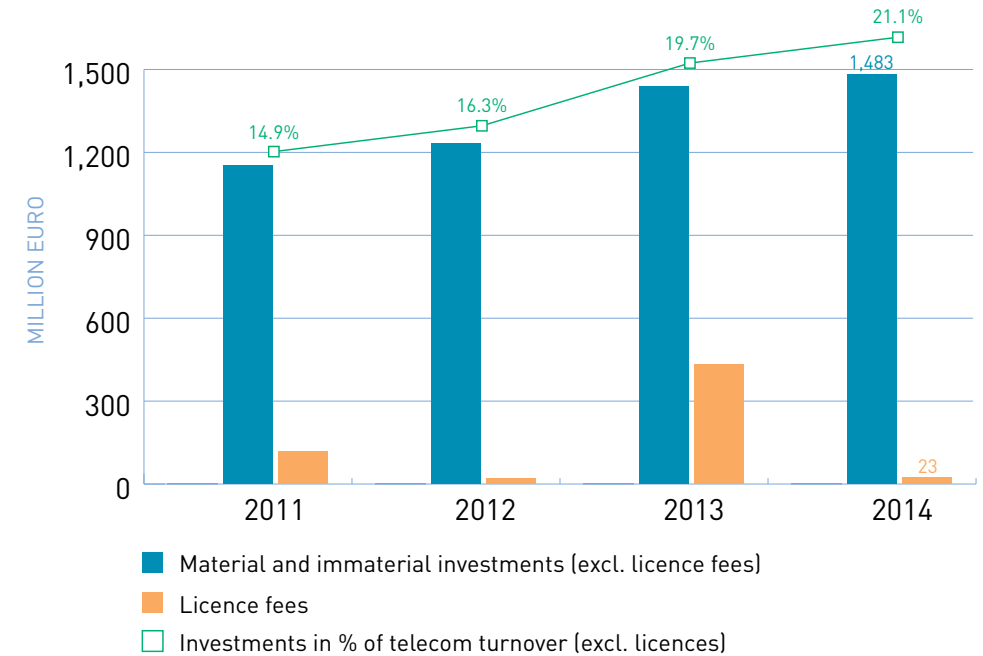
TURNOVER



The turnover of the eleven main operators' telecom and broadcasting activities is diminishing (-3.3% on an annual basis).

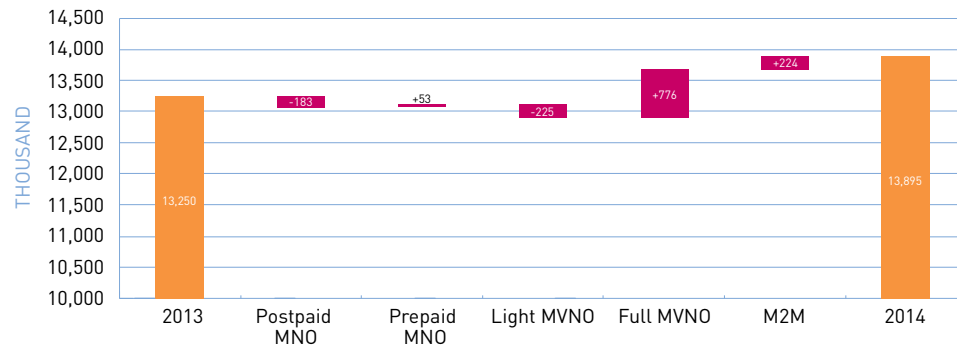
For the first time, the broadcasting segment has decreased (-1.5%).

INVESTMENTS (EXCLUDING LICENCES)



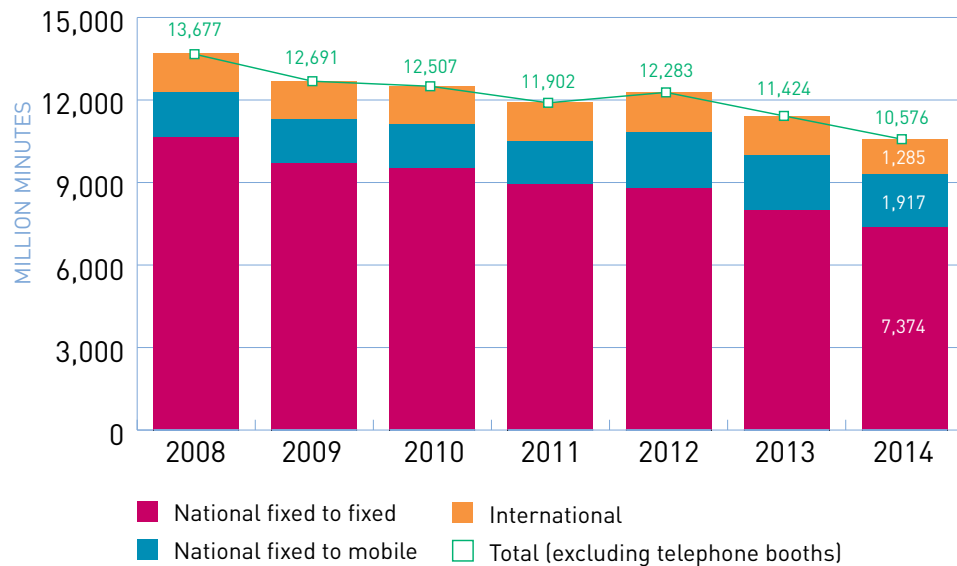
The investment level reached € 1,483 billion, i.e. 21.1% of the turnover from telecommunications activities.

MOBILE MARKET

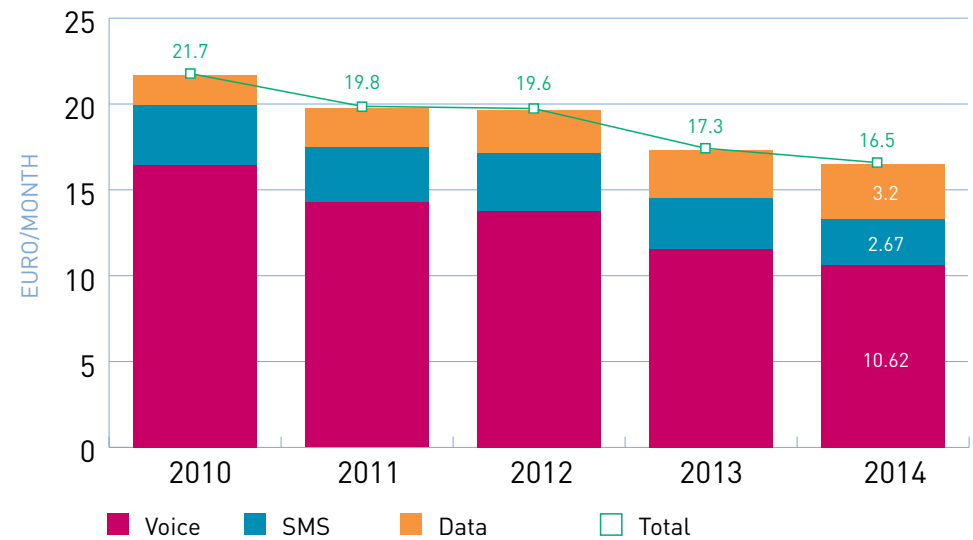


At the end of 2014, 13.89 million SIM cards were active, i.e. a 4.9% increase on an annual basis. The increases in the number of M2M cards (+23.9%), "Full MVNO"⁹ cards (+80.3%) and prepaid cards of the three mobile operators' customers (+1.1%) have more than offset the decreases in the number of postpaid cards of the three mobile operators and in the number of SIM cards of the "light MVNOs".

VOICE TELEPHONY



The volume of fixed voice telephony has increased by 7.4% compared to 2013. The ARPU¹⁰ for fixed voice telephony decreases by 1.5% on an annual basis.



As to mobile telephony, traffic also shows a decline. Yet, it still represents 64% of the mobile ARPU.

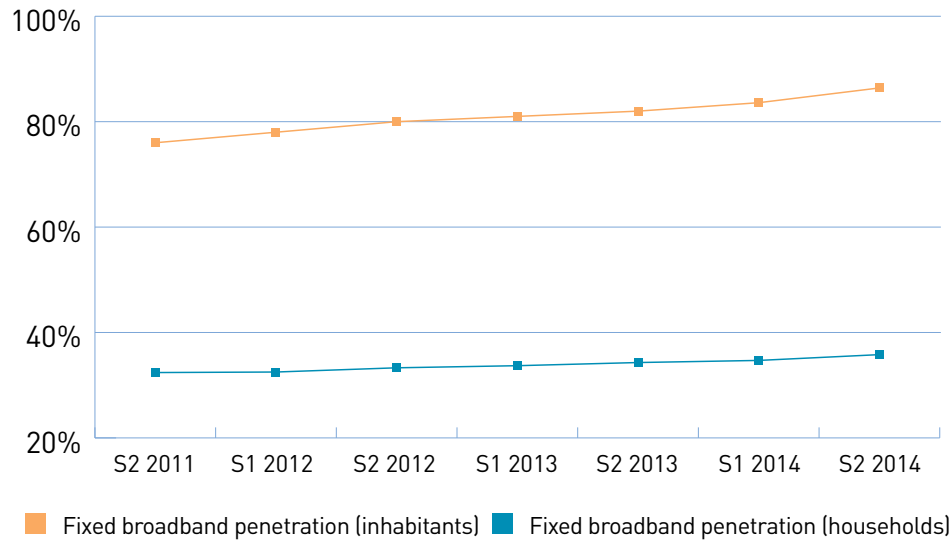
The pressure on the fixed and mobile revenues (respectively -1.1% and -4.3%) cannot be compensated by the TV segment which, for the first time, displays a decrease in revenue (-1.5%)

⁹ The Full MVNOs have core network elements of a mobile architecture and their own number supplies (as a matter of fact, they also have their own SIM cards), which enables them to directly offer interconnection services to other operators of fixed or mobile public networks and even international roaming services.

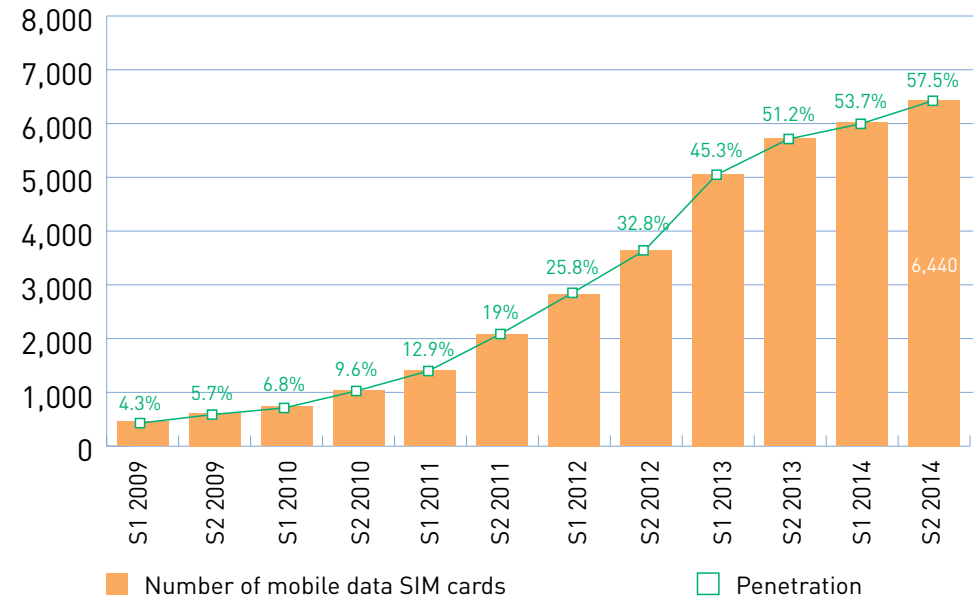
The Light MVNOs do not operate any network facilities. Their activity is limited to marketing the services of a mobile network operator.

¹⁰ Average revenue per user

BROADBAND



86.4% of households are equipped with a fixed broadband connection.

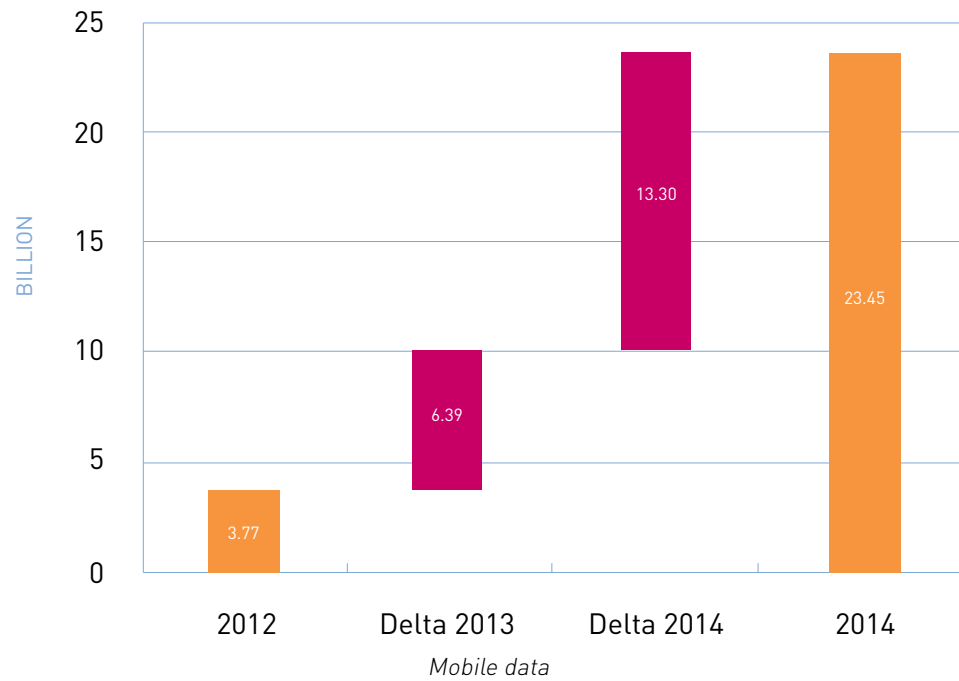
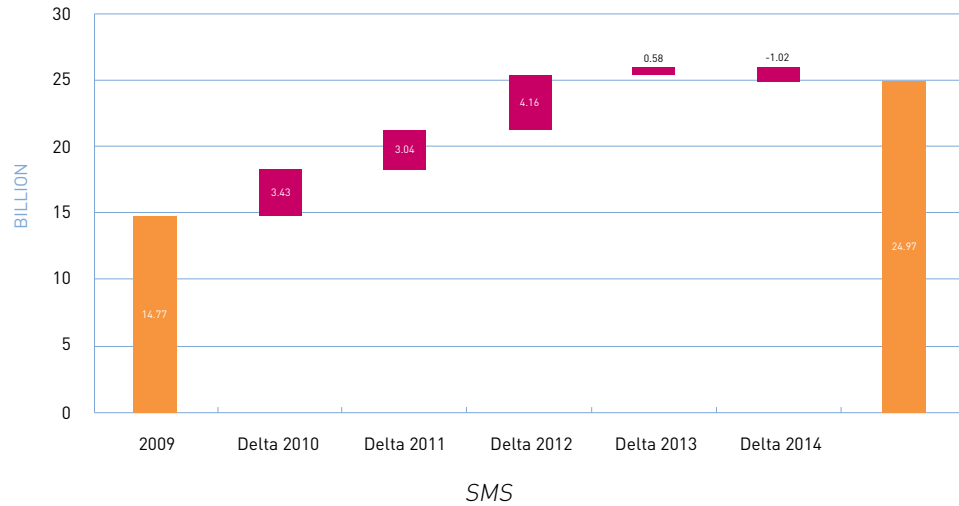


Mobile broadband penetration reaches 57.5%; its progression has slowed down. Mobile broadband is mainly used on smartphones.

4G represents 23% of the total number of SIM cards for mobile data traffic.

RELIABILITY

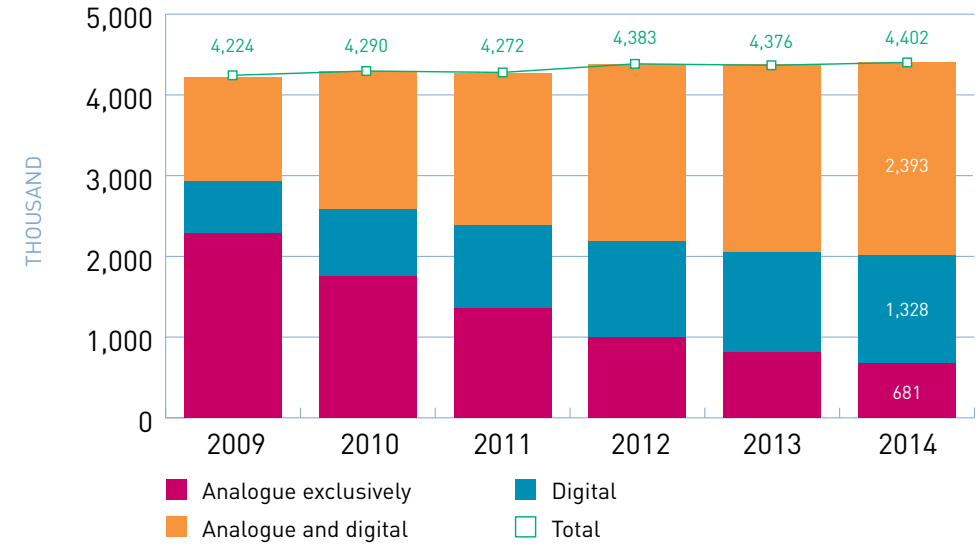
SMS MESSAGES AND MOBILE DATA



SMS traffic shows a decrease compared to 2013, while mobile data traffic increases by +131%.

The monthly average per active SIM card is 166 SMS sent and 160 megabytes used.

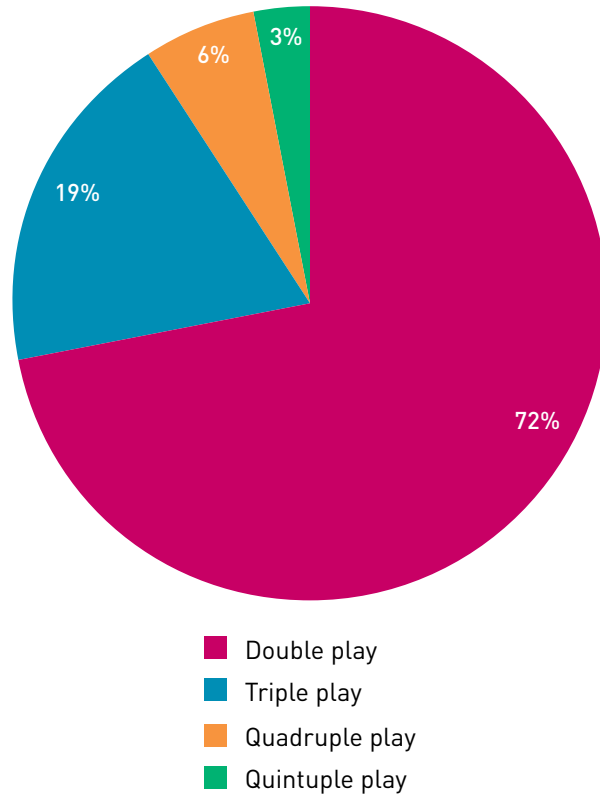
TELEVISION



The Belgian digital television market is still increasing (+4.5% additional subscribers), although less rapidly than in previous years.

This increase, along with the fact that operators succeed in convincing their subscribers to subscribe to additional services such as VoD, has a positive effect on the market revenues: + 5.5% in 2014.

BUNDLED OFFERS



The double play formula (consisting in an offer including two services) is by far the most common option. The "mobile" component is present in 74.6% of the bundled offers.

Digital agenda 2020

Six goals still have to be reached:

- Roaming tariffs: achieved at 71%
- Broadband Internet: achieved at 98%
- Ultrafast Internet: achieved at 20%
- Public investments: achieved at 72%
- E-commerce: achieved at 96%
- E-commerce for SMEs: achieved at 61%

Belgium has already reached 7 of the 13 performance objectives of the European Digital Agenda.

Four of these seven goals have been exceeded.

2) POSTAL SECTOR

The Belgian postal market is characterised by its high homogeneity. Indeed, it is made up of a multitude of companies and small self-employed businesses (around 1,500).

Around 70% of the companies performing a postal activity have less than 5 employees and, for most of them, postal activity is not their main activity.

In fact, some ten major companies represent more than 90% of the sector's turnover and bpost is by far the main operator, with about 70% of the market shares.

Among the large postal operators present in Belgium, besides bpost, we also have GLS, DPD, Kiala for parcels, DHL, FedEx, UPS and TNT for express mail, Deltamedia (subsidiary of bpost) and BD for press delivery. Since 2013, a licensed operator, TBC-Post, also competes with bpost in the letter post segment.

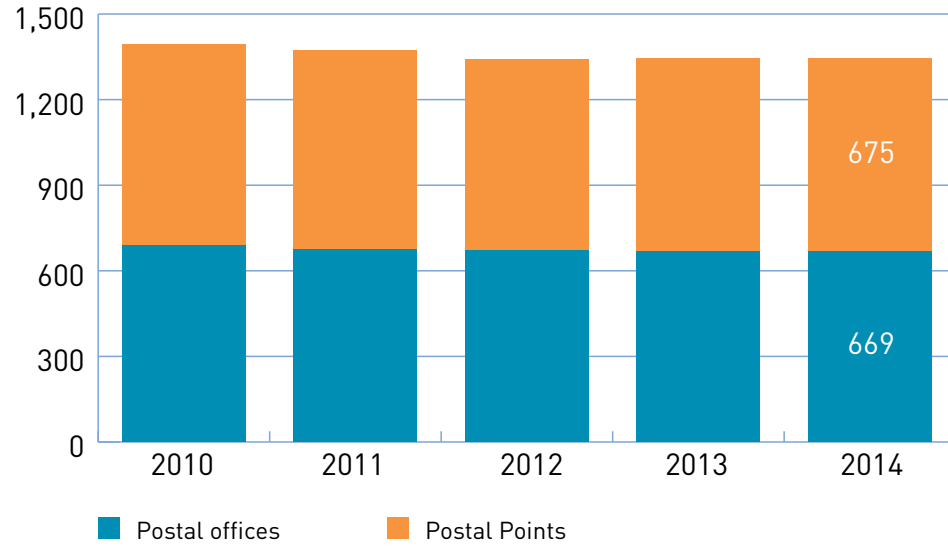
In spite of a downward trend of traditional post for a few years now, the sector resists relatively well by developing innovative services and responding to specific requests from e-commerce regarding parcel delivery.



ACCESSIBILITY OF THE POSTAL SERVICES

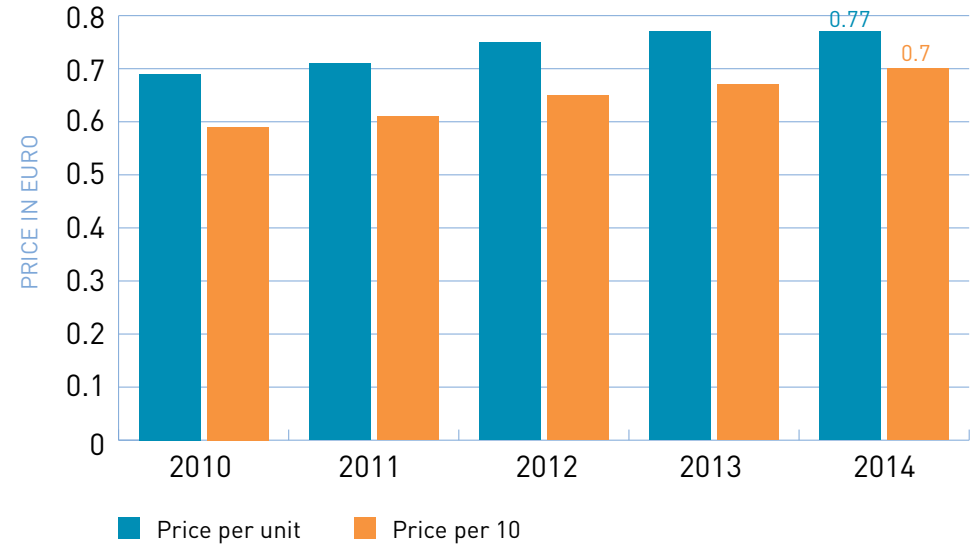
In 2014, 1,344 establishments (post offices or Postal Points) provided postal services on the whole national territory, i.e. one service point more than in 2013. This confirms the break in the decrease of the number of postal service points observed between 2010 and 2013.

Besides this network of service points, there are the 13,187 red letterboxes spread all over Belgium.



PRICE OF THE STANDARD DOMESTIC LETTER

In 2014, sending a letter in Belgium cost € 0.77 (€ 0.70 when purchasing 10 stamps). While the unit price remained constant compared to 2013, the price for 10 units increased by 4.4%.



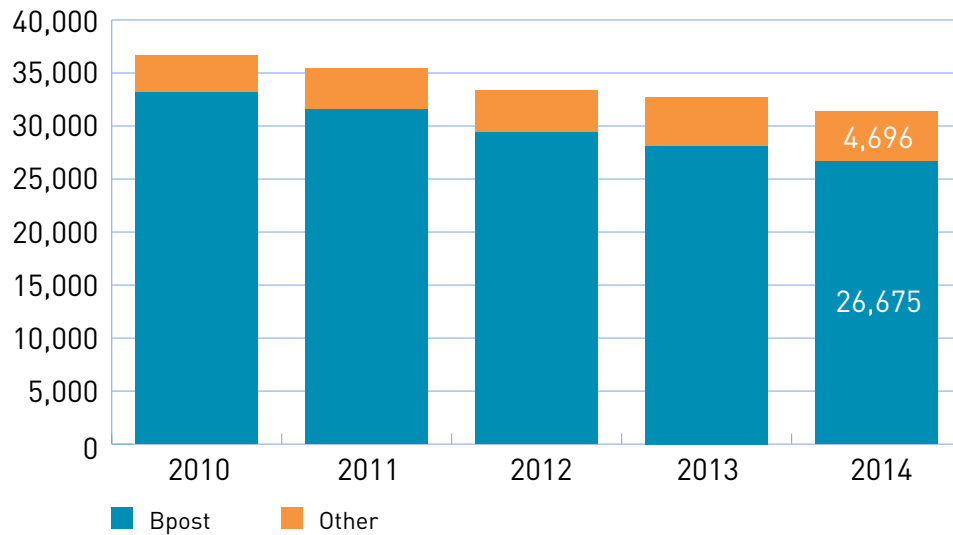
If we compare the nominal value of the standard domestic letter in Europe, we see that in 2014, Belgium had the third most expensive tariff of the European Union. The same comparison expressed in purchasing power parity brings Belgium to the 14th position in the European country ranking.

DIALOGUE

EMPLOYMENT

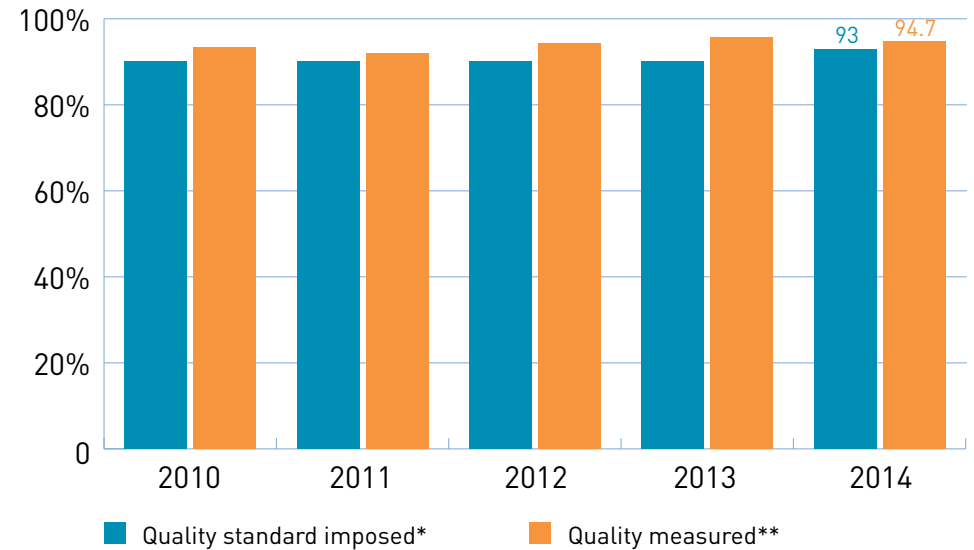
The number of people devoted to postal activities in Belgium decreased by 1,284 units, which means a 3.9% decrease. This downward trend has consequently been going on since 2010 and is speeding up compared to the decrease recorded between 2012 and 2013 (-2.1%).

This decrease in the number of jobs in the postal sector results from a decrease in bpost's staff, the number of people employed by other postal operators having globally increased in 2014 compared to 2013.



QUALITY

After two successive years of increase in the percentage of PRIOR letters delivered on D+1 and a record year in 2013, the result for 2014 is not as good, with 94.7% of PRIOR letters delivered on time. However, this result remains superior to the standard imposed, set at 93% since 2014.



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

** Source: Belex-Spectos



ACTIVITY REPORT



1 /// MAIN ACHIEVEMENTS IN 2014, RANKED ALONG THE STRATEGIC AXES

1.1. THE STRATEGIC AXIS “INNOVATION”

Recommendations intended to increase mobile broadband use in Belgium

Mobile broadband penetration in Belgium went from 16% (2011) to 45.7% in 2014; yet, this catching-up movement does not prevent Belgium from remaining largely under the European average (62.4%). Certain delicate issues explain the delay (e.g. emission standards, taxes on mobile infrastructure, consumers’ information); they slow down the mobile broadband growth observed in Belgium. A [study](#)¹¹ carried out for BIPT has provided eight recommendations in order to improve the situation:

1. avoiding the bill shock: since February 2014, mobile operators are obliged to send users an SMS alert when they exceed their flat fee. Compliance with this obligation has to be verified;
2. BIPT should encourage operators to provide users with more transparency regarding their actual consumption for the different mobile data services. Potential users will then be more capable of choosing a subscription suited to their actual needs;
3. BIPT could perform periodic measurements (or have them performed) regarding mobile broadband coverage and actual service quality and publish the result;
4. it is appropriate to anticipate the mobile data traffic growth and to give operators the possibility to make the necessary adaptations to their networks. The study of the conditions for the granting of the 700 MHz band for mobile telecommunications by 2018-2020 should be launched in collaboration with the Communities. This “second digital dividend” for mobile broadband with excellent characteristics regarding propagation and penetration inside buildings is particularly appropriate for the promotion of mobile broadband by 2020;
5. speeding up and harmonising approval procedures regarding the creation of new radio communications sites is another means of action. The installation of small cells with low-power emissions has to be facilitated as well. This type of cell could become indispensable and could efficiently support the growth of mobile data traffic;
6. regional authorities have to be encouraged to lower or even abolish taxes on small base stations. Should this financial burden be maintained, taxes on the installation of small cells should be limited from now on;
7. the exchange of good practices between regions (e.g. regarding emission or tax standards) could contribute to a larger harmonisation of strategic choices and to reduce regulatory uncertainties;
8. in consultation with other competent bodies, BIPT could organise a round table with all stakeholders in order to exchange ideas on factors that could improve mobile broadband penetration.

INNOVATION

¹¹ www.bipt.be/en/operators/bipt/publications/stimulation-of-the-mobile-broadband-penetration-in-belgium

Revision of the numbering plan

The electronic communications landscape is still evolving at a rapid pace. We notice, for instance, the disappearance of the distinction between fixed and mobile, the internationalisation, more complex business models with modified value chains such as the provision of certain services from the cloud, the virtualisation... The numbers and other identification systems are essential to the development of services. In 2014, BIPT proactively started to assess the needs of the following years and to consider the regulatory adaptations that could be submitted to the Government.

The review process of the Royal Decree¹² of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights has been launched on 12 May 2014 during a public session in which BIPT presented the changes considered.

A broad written consultation was then held regarding a document based on two basic themes: the pursuit of the search for operational improvements on the one hand, and strategic reorientation on the other hand, to facilitate innovation.

As far as operational improvements are concerned, some avenues of reflection have been launched in the field of M2M (Machine to Machine) communications, rules on number blocks with "orphan status", nomadic VoIP services, routing numbers, as well as regarding the allocation procedure for SMS short numbers.

In terms of strategic reorientation, the reflection regarded the introduction of more flexibility in the granting of E.212 mobile network codes, the use of the Calling Line Identity (CLI) and of numbering resources outside the Belgian territory and vice versa.

Monitoring of the wholesale prices for domain names ".be" specified by DNS Belgium

In many countries, domain names are associated with country codes, which are managed by third parties controlled by the State. According to Article 164/1, 3° of the ECA, BIPT's mission is to see to it that the registry office for ".be" Internet domain names charges its services in exchange for a compensation directly linked to the costs actually incurred.

On 16 December 2013, the Council of Administration of DNS Belgium had decided to increase its wholesale tariff for .be domain names from 1 March 2014, raising it from € 2.5 to € 3 a year. BIPT examined in details the cost orientation of this .be domain names wholesale tariff increase (analysis of 19 June 2014) and came to the conclusion that this increase is justified, provided that a number of framework decisions are complied with.

Anticompetitive frequency hoarding

On 28 April 2014, BIPT adopted a [communication](#)¹³ regarding frequency hoarding. This document stipulates that BIPT will not, until further notice, establish any *ex ante* framework intended to fight spectrum hoarding, which operators are constantly invited to avoid. However, if an obvious spectrum hoarding case is noticed, operators will be allowed to give their opinion regarding this infringement. After hearing all stakeholders, BIPT will lay down the rules which this offender will have to meet. If it elaborates a new legislation intended to prevent hoarding, the Government will have to take account of the existence of this kind of measures during the granting of new user rights. Imposing spectrum caps¹⁴ is not an efficient measure to prevent spectrum hoarding.

Multiannual plan regarding the spectrum for public mobile communications in the medium term

On 7 November 2014, BIPT launched a [consultation](#)¹⁵ on the future of the spectrum for public mobile communications. In the medium term, BIPT will have to face a certain number of challenges in the field of spectrum. On the one hand, decisions have to be taken regarding the necessity and timing to make new frequency bands available (the 700 MHz band, the L 1452-1492 MHz band and the 2.3-2.4 GHz band). On the other hand, a number of measures have to be taken in order to allow a more effective and efficient use of the already allocated bands, e.g. through the increase of the spectrum cap making it possible to allocate a larger portion of the spectrum to the same operator or to use it for other services (e.g. for the unpaired bands 2.1 GHz, or for the 2.6 GHz band). In the course of 2015, BIPT will publish its multiannual plan regarding activities in this field.



¹² www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2007042729&table_name=loi

¹³ www.bipt.be/en/operators/radio/frequency-management/communication-of-the-bipt-council-of-28-april-2014-concerning-spectrum-hoarding

¹⁴ The spectrum cap is the maximum quantity of spectrum an operator is allowed to have in a given frequency band.

¹⁵ www.bipt.be/en/operators/radio/frequency-management/consultation-of-the-bipt-council-of-7-november-2014-on-the-spectrum-for-public-mobile-telecommunications

1.2. THE STRATEGIC AXIS “COMPETITION AND INVESTMENTS”

Allocation of the remaining 900 MHz and 1,800 MHz frequencies

A Royal Decree amending the Royal Decree of 7 March 1995 concerning the establishment and operation of GSM mobile phone networks and the Royal Decree of 24 October 1997 concerning the establishment and operation of DCS-1,800 mobile phone networks was ratified on 10 April 2014. This text provides for an allocation procedure of the frequencies that were intended for BidCo between 27 November 2015 and 15 March 2021.

On 17 June 2014, BIPT published in the *Moniteur belge* the call for tenders to participate in the procedure for granting user rights for the 900 MHz and 1,800 MHz frequency bands. The procedure aimed at allocating 4.8 MHz duplex in the 900 MHz band and 15 MHz duplex in the 1,800 MHz band as of 27 November 2015.

At the end of the process, BIPT adopted the [Decision](#)¹⁶ of 15 December 2014 and the table below sums up the final results:

Operator	900 MHz band	1,800 MHz band
Belgacom	2.4 MHz duplex (12 channels)	5 MHz duplex
Mobistar	1.6 MHz duplex (8 channels)	5 MHz duplex
Base Company	0.2 MHz duplex (1 channels)	5 MHz duplex
Total	4.2 MHz duplex (21 channels)	15 MHz duplex

Frequency adjustment in the 1,800 MHz band

This Royal Decree of 10 April 2014 also contained the possibility for BIPT to allocate the entire 1,800 MHz band as soon as this Decree came into force.

BIPT has launched a consultation of three mobile operators with a view to allocating the entire 1,800 MHz band in the period until 27 November 2015. All frequencies available in the 1,800 MHz band have been allocated by the BIPT decision of 15 December 2014 mentioned above.

Postal observatory and review of the market three years after its liberalisation

Set up permanently in 2012, the observatory of the postal activities market in Belgium presents indicators offering a structured representation of the market, which benefits all stakeholders of the postal sector. The completion of this project implies numerous interactions with the operators, the ombudsman, Eurostat, the ERGP (European Regulators Group for postal services) and the European Commission.

In 2013, the last year for which figures are currently available, the market has been characterised by the following trends:

- investments increased by 4% and the number of jobs slightly decreased, by 2.6%;
- the total revenue of the postal sector decreased by 2.1% compared to 2012, and this in spite of the good results of the parcel and express mail segment. bpost kept an important market share, slightly decreasing due to the competition of international express groups¹⁷ on the parcel market. This decline is linked to the decrease in revenue in the letter post segment: the volume of mail per inhabitant decreased by 3.6% between 2012 and 2013, falling below the level of 20 items per inhabitant and per month;
- the nominal rate of the Prior letter in Belgium went from € 0.75 in 2012 to € 0.77 in 2013, i.e. a 2.6% increase of the unit sales price of transport and [distribution](#)¹⁸.

COMPETITION AND INVESTMENTS

¹⁶ www.bipt.be/en/operators/radio/rights-of-use/terminated-allocation-procedures/bandes-900-1800-mhz/decision-of-the-bipt-council-of-15-december-2014-on-the-granting-of-usage-rights-and-on-the-division-of-spectrum-in-the-900-mhz-and-1800-mhz-frequency-bands

¹⁷ Together, DHL, Fedex, UPS and TNT held more than 60% of this market in value.

¹⁸ www.bipt.be/en/operators/postal/concepts-of-postal-service-and-postal-item/communication-of-the-bipt-council-of-11-december-2014-regarding-the-belgian-postal-services-observatory-for-2010-to-2013

In November 2014, BIPT, wishing to review the situation after three years of postal liberalisation, entrusted an external consultant (WIK) with the task of drawing up a report aiming at comparing the market situation before and after its liberalisation, assessing the impact of the opening to competition and identifying possible remaining barriers in the Belgian postal market.

Granting of a service concession regarding the delivery of acknowledged newspapers and acknowledged periodicals

Since 1 January 2011, the Belgian postal market is liberalised; no postal service is reserved for bpost anymore. Any operator who meets the legal requirements is allowed to provide all or part of the universal postal service without prior consent, except for the collection, sorting, transport and delivery of items of correspondence (registered or not) within the scope of the universal service, as well as all or part of the non-universal postal services. Any operator other than bpost is allowed to deliver newspapers and periodicals without having to obtain a prior licence from BIPT. Moreover, the delivery of newspapers and periodicals acknowledged as meeting the criteria mentioned in Article 40 of the Royal decree of 24 April 2014 on the regulation of the postal service constitutes a specific public service mission, currently entrusted to bpost until 31 December 2015. bpost delivers those acknowledged newspapers and periodicals at favourable rates and receives a compensation from the Belgian State for the net cost generated by this public service mission. From 1 January 2016, a public service concession regarding the delivery of acknowledged newspapers and periodicals will have to be installed following a transparent and non-discriminatory procedure inviting competing bids, in line

with the EU state aid rules on services of general economic interest. At the beginning of 2014, BIPT made the results of the market consultation launched in 2013 public and published a [concession](#)¹⁹ notice and a call for tenders regarding the delivery of newspapers (lot 1) and periodicals (lot 2). BIPT received three applications. The concession agreement will in principle be concluded for a five year duration minimum, and the contracting authority may extend that period for two years.

Withdrawal of obligations following the market analysis of retail fixed telephony services

In its [Decision](#)²⁰ of 6 November 2008, BIPT had concluded that Belgacom had a significant market power on the markets of national telephony services provided at a fixed location for residential and non-residential users. In 2014, BIPT proceeded to the reconsideration of the current situation by verifying if the definition of those markets resulting from the Decision of November 2008 remained in force, and by applying the three criteria test to check if those markets could be subject to an *ex ante* regulation and seeking to establish the presence of SMP operators on the markets involved and the obligations to be imposed on them.

Following these operations, BIPT decided to lift the retail price control and transparency obligations imposed on Belgacom as the latter is facing increasing competition. The [decision](#)²¹ of deregulating retail prices for fixed telephony has also been adopted in a large number of European countries.

Approval of addenda to the BROTSoLL, BROBA and WBA VDSL2 reference offers

The existing reference offers have to be regularly adapted to the regulatory changes and technological evolutions; they are then subject to an addendum approved by BIPT. Three addenda were approved in 2014.

A first [addendum](#)²² had to do with the qualitative aspects of NGLL (Next Generation Leased Lines), an extension of the BROTSoLL offer (Belgacom Reference Offer for Termination Segments of Leased Lines) in order to adapt the offer to the obligations imposed by the Decision of 8 August 2013 on the analysis of the leased lines markets.

A second [addendum](#)²³, regarding the WBA VDSL2 offer, had to do with vectoring, a technique used to counter the noise on a copper pair and increase the bandwidth of the copper connections.

A third [addendum](#)²⁴ to WBA, VDSL2 and BROBA offers regarded the specifications for P=5 service quality, which represents the highest quality applied, among other things, in the transmission of "voice" traffic.

¹⁹ www.bipt.be/en/operators/postal/distribution-concession-of-newspapers-and-periodicals

²⁰ www.bipt.be/en/operators/telecommunication/Markets/fixed-telephony/archives/decision-of-6-november-2008-on-the-analysis-of-relevant-markets-3-03-and-5-03

²¹ www.bipt.be/en/operators/telecommunication/Markets/fixed-telephony/market-analysis-retail-voice-services/besluit-van-de-raad-van-het-bipt-van-24-september-2014-betreffende-de-nationale-openbaar-beschikbare-telefoon diensten-geleverd-op-een-vaste-locatie-voor-particuliere-en-niet-particuliere-gebruikers

²² www.ibpt.be/en/operators/telecommunication/Markets/Leased-lines/marktanalyse-in-uitvoering-2013/decision-of-8-august-2013-on-market-analyses-relating-to-leased-lines

²³ www.ibpt.be/en/operators/telecommunication/Markets/broadband/vdsl2-evolutions-vectoring/decision-of-19-february-2014-concerning-the-addendum-vectoring

²⁴ www.ibpt.be/en/operators/telecommunication/Markets/broadband/various-implementation/decision-of-the-bipt-council-of-1-april-2014-regarding-the-addendum-specifications-for-p-5-service-quality

Monitoring of Belgacom's accounting separation for the years 2011 and 2012

Wholesale price monitoring is an important aspect of the obligations that can be imposed on an SMP company (SMP: Significant Market Power). In order to check if the prices charged are based on the real costs, the accounting separation obligation imposed on Belgacom has been examined. Two decisions on this subject were adopted on 25 November 2014 regarding the years [2011](#)²⁵ and [2012](#)²⁶.

Renewal decision regarding the analysis of the broadband markets

The Decision of 1 July 2011 on the analysis of the broadband markets was annulled by the judgement of the Brussels Court of Appeal of 3 December 2014 on grounds of insufficient motivation of the obligations imposed on Belgacom compared to those that could possibly be imposed on cable operators and on grounds of the lack of precision regarding the scope of multiplay offers. That is why the CRC, the conference of regulators assembling BIPT, the VRM, the CSA, and Medienrat, adopted a renewal [decision](#)²⁷ on 18 December 2014 in order to respond to the objections raised by the Court.

1.3. THE STRATEGIC AXIS "RELIABILITY"

Notification in the case of a breach regarding personal data

By virtue of Article 114/1, § 3, of the ECA, companies providing publicly available electronic communications services should act in accordance with several obligations in the case of a breach regarding personal data, in particular by immediately notifying this breach to the Commission for the protec-

RELIABILITY

tion of privacy, which shall notify BIPT without undue delay. This year, those two authorities have refined the good practices as regards collaboration and exchange of information.

Just like the notifications of security incidents²⁸, this information enables BIPT to be informed about the problems faced by the market players, to give feedback to the sector, and to take stock of the security measures that will have to be taken.

Planning in case of electric shortage

Given the risk of power shortage, the FPS Internal Affairs has established a large-scale National Electricity Shortage Emergency Plan, which provides for the disconnection of certain geographical areas through power cuts. Consequently, BIPT conducted a study on the resilience of fixed and mobile electronic communications networks and services

and on the service interruptions due to a large-scale power supply failure. The study has shown that mobile networks and services reveal intrinsic properties: in the case of mobile services and networks used for their provision, terminal equipment operates on battery as soon as the power supply is cut, so that they are not directly affected. The end-user may also move to find an antenna that is still working or call emergency services through another operator's antenna (national roaming by means of the number 112).

BIPT's actions were mainly related to the preparation of operators and to the coordination with the energy sector, in close cooperation with the other authorities concerned. BIPT is also a Member of the Assessment Unit that has to be activated in crisis situations; BIPT has also instituted a 24/7 duty during the winter 2014-2015.

²⁵ www.bipt.be/en/operators/telecommunication/Markets/price-and-cost-monitoring/accounting-separation/bipt-decision-of-25-november-2014-regarding-the-conformity-for-the-system-of-separated-accounts-of-belgacom-for-the-year-2011

²⁶ www.ibpt.be/en/operators/telecommunication/Markets/price-and-cost-monitoring/accounting-separation/bipt-decision-of-25-november-2014-regarding-the-conformity-for-the-system-of-separated-accounts-of-belgacom-for-the-year-2012

²⁷ www.ibpt.be/en/operators/telecommunication/Markets/broadband/market-analysis-2011/decision-of-the-conference-of-regulators-of-the-electronic-communications-sector-crc-of-18-december-2014-on-the-renewal-and-correction-of-the-crc-decision-of-1-july-2011-on-the-market-analysis-of-the-broadband-internet-markets

²⁸ Those incidents are specified in the Decision of the BIPT Council of 1 April 2014 laying down the circumstances in which the operators have to notify BIPT of a security incident and the terms and conditions of this notification.

Communication of the authorities in crisis situations

The mobile electronic means of communications, mobile terminal equipments in particular, are largely widespread, which makes them singularly adapted if the authorities want to warn the population via messages in the event of imminent threats; this could mitigate the effects of great disasters.

Within the Federal Public Service Internal Affairs, there is a communication platform named "BE ALERT²⁹". It is envisaged to add to this platform an interface to the mobile electronic communications networks in order to enable the authorities that manage the crisis planning and the crisis communication to make use of this possibility. The European regulatory framework provides that this collaboration obligation may be inscribed in the mobile networks licences.

BIPT has consulted the Directorate-General Crisis Centre of the FPS Internal Affairs to see to it that mobile operators' collaboration obligation be introduced in the ECA.

On 4 June 2014, the Council of State gave its opinion 56.130/4 regarding the bill. The bill has been modified according to it and will pursue its legislative process in 2015.

Fund for emergency services providing on-site assistance

This Fund governed by Article 107/1 of the ECA has been activated by the publication of its implementation orders adopted on 2 April 2014 (M.B. 23 May 2014).

In 2014, for the first time, it has calculated the contributions to the Fund paid by the operators involved.

Two projects for the benefit of emergency services providing on-site assistance are financed by the Fund: the "LBS"



project (Location Based Services) and the "SMS112" project, which ensures availability via SMS of the emergency services providing on-site assistance via SMS. The necessary information has been requested from all parties involved in those projects; information and further clarification have been obtained and the required verifications have been carried out. For the Fund, the decisions ensuing from this first exercise will materialise in 2015.

Accessibility via SMS to emergency services

Act of 14 November 2011 amending the ECA as regards emergency services accessibility introduces the obligation for mobile operators to make emergency services accessible via SMS. Ministerial Order of 5 March 2014 fixing the technical solution that operators providing or reselling 2G mobile services have to implement so that the emergency services providing on-site assistance can be reached by means of text messages (M.B. 18 March 2014) makes this obligation possible for GSM networks.

BIPT has consulted the Directorate-General Crisis Centre of the FPS Internal Affairs to see to it that mobile operators' collaboration obligation be introduced in the ECA.

²⁹ <http://be-alert.be/>

BIPT has taken part in the technical meetings with operators and emergency services in order to achieve the solution that has to be implemented. In 2014, the accessibility to emergency services providing on-site assistance via a text message has been tested. The date chosen as opening date for the target audience was 15 February 2015.

Fight against malicious calls to emergency services

Calls which do not concern an emergency or which are just intended to disrupt or hinder the smooth functioning of emergency services cause a waste of resources.

Article 107 of the ECA empowers the Minister to take administrative and technical decisions in order to fight against malicious calls to emergency services providing on-site assistance or misuse of emergency numbers.

In 2014, BIPT and the emergency services providing on-site assistance have proposed the administrative and technical measures which, translated in a Ministerial Order, will follow their regulatory path in 2015. The fact that emergency services providing on-site assistance are accessible via SMS has been taken into account.

Location determination of calls made via nomadic communications services to emergency services

Besides fixed communications set up at an invariable determined point (e.g. the call number of a telephone line) and mobile calls made from anywhere in the network coverage area and without interruption due to mobility, there is an intermediate category: nomadic communications services. They allow to make calls from virtually anywhere (i.e. from any network termination point) but without the possibility to move. They are based on IP technology or carried over the Internet.

The citizen also expects to be able to contact the emergency services providing on-site assistance via those nomadic ser-

vices, and expects the emergency services to be able to help him, regardless of whether the call was made from a fixed or a mobile network. The great difficulty raised by those emergency calls via nomadic services is that, frequently, precise location data cannot be provided to emergency services, who, as a consequence, cannot be sure where to send the assistance.

That is why, within CEPT (European Conference of Postal and Telecommunications Administrations), the ECC (Electronic Communications Committee) has created a "Project Team Emergency Services" ("PT ES") in 2014 and entrusted it with

the task of studying the issue of emergency calls location determination.

BIPT has taken part in the activities of this "PT ES" team which, in the end of 2014, produced a well-received report: "ECC Report 225 - Establishing Criteria for the Accuracy and Reliability of Caller Location Information in Support of Emergency Services".

Based on this report, the European Commission is expected to take an initiative in 2015 regarding location determination of emergency calls via nomadic electronic communications.



1.4. THE STRATEGIC AXIS “INFORMATION”

National price comparison

BIPT has also conducted a comparative study of telecommunications operators' tariff plans at national level regarding the situation on the residential market. Based on the 305 tariff plans activated in the BIPT tariff simulator (www.besttariff.be) covering the different market segments (postpaid and prepaid mobile services, fixed telephony, fixed Internet and triple play bundled offers), each operator's cheapest tariff plan (excluding offers subject to conditions) has been compared for defined standard user profiles. For a medium use of postpaid mobile telephony (120 call minutes, 100 SMS and 50 MB), a price difference of almost € 240 on an annual basis has been observed between the 15 tariff plans covered by the comparison. For a medium use of prepaid mobile telephony (100 call minutes and 150 SMS), the price difference exceeds € 120 per year. For a low to medium use of triple play bundled offers (with an Internet speed of minimum 20 Mbps), we note a price difference of almost € 20 on an annual basis between the 15 cheapest tariff plans. The fixed telephony operator's choice also allows to save up large amounts of money. The price difference on an annual basis between the cheapest tariff plans for a medium use during off-peak hours or at weekends amounts to nearly € 10.

The provisional conclusion of this analysis is that there are still important price differences between the cheapest offers in the different market segments of the Belgian telecommunications sector, and that consumers also have everything to gain by comparing the different pricing formulas on www.besttariff.be.

INFORMATION

Comparative price study of telecom products in Belgium and the neighbouring countries for residential users

BIPT has investigated the prices for telecommunications products in the five countries (Belgium, the Netherlands, France, Germany and the United Kingdom). In total, 591 tariff plans have been compared for residential users. The [study](#)³⁰ allows to bring the necessary transparency on the price situation in Belgium. This analysis has highlighted the fact that the fixed and mobile telephony prices are relatively lower than in the neighbouring countries, while Belgium is average as regards broadband prices. The price of bundled offers (Internet, fixed telephony and television) for an average profile are average, even if the offer quality is remarkable. It is particularly difficult to compare bundled offers given operators distinguish themselves partly based on their offers' quality.

Comparative price study of telecom products in Belgium and the neighbouring countries for non-residential users

BIPT has commissioned a first comparative price [study](#)³¹ of telecommunications products on the non-residential market in Belgium compared to prices in the same neighbour-

ing countries as those considered in its study regarding telecommunications products for residential customers. The study has defined eight types of professional users representing different consumption levels of telecommunications products within the context of a bundled or individual offer. Those can be classified in two groups: individual enterprises on the one hand (local-based individual businesses, home-based professionals and two types of mobile professionals), and SMEs with 5 to 10 telecommunications users (retail outlets, local trading companies, local production companies and local service companies) on the other hand.

Globally, telecommunications prices for the non-residential market in Belgium are rather advantageous for smaller enterprises in comparison with prices applying in the neighbouring countries, in particular for local individual enterprises, home-based professionals and retail outlets. Mobile broadband services are very competitive; fixed telephony services are also competitive (less for high consumption profiles), broadband Internet available in Belgium ranks quite well in the comparison but mobile telephony bought separately is rather expensive in Belgium, which is unfavourable for profiles with a higher mobile usage.

³⁰ www.bipt.be/en/operators/bipt/publications/comparative-study-price-level-telecom-products-in-belgium-france-the-netherlands-germany-and-the-united-kingdom-tariffs-from-august-2013

³¹ www.bipt.be/en/operators/bipt/publications/comparative-study-into-business-pricing-in-belgium-france-germany-the-netherlands-and-the-united-kingdom-tariffs-february-march-2014

Behaviour and priorities of users of postal services

BIPT has studied the behaviour and [priorities of private and business](#)³² users regarding the universal postal service in Belgium. Similar surveys had already been carried out in 2006 and 2009 for private users and in 2010 for business users; so, this edition allowed to highlight constants as well as variations. A large telephone survey has questioned no less than 2,088 private users and 3,524 business users from the three of the three country regions. Generally speaking, all users claimed to be satisfied with the services offered by bpost. The analysis of the particular components of the satisfaction highlights the importance of the smooth functioning of the service of delivery on D+1, even if this trend is less marked for parcels. A majority of the respondents finds the price of the letter correct; as regards the price of parcels, by contrast, while the majority of the companies polled expressed their satisfaction, only 41% of the private individuals find this price correct (against 49% in 2009). Global satisfaction regarding post offices and postal points is around 75% and remains stable. Private users visit postal offices ever less often; visits to the Postal Points on the contrary, increase.

Survey on the perception of the telecom market functioning by users

This annual survey of a representative sample of more than 1,200 people aims at understanding users' behaviour on the market, noticing the possible evolutions as well as the impact of the new legislative measures introduced in the ECA in July 2012, or of the various targeted actions implemented by BIPT (standardised information sheets, free-of-charge alert messages sent to customers, measurement of the connections' actual speed, information communicated to customers regarding the average consumption profile, etc.).

Certain results of this study may have shown that the consumer slightly changed attitude these past three years (for instance the progress of the punctual use of Internet telephony) but we have also observed constants and lacunae that are only rectified slightly. Here are some examples:

- 36% of the users do not know where to find the final date of their contract; only 7% of them know that it appears on each invoice;
- The majority of users do not know the necessary connection speed for basic Internet usage (1Mbps);
- 31% of users declare having switched to another operator in the last three years;
- Only 41% of the people who have subscribed to a new service have compared offers beforehand; this figure hardly varies over the years. Yet, the knowledge and use of BIPT's tariff simulator are increasing.

At the request of BIPT, telecom operators have adapted their general conditions

On its own initiative, BIPT can check the legal conformity of the operators' general conditions, which BIPT decided to perform late 2013. Non-compliance with the legal obligations in the general conditions may entail the start of the procedure provided for in Article 21 of the Act on the status of BIPT.

The examination focused on the observance of important consumer protection rules in the general conditions and other contractual documents of fourteen operators³³. During the inspection the conditions laid down by operators regarding possibilities of termination, the access to emergency services and the compensations for a poor service and for delay were examined:

- **Termination:** many operators had not included the possibilities of termination laid down by the Act properly; three

legal guarantees had been "left out". Firstly, the customer may terminate his contract free of charge when the operator modifies the contractual conditions unilaterally; and yet, some operators had wrongly linked conditions to this free-of-charge termination. Secondly, consumers may terminate their contract by any written means, without giving any reason, whenever they want to. This means that the provisions of the general conditions imposing the sending of a registered mail, a period of notice or a minimum notice for permanent contracts, were inadmissible. Thirdly, fixed-term contracts can be terminated free of charge after a period of notice of minimum 6 months, the duration of the original contract being irrelevant. Operators who demanded compensation on the ground that consumers terminated their fixed-term contract after six months were committing an offence.

- **Emergency services:** Some operators did not mention in the general conditions (or anywhere else in the contract with the subscriber) that they provide access to emergency services.
- **Indemnities and compensations for delay:** Some operators had failed to provide for a system of compensation and reimbursement when the service does not function properly. Some operators charged excessive interests for delay, while those cannot exceed the legal interest rate (2.75% in 2014).

The consultation between BIPT and the operators has played an important role within the context of this [monitoring campaign](#)³⁴.

³² www.bipt.be/en/operators/postal/universal-and-non-universal-postal-services/communication-of-17-december-2013-of-the-bipt-council-regarding-the-results-of-the-survey-of-july-august-2013-related-to-the-behaviour-and-priorities-of-private-and-business-users-about-the-universal-postal-service-in-belgium

³³ BASE, Belgacom, Belgian Telecom, Billi, EDP Net, Ello Mobile, Mobistar, Numericable, Scarlet, Telenet, Tellink, Transatel, United Telecom, VOO.

³⁴ www.bipt.be/en/operators/telecommunication/protection-of-consumers/communication-regarding-the-check-of-the-operators-general-conditions

Tariff information message for 070 numbers

The [Decision](#)³⁵ of the BIPT Council of 21 November 2014 aims at increasing the tariff transparency of calls to 070 numbers and protecting the interests of parties calling to those numbers by making use of the possibilities offered by Article 111/1, 1° of the ECA. A draft decision has first been submitted for public consultation, as stated in Article 140 of the ECA. Calls to 070 numbers which do not systematically form an integral part of access operators' flat fees are generally charged from the first minute, at the rate of 30 cents per minute. Since they are frequently used in applications implying long(er) communications or interactions (such as reservation and/or information lines), they may result in unexpectedly high invoices. The introduction of a free tariff warning message system preceding calls has been preferred to the disappearance of 070 numbers or the extension of the free blocking mechanism of calls to the 070 number series. Obligations imposed by this decision come into force on 1 July 2015.

1.5. THE STRATEGIC AXIS "INVOLVEMENT"

Monitoring of the universal electronic communications service

In its [report](#)³⁶ of 5 November 2014, BIPT presented the results of the monitoring of the universal electronic communications service. BIPT thus observed that objectives regarding the elimination of failures on access lines remains problematic. Regarding the monitoring of the compliance with the quality requirements referred to in Article 7, § 2, of the annex to the ECA, the BIPT Council adopted a decision on 26 Sep-

tember 2014 on the neutralisation of certain error messages on access lines. This decision aims at determining the cases where the time needed to eliminate errors on the access line is not included in the monitoring of the compliance with quality requirements, since those cases are beyond the control of the provider and cannot be attributed to an error on his part. BIPT will follow in detail the impact of this decision on the figures regarding quality and, if needed, will analyse a reform of the quality requirements.

Quality control of the bpost service

BIPT's task is to monitor the observance of the service quality by bpost, on the one hand as a universal service provider and, on the other hand, as a provider of the public service missions as defined in the fifth management contract. This monitoring has a dual purpose: increasing transparency for users and guaranteeing them a quality service. Thus, delivery times for various postal services have been examined and the realisation of bpost's customer satisfaction improvement plan has been subject to close monitoring³⁷.

In its [opinion](#)³⁸ of 23 December 2014, BIPT found that bpost's 2013 improvement programme gave promising results and has encouraged the operator to pursue his efforts.

1.6. THE STRATEGIC AXIS "DIALOGUE"

Publication of the statistics of the electronic communications sector in 2013

A full understanding of the electronic communications market is one of the basic conditions of the execution of BIPT's strategic missions. The statistical surveys of operators give the necessary information to determine the state of the markets and, therefore, whether the intervention of the regulator is needed. The [2013 report](#)³⁹ has seen the confirmation of several trends:

- the telecommunications sector has been showing a structural decrease of the turnovers since 2011. In 2013, the telecommunications sector has suffered a 3.9% decrease of its turnover in comparison with 2012: the decrease is mainly due to the declining wholesale incomes because, on the retail market, the turnover remains stable thanks to the compensation of the decline in turnover generated from fixed and mobile voice calls by the increase in revenue generated from fixed and mobile broadband. Investments in telecommunications have been growing considerably, to reach € 1.87 billion. Those expenses support activities;
- in mobile telephony, the number of ported numbers has increased, just like volumes (rather slightly) and mobile penetration;

³⁵ www.bipt.be/en/operators/telecommunication/protection-of-consumers/decision-of-the-bipt-council-of-21-november-2014-on-introducing-a-tariff-warning-message-that-precedes-calls-to-070-numbers

³⁶ www.bipt.be/en/operators/telecommunication/universal-service/report-of-the-bipt-council-on-the-monitoring-of-the-universal-service-obligations-lifted-and-report-on-the-execution-of-the-universal-service-in-the-field-of-telecommunications-in-2013

³⁷ The decision of the BIPT Council of 12 December 2014 concerns the monitoring of delivery times by bpost, the designated universal service provider. The Communication by the BIPT Council of 23 December 2014 gives the results of postal services providers' monitoring.

³⁸ www.bipt.be/en/operators/postal/universal-and-non-universal-postal-services/opinion-of-the-bipt-council-of-23-december-2014-regarding-the-2013-improvement-plan-and-the-2014-action-plan-of-bpost-following-the-2013-customer-satisfaction-survey

³⁹ www.bipt.be/en/operators/telecommunication/Statistics/publications/economic-situation-of-the-telecoms-sector-2013

INVOLVEMENT

- fixed telephony traffic is decreasing, just like the amount of numbers ported between fixed operators;
- fixed broadband penetration has made further progress, so that Belgium holds on to its sixth position in the European ranking. The cable was still slightly ahead of DSL broadband connections (51% against 48.7%).

By publishing this report, BIPT aims at informing the public and the stakeholders in full transparency regarding the information asked within the context of its competences.



DIALOGUE

1.7. THE STRATEGIC AXIS “GOOD PERFORMANCE”

Progress in automation

The treatment of the applications for the social telephone tariff (STT) could be improved by reducing the burden represented by files to be examined “manually” by BIPT. After having obtained the necessary licences regarding protection of privacy, BIPT launched a plan intended to increase its automation rate. One of the key factors of success of this project was lying in the provision of services by the Crossroads Bank for Social Security (CBSS). BIPT has not been able to make further progress in this file in 2014 as it has to be concretized in 2015.



2 /// REPORT OF THE OPERATIONAL SERVICES

2.1. ELECTROMAGNETIC SPECTRUM MANAGEMENT, LICENCES AND FREQUENCIES

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

Frequency management

BIPT is charged with managing the radio spectrum in Belgium. This task encompasses both the daily management of frequency assignments and coordinations and the long-term policy on frequency plans and readjustments. The main achievements of the Frequency Management Department within the Pool Assignment in 2014 are the following:

Number of files dealt with for mobile services (HCM Agreement)	2014
Number of coordinations	
Coordinations asked by Belgium	72
Incoming coordinations from France	633
Incoming coordinations from the Netherlands	34
Incoming coordinations from Germany	55
Incoming coordinations from Luxembourg	0
Incoming coordinations from the United Kingdom	19
Total	813

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

This cell is also responsible for coordinating frequencies for satellite links (ground stations, satellite communication networks, etc.) and radio relay links as well as for the correspondence with the ITU Radio communications Office.

Types of files	Number
2006 Geneva Agreement (DVB-T: Digital Video Broadcasting-Terrestrial)	224
1984 Geneva Agreement (FM radio broadcasting)	732
1995 Wiesbaden Agreement (T-DAB)	0
1975 Geneva Agreement	0
2002 Maastricht Agreement/2007 Constanza (T-DAB: Terrestrial Digital Audio Broadcasting)	0
2005 HCM Agreement (general), User rights	140
Ground stations (Art. 9), satellites (Art. 9), radio relay links	165
AOB (coordinations, interference, temporary frequencies, information requests, wind power projects, aeronautics, maritime navigation...)	534
Comixtelec (Joint commission on telecommunications)	88
ITU - Radiocommunications Office and Conferences	142
CEPT - ERO (European Radiocommunications Office) - ECC (Electronic Communications Committee)	0
Satellites organisations (Eutelsat, Intelsat, ESA (European Space Agency), etc.)	4
Total	2,029

Licences for private radio communications networks and individual stations

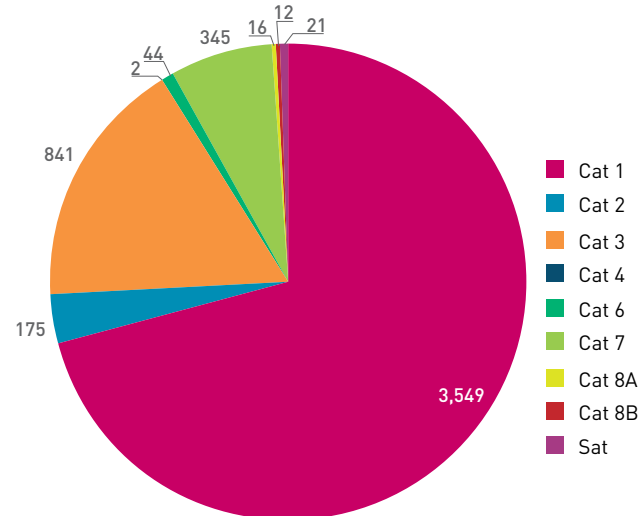
The following table includes the total number of licences granted on 31 December 2014 in the different categories of individual stations or private radio communications networks, as listed in the Royal Decree of 18 December 2009 on private radio communications and user rights for fixed networks and trunk networks, as well as licences issued by virtue of the Royal Decree of 16 April 1998 concerning ground satellite stations.

The Royal Decree of 15 July 2013 amending the Royal Decree of 18 December 2009 came into force on 1 January 2014. In comparison with 2013, it has introduced three new categories:

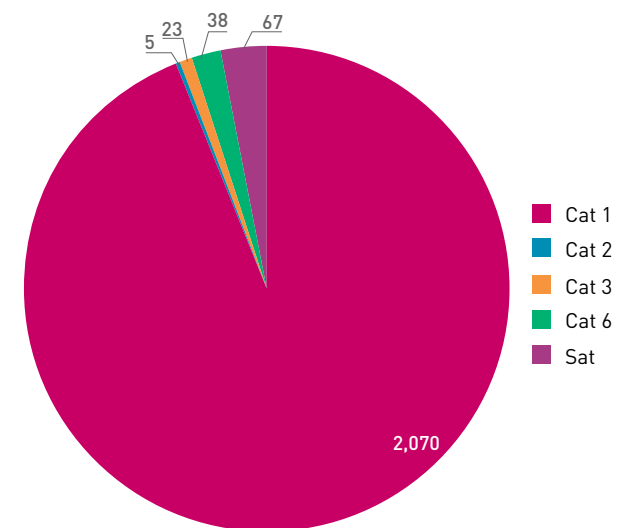
- the 7th category including the individual holder's licences (7A) and the general holder's licences (7B) covering the possession of equipment by either companies or private persons or by traders and that previously belonged to the 6th category;
- the 8th A category comprises the fixed networks (radio relay links) of the operators, that were previously part of the 2nd category; In the latter category now only remain the radio relay links that are used for private purposes;
- the 8th B category including the trunk networks that previously did not belong to any specific category.

Number of licences for private radio communications networks and individual stations			
		PERMANENT	TEMPORARY
1 st category	Private mobile networks	3,549	2,070
2 nd category	Fixed networks (radio relay links)	175	5
3 rd category	Mobile radio communications networks established by public bodies for medical and social aid	841	23
4 th category	Jammers installed in penitentiaries	2	0
5 th category	Radio amateurs	5,494	57
6 th category	Other radio communications networks (radars, demonstrations, tests...)	44	38
7 th category	Holder's licences (general and individual)	345	0
8 th A category	Fixed networks established by operators	16	0
8 th B category	Trunk networks	12	0
Satellites	Satellite networks	21	67

PROFESSIONAL PERMANENT AUTHORISATIONS



PROFESSIONAL TEMPORARY AUTHORISATIONS

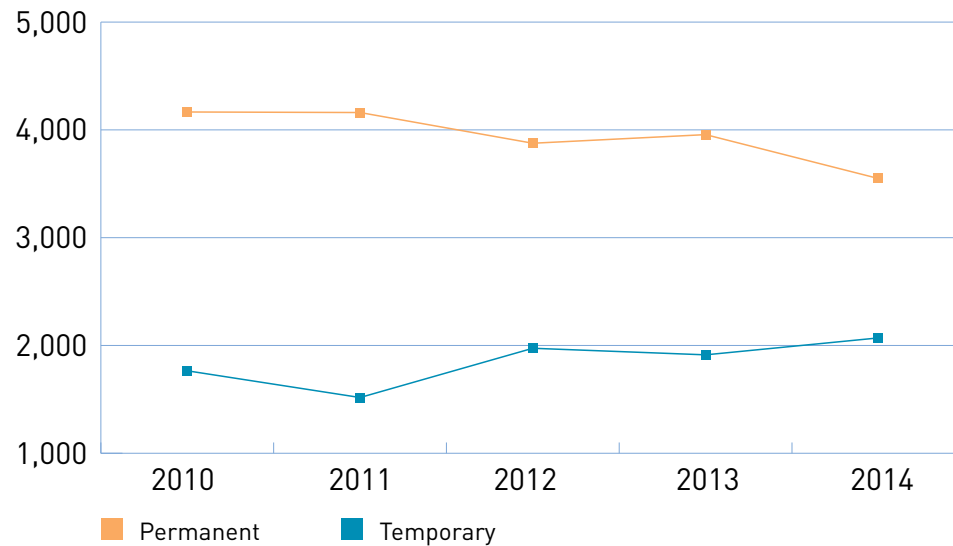


The diagrams below show the evolution of the number of professional licences of the 1st and 3rd categories. In the first category, we note a decline of the number of permanent licences due to the use of GSM instead of radios in the case of small networks, and to the replacement of systems for tracing people (private radio pagers) by DECT systems that are not subject to licensing.

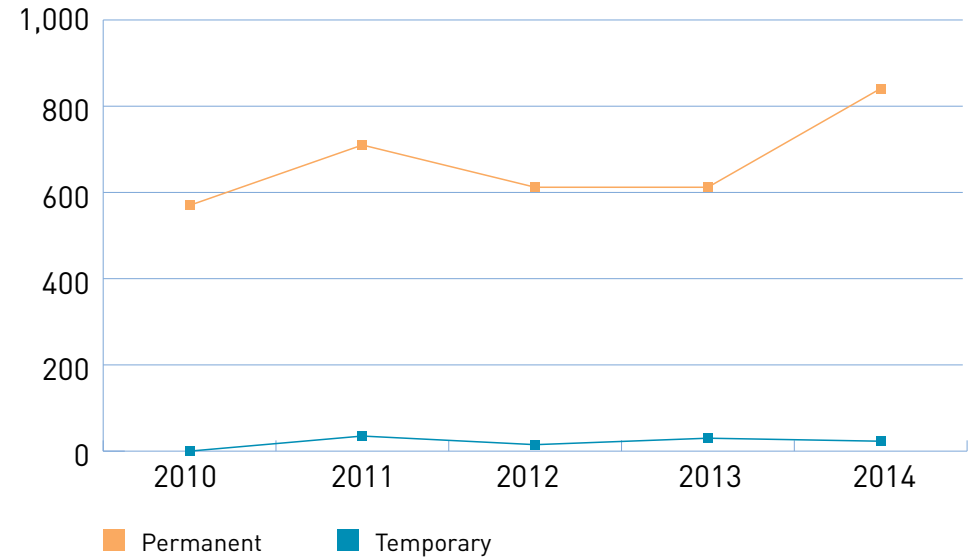
On the other hand, the number of temporary licences is increasing as more and more people who used their mobile phone during events find out that it is easier to have direct communications via walkies-talkies, without having to compose any number.

The increased number of 3rd category licences in 2014 is due to the transfer of a certain number of files from the 1st to the 3rd category.

AUTHORISATIONS OF THE FIRST CATEGORY



AUTHORISATIONS OF THE 3RD CATEGORY



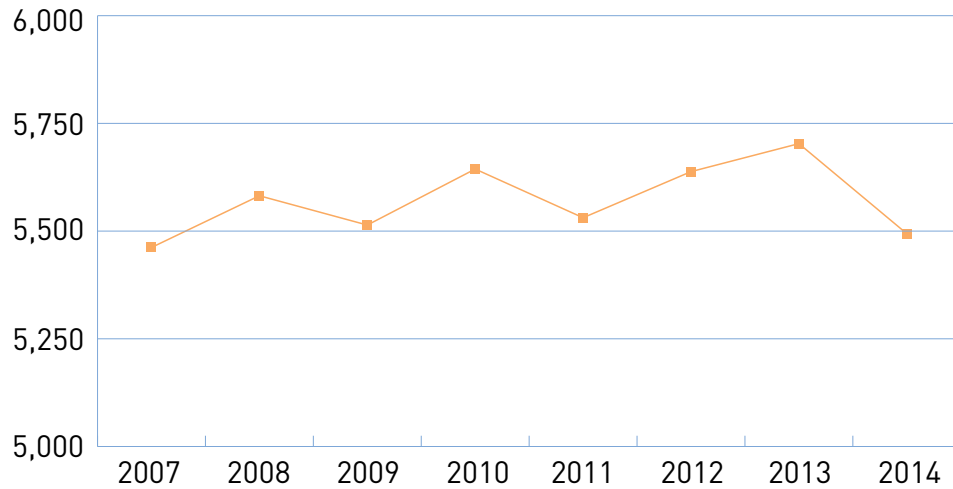
Radio amateurs (5th category)

For radio amateurs, the 5,494 licences consist of 5,384 licences for private individuals or clubs and 110 licences for automatic stations without staff.

57 temporary authorisations for special call signs have been delivered by BIPT, allowing radio amateurs associations to celebrate various events.

Radio amateurs have also been allowed to replace the ON prefix of their call sign by the OP prefix during each month of November until 2018 in order to commemorate the First World War.

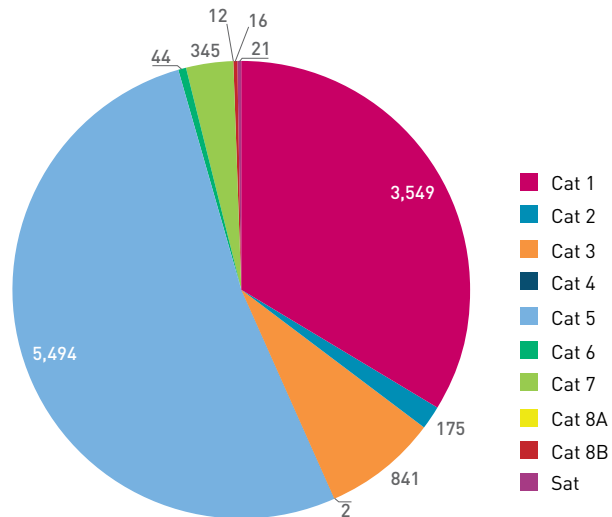
EVOLUTION OF THE NUMBER OF RADIO AMATEURS



The number of radio amateurs remains rather constant, with radio amateurs ceasing their activity replaced by people having passed the examinations.

Summary of the different categories

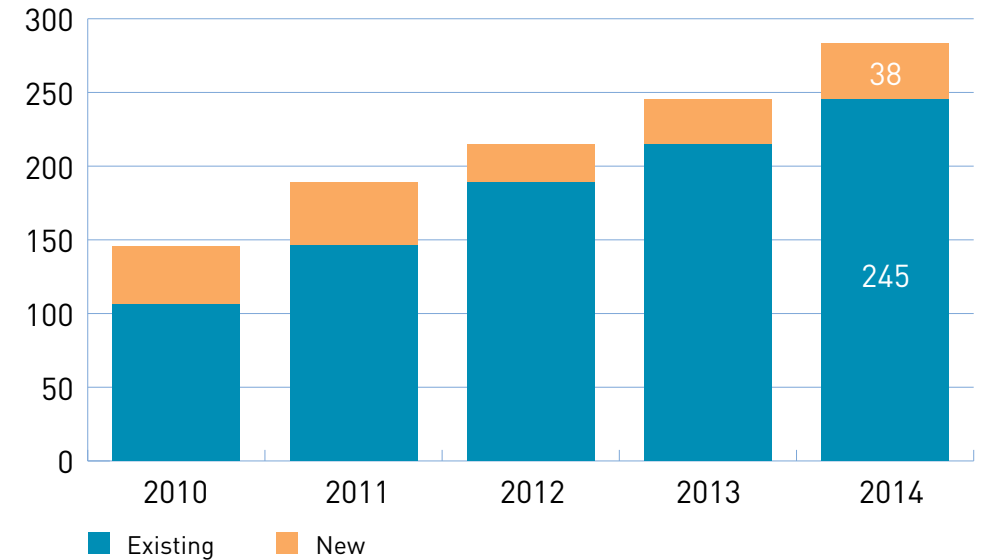
PERMANENT AUTHORISATIONS



Certificates and recognition of operators

On 1 January 2014, the Royal Decree of 25 April 2013 amending the Royal Decree of 7 March 2007 on the notification of electronic communications services and networks came into force. Since then, there is no more distinction between an operator who offers a public telephony service and a voice service, those two notions have been replaced by the concept of "electronic communications service", more in line with the technological developments. Tariffs have been adapted and divided into groups according to the turnover generated from electronic communications. A bundled notification regarding several services or networks has been submitted.

EVOLUTION OF THE NUMBER OF TELECOM OPERATORS



The diagram below shows a constant evolution of the number of operators in our country.

Trunk networks

Total Antwerpen was granted a trunk network operator licence.

Test authorisations

A temporary authorisation was granted to Proximus to test the LTE-Advanced technology in Brussels. In doing so, BIPT promotes the introduction of new technologies for mobile electronic communications.

Licensing of radio amateurs and maritime radio operators

The operators' competence is one of the parameters that guarantee the smooth functioning of radio communications. That is why BIPT organises examinations for radio amateur certificates and maritime radio operator certificates.

Those examinations are regularly organised in the BIPT offices (radio amateurs, maritime VHF certificates, coastal navigation certificate (SRC - Short Range certificate)) or in training centres for examinations that give access to professional GMDSS (Global Maritime Distress and Safety System) certificates (GOC and ROC).

Multiple choice questions available on a computer system test the prospective radio amateurs' knowledge of VHF devices, of operator candidates, or that of people wishing to obtain the SRC certificate.

Nine training centres authorised by BIPT give mandatory courses to take part in the SRC examination.

For prospective professional SMDSM operators, written examinations relating to the knowledge of maritime rules and of the English language are organised in the five authorised training centres, along with oral tests relating to the knowledge of equipment and its functioning.

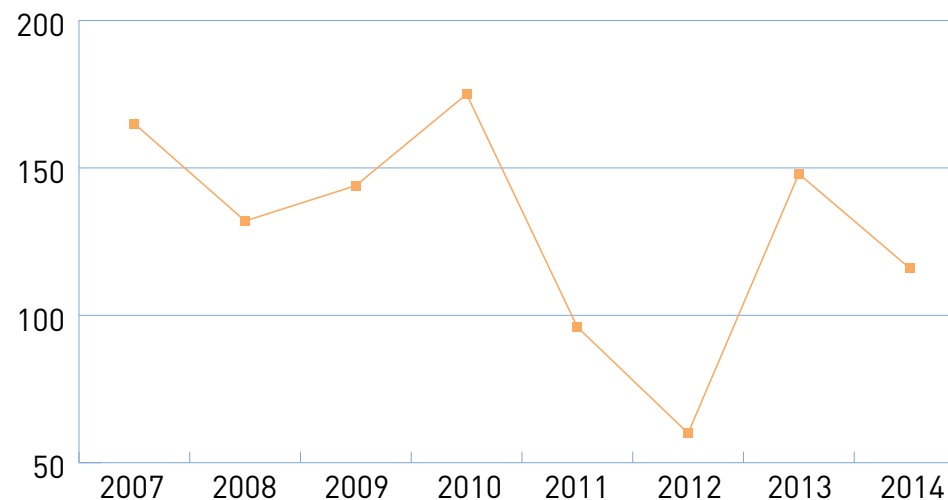
Examinations for aeronautical station operators are organised by the FPS Mobility and Transport. Examinations organised by the Belgian Air Force are also recognized.

Radio amateur examinations

Basic licences

In 2014, the number of registrations to obtain a basic licence amounted to 116 and there were 80.17% of passes.

NUMBER OF CANDIDATES FOR THE BASIC EXAMINATION



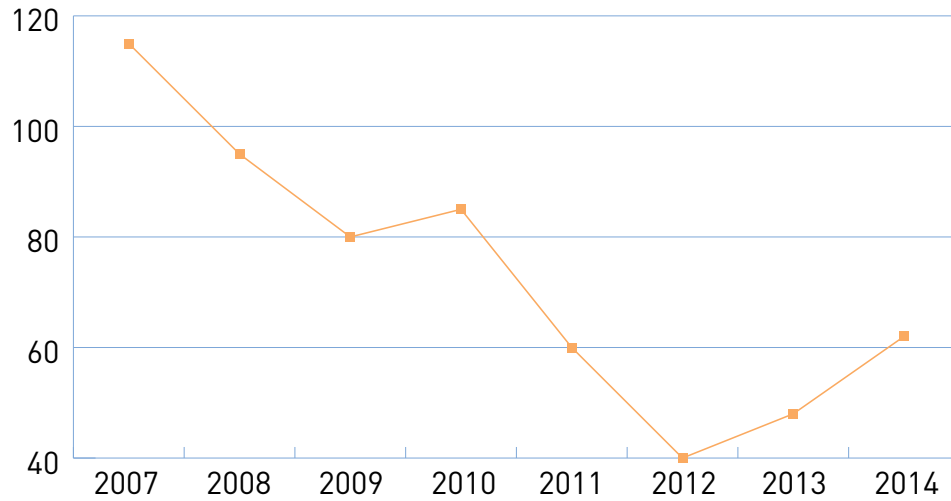
The basic licence is relatively limited compared to a HAREC licence regarding the frequencies and powers authorised. The examination is also much easier.



HAREC licences

In 2014, 62 candidates took the HAREC exam or "Harmonised Amateur Radio Examination Certificate". There were 67.74% of passes, a figure even superior to that of 2013, which was already excellent.

NUMBER OF CANDIDATES FOR THE HAREC EXAM



The HAREC licence is a higher-level licence; it requires a better knowledge of the radio technique, which makes the exam more complex.

Given that the subject matter is standardised at the European level, this licence is recognized in no less than 47 countries and enables its holder (after completing a few formalities) to pursue his hobby in the countries that have signed the agreement.

The higher number of passes in 2013 and 2014 indicates candidates are more and more prepared, for some of them in particular thanks to the courses organised by the radio amateur associations.

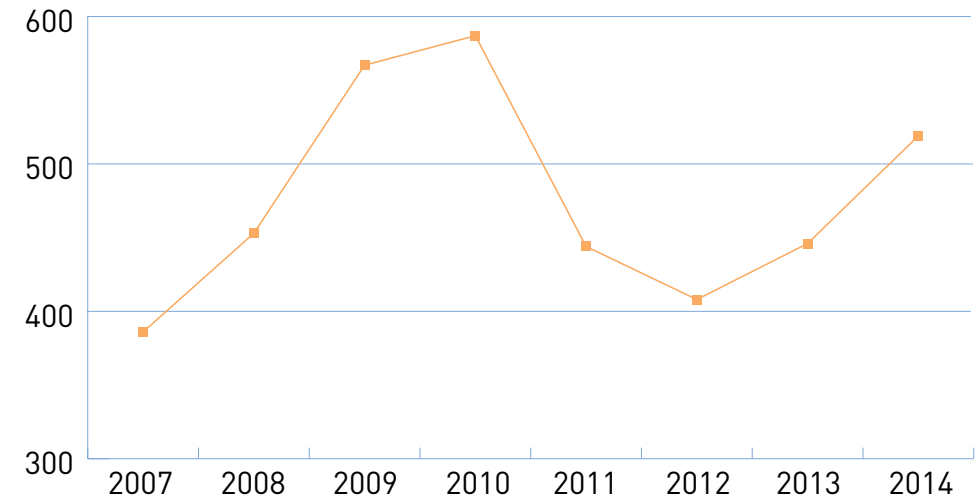
Maritime radio communications

36,984 persons currently hold a certificate to use a ship station.

SRC exams

In 2014, 519 candidates took the SRC exam⁴⁰, resulting in 90.37% of passes.

NUMBER OF CANDIDATES FOR THE SRC EXAM



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

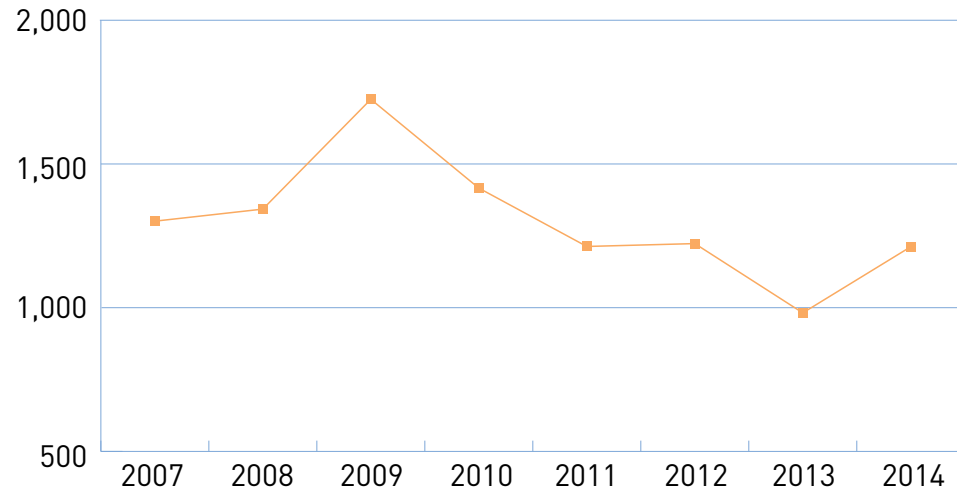
The HAREC licence requires a better knowledge of the radio technique. It is recognized in no less than 47 countries and enables its holder (after completing a few formalities) to pursue his hobby in the countries that have signed the agreement.

⁴⁰ Short Range Certificate

VHF exams

The VHF exam has attracted 1,212 candidates, with 868 passes (89.19%).

NUMBER OF CANDIDATES FOR THE VHF EXAM



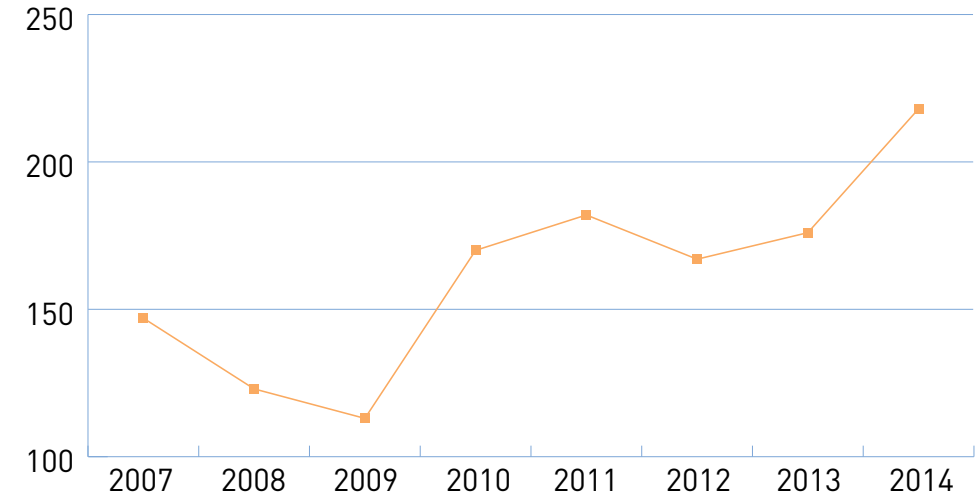
The decline of the number of candidates observed in 2013 seems to be out of date, with a number of candidates that has returned to the level of the years 2011-2012.

GOC and ROC exams

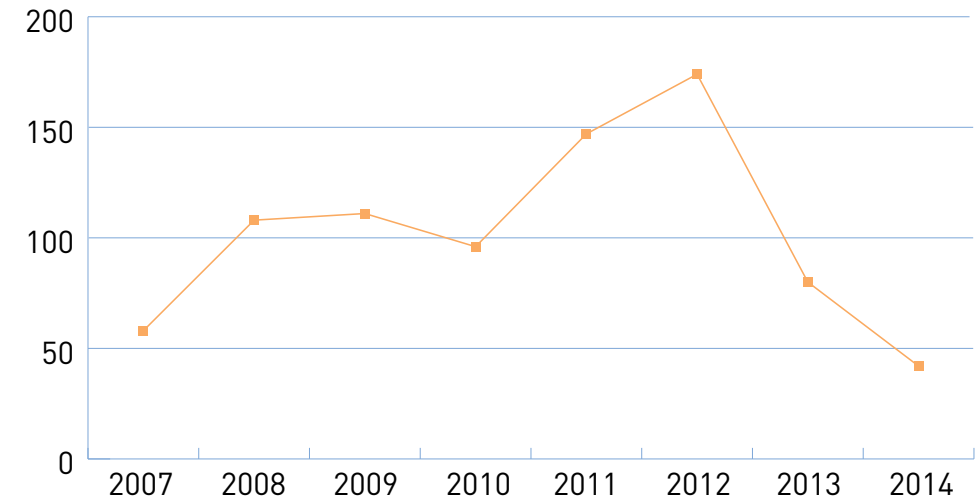
Concerning the GOC (General Operator's Certificate) and the ROC (Restricted Operator's Certificate) examinations, the number of candidates in 2014 respectively amounted to 218 candidates of which 185 passes and to 42 candidates with 19 passes.

The steady increase of the number of candidates for the GOC exam is due to the fact that it is not much more difficult than the ROC exam and that obtaining it offers better job opportunities. Therefore, many candidates turn to this exam, which leads to a decrease of the number of candidates for the ROC exam.

NUMBER OF CANDIDATES FOR THE GOC EXAM



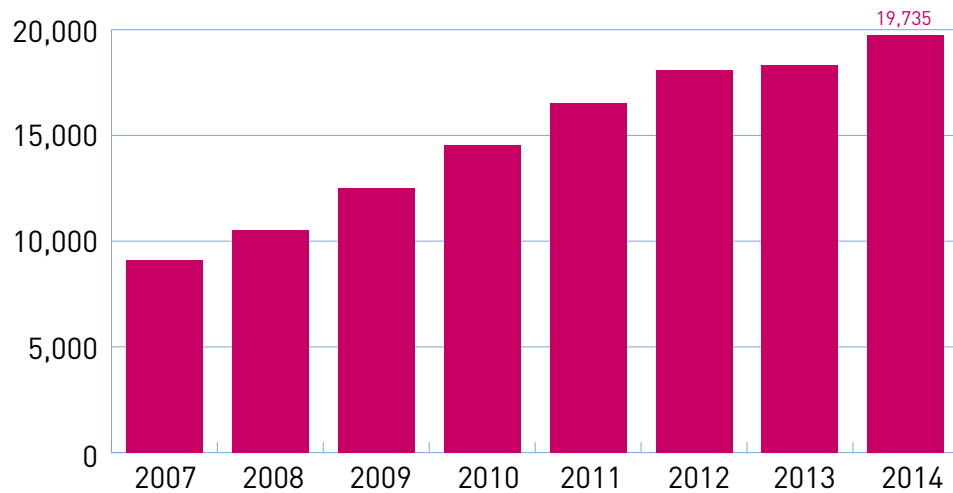
NUMBER OF CANDIDATES FOR THE ROC EXAM



Maritime licences

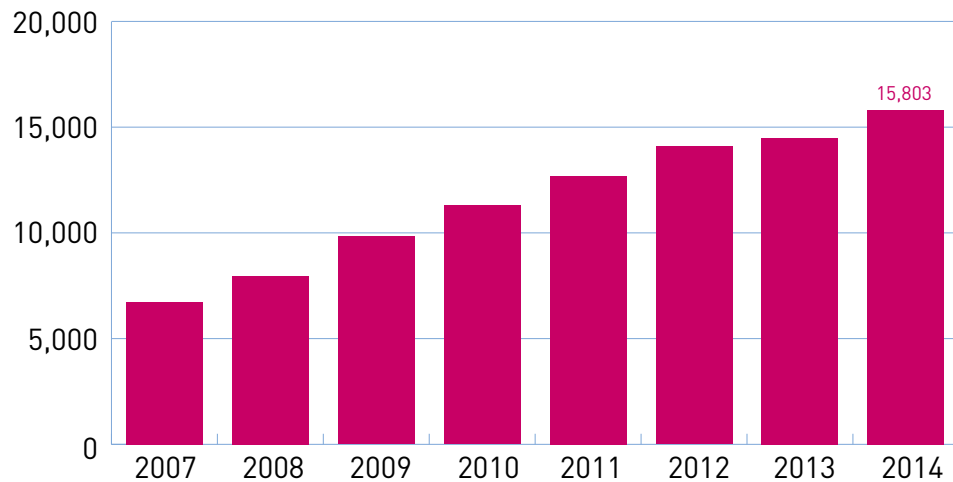
In 2014, the total number of ship station licences amounted to 19,735 distributed among 15,803 pleasure boats, 3,398 commercial river vessels, 392 seagoing vessels and 142 fishing boats.

EVOLUTION OF THE NUMBER OF MARITIME LICENSES



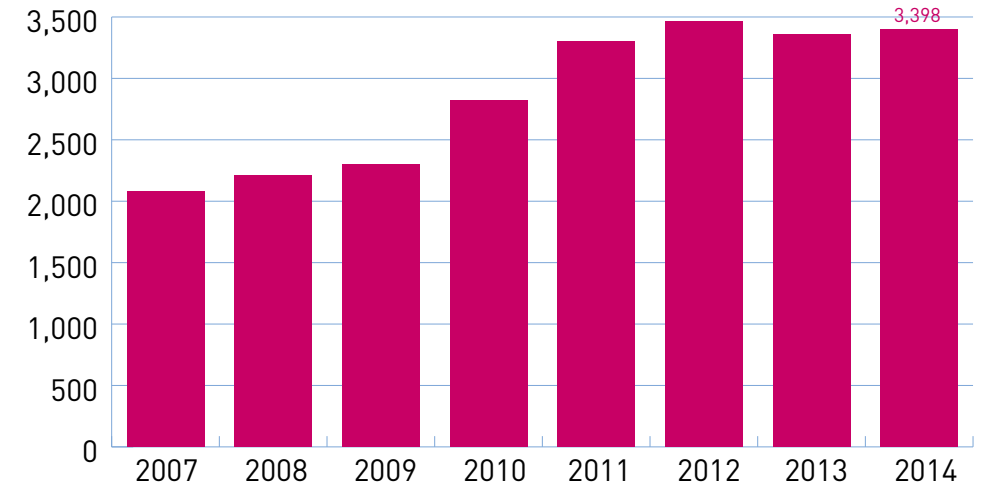
The following figures give the evolutions by type of vessel.

PLEASURE VESSELS

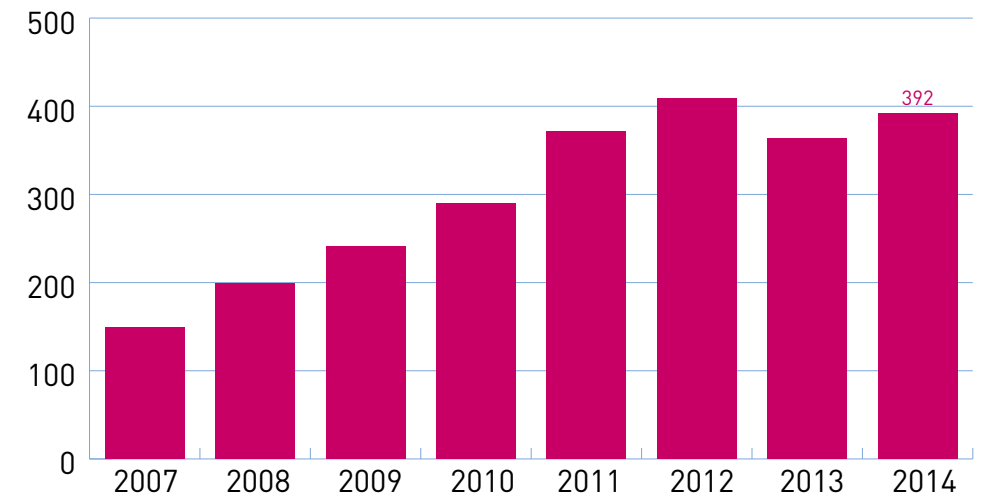


The increased number of pleasure boats is due to the increased number of foreign people who register their boat under the Belgian flag.

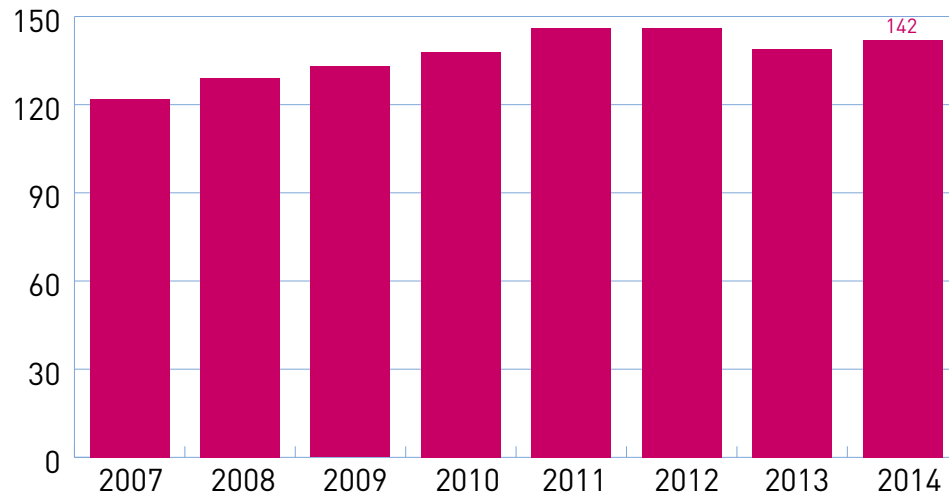
INLAND NAVIGATION VESSELS



SEAGOING VESSELS



FISHING BOATS



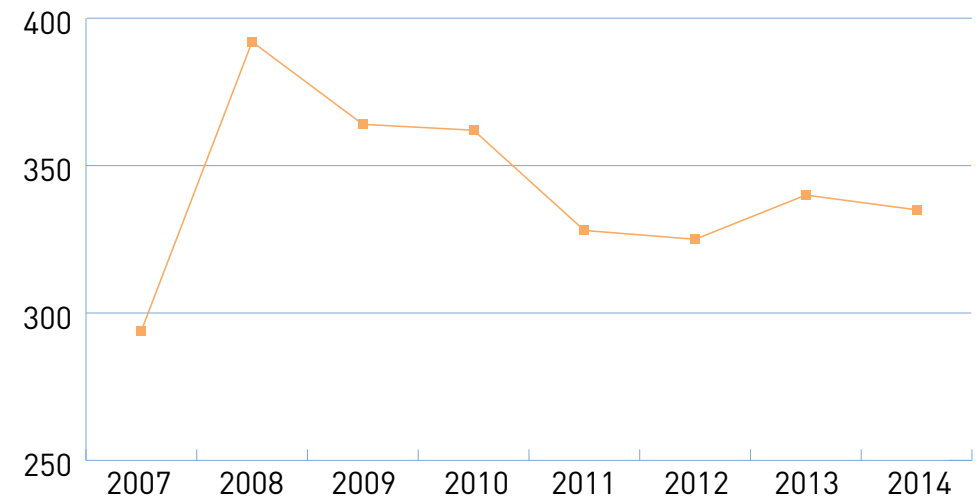
Aeronautical radio communication

Certificates

In 2014, BIPT issued 340 certificates for the use of an aircraft station on the basis of examinations organised by the FPS Mobility and Transport or the Belgian Air Force.



NUMBER OF AERONAUTICAL CERTIFICATES



In 2014, 7,284 persons held a certificate to use an aircraft station.

Licences

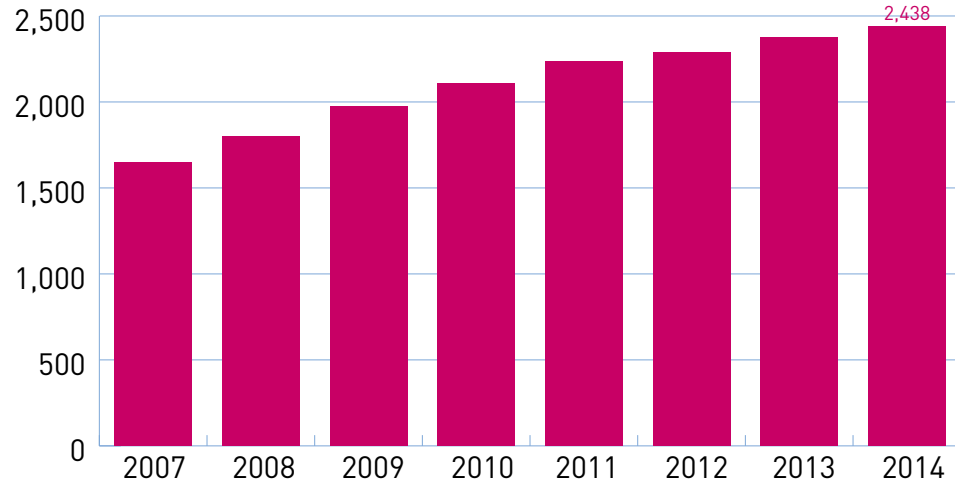
Currently 3,743 licences for aeronautical stations are managed by BIPT; 2,438 for installations on board aircraft and 1,403 for portable stations.

The number of aeronautical licences managed by BIPT is constantly increasing because those licences are not currently linked to an annual fee; as a consequence, aircraft taken out of service are generally not reported to BIPT.

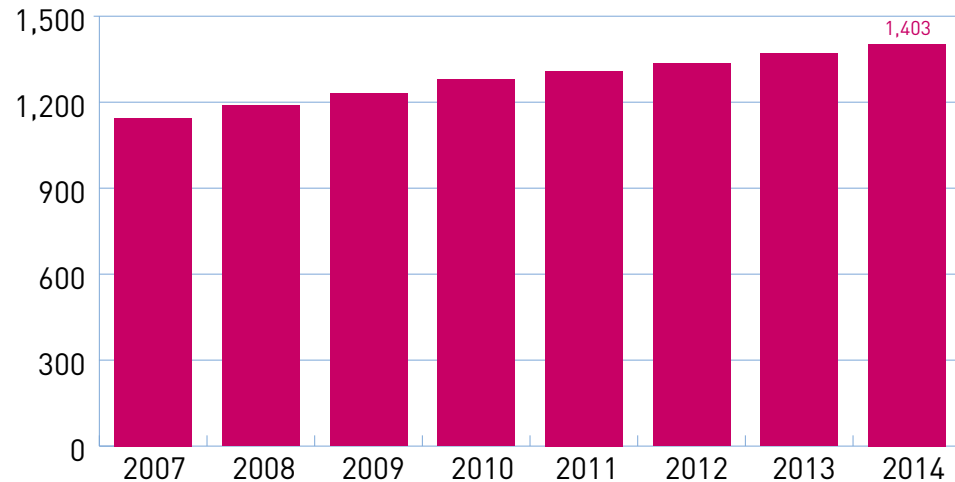
In collaboration with the Directorate-General of Air Transport of the FPS Mobility and Transport, BIPT published a [document](#)⁴¹ clarifying the use of radio telephony call signs of aeronautical portable stations. The call sign to be used is the aircraft registration mark if there is one. If not, the OQ call sign assigned to the portable stations shall be used.

⁴¹ www.bipt.be/en/consumers/radio/aeronautical/agreement-between-the-directorate-general-of-air-transport-and-the-belgian-institute-for-postal-services-and-telecommunications-clarifying-the-use-of-radiotelephone-call-signs-of-aeronautical-mobile-stations

FIXED AERONAUTICAL LICENCES (00)



PORTABLE AND ULM AERONAUTICAL LICENCES (00)



2.2. INSPECTIONS ENSURING AN INTERFERENCE-FREE SPECTRUM

The preventive control of spectrum users is an important mission for BIPT. It allows to not only check if the administrative rules regarding fees are complied with, but also if the hardware has been installed in accordance with the technical specifications of the authorisation. This inspection allows to avoid interferences with other spectrum users. In 2014, particular emphasis was put on the correct programming of devices in terms of spectrum occupancy since legislation in this matter has been modified. In the vast majority of cases, the characteristics were abided by.

The year 2014 also saw a significant increase in interferences affecting the mobile operators due to the use of "cordless" telephones functioning according to the "DECT 6" standard. Indeed, intended for the American market, those telephones operate in the same frequency bands as some of our mobile operators. Bought at a good price on the Internet or during a trip, those telephones are still illegal and seized by BIPT's criminal investigation officers. For more information, we refer to the [press release](#)⁴² published in February 2013.

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

NCS interventions - Cases created between 1 January and 31 December 2014	
Interference cases	366
Preventive checks on professional users	1,312
Checks during major events (concerts, sporting events...)	89
Check of broadcasts (local radios)	35
Checks - others	95
Various cases - tasks done at the request of the authorities	353

⁴² www.bipt.be/en/operators/press-release/57-bipt-warns-against-illegal-dect-6-0-cordless-telephones

2.3. MARKET MONITORING IN THE CONTEXT OF DIRECTIVE 1999/5/EC

Conformity of equipment

Radio and telecommunication terminal equipment can only be put on the market if they are in line with the European Directive 1999/5/EC of the European Parliament and the Council of 9 March 1999 on radio equipment and telecommunication terminal equipment and the mutual recognition of their conformity (also called R&TTE directive). According to this directive, the appropriate CE marking has to be affixed on all radio equipment and telecommunication terminal equipment, on their packaging as well as on the accompanying documents. The CE marking always consists at least of the letters CE.

If an authorisation is needed for the use of radio equipment or if the equipment uses frequencies the use of which is not harmonised in Europe, the CE marking has to include an "alert sign" (information sign). The information sign draws the user's attention to the fact that the use of the equipment is restricted.

Radio equipment operating in frequencies the use of which is not harmonised in Europe (and the marking of which consequently bears the information sign) has to be notified to the member state in which it is marketed. This obligation is commonly known as the "notification obligation", according to Article 6.4 of the Directive. In 2014, 711 types of radio equipment have been declared according to the procedure, which represents a slight increase compared to 2013.

The European Commission makes the "One Stop Notification" or OSN procedure available on its website <https://webgate.ec.europa.eu/osn>. All notifications are carried out in this way.

The equipment operating in frequency bands the use of which is harmonised within the Community do not have to be notified to BIPT. This equipment is part of what we call the "Class 1" category. It is advised to regularly consult the list of "Class 1" equipment. This list can be consulted directly on the website <http://www.cept.org>. The technical parameters with which this radio equipment has to comply in order to belong to the "Class 1" category are also mentioned on this website and linked to the reference number of the relevant subclass.

Market monitoring

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

In 2014, 483 monitoring visits were made, mainly in stores and different contracts were examined as well. About ten exhibitions were visited to discover new trends and to take this opportunity to inform exhibitors in time. Obviously, it was sometimes necessary to take repressive measures, as shown by the seizures in the table below.

Radio equipment seized during checks in 2014	
Computer mice, keyboards	509
Remote-controlled toys	128
Wireless microphones & "in air" intercom	44
Wireless USB & Wi-Fi	216
(low power) FM transmitter	1,616
Bluetooth speaker	2,011
GSM-Wifi tablets	132
GSM repeaters	33
Jammers ⁴³	12
Other	1,321
TOTAL	6,022

Collaboration between custom services (import of goods into Europe) and BIPT's "Market monitoring" cell	
Remote-controlled toys	5,285
Mobile phones	120
Wireless Speakers	12
TOTAL	5,417

5,417 non-compliant radio devices were refused entry into Europe. Postal items containing radio equipment are also frequently checked. In this regard some 136 visits were made at customs services in 2014. Many of the items inspected contain devices bought on the Internet - directly from the manufacturer or via auction websites. In many cases the equipment does not comply with the legal requirements and is seized. The fact that numerous devices not bearing the CE mark (such as GSM devices or tablets) are proposed through these auction sites remains of major concern.

A report shall be drawn up for each violation found. In 2014, 391 initial reports were made. During the follow-up of the court cases, a further 21 reports were made.

2.4. OPERATIONAL MANAGEMENT OF THE NUMBERING PLAN

BIPT also provides the actual number management, which includes tasks such as the allocation, reservation, withdrawal, transfer and monitoring of the use of the numbering capacity (monitoring policy). In the case of inappropriate use BIPT intervenes. All available information on the national number plan such as, among other things, the lists of reserved and allocated numbers are published on the BIPT website.

⁴³ Jammers do not comply with the European regulation and, as a consequence, cannot bear any CE marking. In Belgium, importing, marketing, holding or using them is prohibited.



The table below gives an overview of the number of cases handled per number series in 2014.

Number series	Destination	Reservations	Allocations	Cancellations	Transfers
1yxx	Short numbers CSC (Carrier Select Code), VPN (Virtual Private Network), etc.	(n) 3 (r) 0	1	0	0
4pq	Mobile services	(n) 13 (r) 3	8	0	0
70-700	National services	(n) 2	2	1	0
800	Services based on toll-free numbers	(n) 4	1	0	0
90A x 1,000	Services based on premium rate numbers	(n) 1	9	32	0
MNC	Mobile Network Codes	(n) 2 (r) 0	0	1	0
ISPC	International signal codes	(n) 3 (r) 0	1	0	0
NSPC	National signal codes	(n) 4 (r) 0	6	10	0
PQYZ	Geographical numbers	(n) 84 (r) 10	141	0	0
TMNC	TETRA Mobile Network Codes	(n) 1 (r) 0	1	0	0
SMS/MMS	SMS/MMS short numbers	(n) 35 (r) 0	68	0	0

(n = new reservation(s); r = renewal of existing reservation(s))

REPORT OF THE HORIZONTAL- TAL SERVICES



This section presents BIPT's more regular activities (horizontal activities, international activities, reconciliations, regulatory activities) which contribute to the efficient operation of the organisation and to the achievement of the objectives set out.

1 /// THE REGISTRY

The Registry includes the Council Secretariat, which assists the Council as a college, the delivery department, which processes the incoming and outgoing mail, and the internal management department, which is responsible for the coordination of the implementation of the internal monitoring and of the process management. In 2014, the department has been working to simplify and automate in accordance with the strategic axis "administrative efficiency" of the Strategic Plan.

As to this automation, the Registry takes care of the extension and optimisation of the electronic document management system. The department is in charge of proposing, guiding, testing and implementing the adaptations wanted. Besides, activities have been carried out to draw up plans for a new electronic voting system in accordance with the Royal Decree of 19 April 2014 establishing the internal regulations of the BIPT Council. This tool will be functional by the end of the first semester of 2015.

Since the promulgation of this Royal Decree on internal regulations, the Registry has been verifying its correct implementation, both as regards operating rules and deadlines for the publication of decisions and opinions.

As far as internal management is concerned, works have been carried out regarding the identification of products and the establishment of a register of the processes described. As regards the description of processes, the department has

chosen to start with a product within the context of private licences. For this purpose, the risks and existing monitoring measures have been identified, assessed, adapted or added according to the needs. Towards the end of the year, a strategic risk analysis has been carried out, on the basis of which actions have been taken to control the main strategic risks; the "Internal management" service ensures the follow-up. Finally, the first descriptions of the processes have been published on BIPT's Intranet.

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

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

The Registry is verifying the correct implementation of the internal regulations, both as regards operating rules and deadlines for the publication of decisions and opinions.

2 /// THE COMMUNICATION DEPARTMENT

In accordance with the strategic axis "Dialogue and communication", BIPT pursued its efforts to ensure a qualitative communication with the stakeholders and the media. About fifteen press releases have been sent and published on the BIPT website and four press conferences have been held to inform the public of BIPT's actions. Each request for information coming from a journalist has been channelled through the spokesman and treated in as much detail as possible. All information needs expressed by e-mail or telephone have also been redirected to the appropriate partners within BIPT.

As we can read above (cf. infra, point "customer satisfaction survey"), internal communication forms another priority area of action in 2014 and 2015: the maintenance of the Intranet site, the creation of two editions of an internal newsletter and the organisation of an internal "open door" operation have been the main achievements of last year.

Throughout the year, the department has also supported the proofreading, adaptation and mailing of BIPT's messages to its employees.

Finally, with the efficient support of various services (IT, the Registry, Consumers...) the Communication Department looked into the update of the "Consumers" and "Operators" sections of BIPT's website.

3 /// THE TRANSLATION DEPARTMENT

Thanks to its unique know-how, the Translation Department continued to deliver a qualitative service to the organisation. To that end the department uses a specific module of the electronic document management system to handle translation requests.

The tasks achieved were the following:

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

At the end of November 2014 the department opened its doors to the internal customers wishing to learn more about its tasks, in the context of an "open doors" action.



4 /// THE IT DEPARTMENT

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

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

During the past year, the IT Department policy focused on supporting the following projects:

1. the electronic document management: trainings were given to the IT department.
2. the new website: following the launch of the new BIPT website in December 2013 a follow-up took place in 2014.



3. the tariff simulator: the market was consulted with a view to develop the tool further.
4. the developments of the social tariff data base;
5. the FreLic project (software to manage frequencies-licences-accounting-monitoring): with a view to the implementation of the new radio communications legislation some adaptations were made to the software. They mainly related to aspects of licence and frequency management, as well as billing and credit notes.
6. the accounting software: updates of the accounting application were started with a view to conforming to the new accounting legislation.
7. Network and security: renovation works on the BIPT network were started in 2014 such as the upgrade of the leased line towards 1 Gbit/s, a market for the replacement of the firewalls and an audit of the Internet security, the purchase of the infrastructure for the virtualisation of the server park and the renewal of the Microsoft licences.



5 /// HUMAN RESOURCES, STAFF AND TRAINING DEPARTMENT

Personnel policies at BIPT mainly provide for the basis of the strategic axis "Being an attractive employer and a well performing regulator". This has been particularly materialised in the files below:

RECRUITMENTS AT LEVELS A AND C

Recruitments were suspended as of September 2014 following a decision of the federal authorities but the ongoing files were completed and, finally, nine level A staff as well as 10 level C staff have joined the BIPT ranks in 2014.

LEVEL A MISSIONS

The BIPT organisational structure does not provide for an intermediary frame within the A level. According to the staff status such a framework can be introduced through temporary missions, according to the competences required and the functional circumstances. In 2014 a procedure aiming at assigning coordination missions within the Monitoring Department and the Assignments Department was launched. By the end of the year an internal appeal was made as well to assign to mission of head economist.

PROMOTION TO LEVEL A

After 2013 saw the first promotional wave of agents towards the level A through internal exams, a new selection started; the successful candidates shall be known by the end of 2015.

AMENDMENT OF THE MINISTERIAL ORDER REGARDING THE DIPLOMAS REQUIRED TO BE NOMINATED IN THE DIFFERENT DEGREES OF LEVEL A

This adaptation was necessary to make the list correspond with the "Bologna Declaration".

SATISFACTION SURVEY

In collaboration with the FPS P&O a satisfaction survey was held; 84% of the agents participated. The results were communicated to all personnel in October. Based on the principal points of interest indicated in the survey, an action plan has been drawn up that will be concretized over the next two years. This action plan mainly regards a better internal communication, a more flexible working hours schedule and workplace, and a simplification of the administrative procedures.

COMPUTERIZATION OF THE PERSONNEL DEPARTMENT

Late 2014 we started using a new software to register the working activities. Through this system, the (levels B, C and D) staff's working hours are registered by means of the organisation's time clocks and those data can be converted into different results of a specific interest to the administration in charge of the salaries (achievements, overtime, pauses, indemnities, monthly balance...). Applications for leave have been computerized in the same manner as well.

VALORISATION OF EARLIER SERVICES IN IMPLEMENTATION OF THE ROYAL DECREE OF 15 SEPTEMBER 2013

The files requesting valorisations of services have been examined taking into account the following elements: the elements that are essential to the function, the earlier experience, the presence of a "specifically useful" character. All eleven requests have been partially or entirely accepted as meeting the criteria of the Royal Decree of 15 September 2013.

TRAINING

In order to meet the training needs of the staff in an optimal way, the Training department made use of all tools available: group trainings, individual trainings, external conferences and workshops.

A specific effort was made in 2014 to provide each member of staff the possibility to take a Word 2010 training depending on his or her needs. As regards the trainings in the field of IT we can also note the continuation of specific trainings for the IT Department, related to the knowhow regarding Sharepoint. Other training actions to be remembered from 2014 are the training in the context of the promotion examinations procedures, launched this year, such as the training regarding administrative legislation, a "How to head a team" training destined to the level B responsible staff and a first-aid training.

In 2014 BIPT also caught on with the old tradition of workshops with presentations, both for internal and external interested parties, in wide-ranging domains, each time shedding light on a specific BIPT activity.

Finally, different members of staff have taken individual trainings and participated in conferences aimed at meeting the specific needs as much as possible.

In total the number of equivalent days x persons in training/full-time equivalents is $921/219.4 = 4.2$. This represents $4.2 / \pm 220$ days of presence per staff member on average $\approx 1.9\%$ of the working time.

6 /// INTERNATIONAL RELATIONS DEPARTMENT

The general framework of the electronic communications regulation and, increasingly, regulation of the postal services is being determined at the European level by way of decisions, directives, recommendations, etc. The IRG (Independent Regulators Group), BEREC (Body of European Regulators of Electronic Communications) and the ERGP (European Regulators Group for postal services) require a major participation from BIPT as a regulatory body, considering the major impact the work done in those various regulatory organisations has on the strategic preparations at the European level. The BIPT participation then serves to highlight the specific domestic circumstances. Below a brief summary is given of the objectives pursued by the organisations BIPT cooperates with as a regulator on the one hand and as a representative of the Belgian State on the other.

6.1. BIPT AS A REGULATOR

IRG and BEREC

These are the IRG's objectives for the promotion of:

1. the collaboration, mutual assistance and exchange of information between the national regulatory authorities (NRAs);
2. the execution and consistent application of the European regulatory framework for the electronic communications networks and services;
3. the elaboration of "Best practices" regarding the regulation in the electronic communications sector;
4. sustainable and effective competition at the level of the offer of electronic communications networks and services in Europe;

5. the development of the European internal market for electronic communications, the interests of the European Member States' citizens.

To achieve its goals, the IRG takes the following steps:

1. propose a forum for discussion and exchange of ideas and expertise between its members and other experts of the sector;
2. encourage the consistent application of the European regulatory framework regarding electronic communications networks and services in all Member States, as well as the development and the consolidation of the internal market for electronic communications networks and services in Europe;
3. prepare and publish documents, reports, presentations, analyses and other studies regarding the evolutions in the sector, the regulation and the strategies;
4. monitor the application of common opinions by the NRAs in order to promote transparency and ensure the efficiency of the framework for and the permanent development of the best practices regarding regulation;
5. developing, preparing and/or contributing to the documents, reports, analyses and studies;
6. organise an open dialogue between the members, market players and consumers.

BEREC's goal consists in:

- developing and distributing among the NRAs the best regulatory practices such as common approaches, methods or guidelines regarding the implementation of the regulatory framework of the European Union;
- helping the NRAs in the domain of regulation;
- providing advice on the draft decisions, recommendations and directives;

- elaborating reports and providing advice regarding the electronic communications sector;
- assisting the European Parliament, the Council and the Commission as well as the NRAs in spreading good practices.

It created numerous working groups in which BIPT is actively involved:

- *Ad-Hoc TSM team (TSM: Telecom Single Market);*
- *Framework Implementation;*
- *Market and Economic Analysis;*
- *International Roaming;*
- *NGN;*
- *Net neutrality;*
- *End User;*
- *Remedies;*
- *Benchmarking;*
- *Termination Rates;*
- *Regulatory Accounting;*
- *Ad-Hoc art 28(2) team.*

The participation is linked to the four ordinary meetings planned per year (one in each quarter). The deliverables are described in the annual operational plan of the IRG/BEREC and the "project requirement documents" per European working group.

In 2014, BEREC closely followed the Commission proposals for "a connected continent", the regulation of a single European electronic communications market during the discussions in the Commission, the European Parliament and the Council.

BIPT also ensured the vice-presidency of BEREC during 2014 and in that capacity guided the elaboration of the new 2015-2017 BEREC strategy.

ERGP

The ERGP acts as deliberation, discussion and advice body for the European Commission in the field of postal services. The ERGP has to arrange for the consultation, the coordination and the collaboration between the independent NRAs in the Member States, and between these authorities and the European Commission, with a view to consolidating the internal postal services market and seeing to a consistent application in all Member States of Directive 97/67/EC.

The group's main tasks are:

1. contributing to the consolidation of the internal postal services market;
2. advising and assisting the Commission on all matters related to the postal services;
3. advising and assisting the Commission on the development of the internal postal services market and the consistent application in all Member States of the regulatory framework of the postal services;
4. in consultation with the Commission, consulting in detail and early on the market players, the consumers and the end-users.

In 2014 BIPT, as former ERGP chairman, ensured the vice-presidency. During three years BIPT contributed very actively to the definition of the basic orientations of the ERGP's policy. During its presidency and vice-presidency BIPT worked hard to increase the ERGP's level of efficiency, with two plenaries per year assembling the national regulatory authorities' boards, as well as with ERGP workshops both internally and externally.

Five working groups worked on the following topics:

1. "Regulatory Accounting/Price Regulation";
2. "Net cost of USO";
3. "End-user satisfaction and monitoring of market outcomes";
4. "Follow-up to the Green paper on cross-border parcel delivery and e-commerce";
5. "End-to-end competition and Access Regulation".

ICP-ANACOM, the Portuguese regulator, and BIPT conduct the "End-user satisfaction and monitoring of market outcomes" working group's activities. In 2014 this group published four external ERGP reports. A new working programme covering 2015 was drawn up and submitted to the sector by means of a public consultation.

Finally the BIPT Council president played the role of moderator during the first external workshop of the ERGP; dedicated to the universal postal service, this event, that took place in Bucharest on 19 November 2014 attracted a large number of participants. During the dialogue forum between the stakeholders the document for reflection entitled "Discussion paper on the implementation of Universal service in the postal sector and the effects of recent changes in some countries regarding the scope of the USO" was at the centre of the attention. At this occasion interesting exchanges regarding the universal postal service in the European Union took place between the stakeholders.

6.2. INTERNATIONAL ACTIVITIES OF BIPT AS A REPRESENTATIVE OF THE BELGIAN STATE

UPU

BIPT represented Belgium in the Council of Administration of the Universal Postal Union as an observer. In 2014, BIPT focused on the development of postal regulation within the UPU. On 12 November 2014 the president of the BIPT Council was one of the speakers during the "UPU Forum on Postal

Regulation" that took place at Bern on "Organizing the market - An new horizon for the postal sector". In that framework BIPT gave a presentation on the ERGP activities on the provision of the universal service in the European context, entitled "Universal Service: To the next level".

CERP

BIPT also took part in the CERP's activities. CERP commits itself to ensuring a good coordination between its members and in addition strives for the respect of the "*acquis communautaire*".

The Postal Directive Committee and other activities of the European Commission

BIPT continued to follow the developments in the context of the implementation of the Postal Directive and attended the meetings of this Directive's Committee.

Moreover BIPT participated in the workshops of the European Commission organised by her, during which the consultancy agency WIK, commissioned by the Commission, conducted the following study: "Design and development of initiatives to support the growth of e-commerce via better functioning parcel delivery systems in Europe".

Moreover BIPT took part in the plenary meeting of the technical committee CEN/TC 331 - CEN Postal services, the European standards organisation. The CEN/TC 331 Committee harmonises the quality standards at a European level. This standardisation is essential to guarantee the interoperability between the various national networks as well as the efficient provision of the universal service in the European Union.

In conclusion, it has to be added that BIPT was part of the panel during the "Postal Users Forum", an initiative of the European Commission organised in Brussels on 31 March 2014, at the request of the European Commissioner for the Internal Market.

ITU PP-14

The ITU Plenipotentiary Conference took place from 20 October to 7 November at Busan, South Korea. The main points on the agenda that have been discussed during the event are among other things:

- the definition of the strategy for the next four years;
- the determination of the Union budget;
- the elections for the top functions within the Union;
- the study and revision of the ITU Council of Administration's reports;
- all types of decisions regarding telecommunications that the Conference deemed necessary.

In addition, very topical and important themes relating to Internet were discussed: Internet governance, cyber security and the protection of consumers online.

The BIPT Council president represented the Belgian delegation, composed of five BIPT staff, joined by a representative of the FPS Economy (deputy head of delegation during the last week of the conference) and the representatives of the embassy of Seoul, among which there was the ambassador of Belgium in South Korea.

Radio Spectrum Policy Programme (RSPG), Radio Spectrum Committee (RSC)

The international activities in the field of radio spectrum are an important part of the tasks of the Assignments Pool. The radio spectrum and the related matters go beyond the national borders by nature. This aspect is further enhanced by the ambition to come to a harmonised spectrum use within Europe.



Within the EU framework the Assignments Pool attends the meetings and follows the RSC and RSPG activities within the European Commission's "Connect" Directorate General. The RSC meets four times a year in Brussels in the Commission buildings; the RSPG organises three plenary meetings a year. In 2014 the RSPG installed six working groups with a view to implementing its biannual operational plan, namely:

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



In 2015 the activities planned within each of these six groups shall be continued; BIPT will take an active part in this. BIPT will devote itself mainly to the activities regarding the long-term strategy for the future of the UHF band in the European Union, and to the efficient assignment and harmonised use of the spectrum bands for electronic communications services.

Within the RSC the important points in 2014 were, among other things, the implementation of the inventory regarding the use of the spectrum, the issue of the frequencies and the PMSE equipment (Program Making and Special Events) and the adaptation of the decision regarding the equipment working thanks to ultra large band technology. The RSC activities will be followed from up close, throughout 2015.

As for the RSC and RSPG activities a consultation is planned with the Communities (who are responsible for broadcasting).

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

Within the framework of the European coordinated preparation of the ITU Plenipotentiary Conference of Busan, BIPT participated in the working groups under the presidency of Poland. Almost all European countries were represented in CEPT, as well as the countries that are not a member of the European Union. COM/ITU is the coordination working group ensuring the follow-up of all ITU activities; COM/ITU had formed a group (WG PP-14) dedicated to the preparation of common European proposals. There was no purely "Belgian" proposal. This gave rise to the elaboration of a package of European Common Proposals (ECPs). Belgium had subscribed to this in advance. There were 18 of these ECPs.

Within CEPT, BIPT took part in the ECC plenary meetings and in the activities of the working groups Frequency Management (FM), PT1 (mobile 3G/4G bands) and the Conference



Preparatory Group (CPG) with a view to the World Radio Conference, WRC-15.

BIPT will continue to follow these groups in 2015.

After a long presidency BIPT followed up the working group Numbering and Networks of the ECC's activities. Their main purpose is to develop a policy regarding the numbering and other identification systems at a European level, as well as to promote a harmonisation of the numbering plans and policies.

European Telecommunications Standards Institute (ETSI)

Certain activities concerning standardisation at ETSI were followed. In March and November ETSI organises a general meeting where, among other matters, the policy and strategy are determined. BIPT also participated in the three annual meetings of the technical committee TC-ERM (ETSI Radio Matters), which develops a large number of radio communications standards. They include both the essential spectrum parameters and those taking account of electromagnetic compatibility. In 2015, BIPT will participate in the activities and meetings of TC-ERM.

7 /// THE LEGAL DEPARTMENT

In the course of 2014 BIPT was working to improve legislative and regulatory texts, relating to both electronic communications and postal matters.

7.1. ELECTRONIC COMMUNICATIONS

Many regulatory texts were adopted to implement the ECA and the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors.

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

The publications at the legislative level were:

- the Act of 26 March 2014 amending the Act of 6 July 2005 on various legal provisions regarding electronic communications and the Act of 17 January 2003 on appeals and disputes settling arising from the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors (M.B. 28 April 2014). This Act guarantees the competence of the Brussels Court of Appeal for appeals lodged against decisions of the Chairman of the Ethics Commission or his replacement (Act of 6 July 2005) and for appeals against BIPT decisions following requests to settle disputes between operators jointly made by the latter (Act of 17 January 2003).
- the Act of 27 March 2014 pertaining to various provisions regarding electronic communications (M.B. 28 April 2014). This Act constitutes the partial translation into Belgian law of Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services, of Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and

services, and finally Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector.

The following was prepared as well:

- the bill amending the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors. It aims at ensuring the independence of the regulator and to end the infringement procedure no. 2013/2101 instigated by the European Commission who feels that Articles 15 and 34 of the Status Act go against Article 3, paragraph 3bis, of Directive 2002/21/EC (Framework Directive). From the aforementioned provisions of the Status Act, it results that the Council of Ministers can suspend a number of BIPT decisions, that the ministers in charge can communicate their priority goals regarding BIPT's policy and that BIPT's draft Strategic Plan has to be submitted for the larger part to the Council of Ministers. The aforementioned provision of the Framework Directive states that the national regulatory authorities in charge of the ex ante market or of the settlement of disputes between companies act fully independently and do not ask nor accept instructions regarding the fulfilment of the tasks that were assigned to them by virtue of the national law transposing the Community law. The bill amends the Status Act. In order to take into account the objections formulated by the Commission, Article 15 is abolished and Article 34 modified.
- a draft cooperation agreement with a view to ensuring the transposition of Directive 2014/61/EU of 15 May 2014⁴⁴ (BBC)⁴⁵ on measures to reduce the cost of deploying high-speed electronic communications networks, hereafter

"BBC Directive", which has to be transposed by 1 January 2016 at the latest.

- measures implementing the Status Act of 17 January 2003:
 1. the draft Royal Decree amending the Royal Decree of 10 January 2006 laying down the budgetary and accounting regulations of the Belgian Institute for Postal services and Telecommunications;
 2. the draft Royal Decree establishing the procedure for settlement of disputes before the Belgian Institute for Postal services and Telecommunications;

7.2. POSTAL REGULATION

In 2014 two Acts modified the legal framework applying to the postal sector: the Act of 3 February 2014 pertaining to various provisions regarding postal services (MO of 19 February 2014) and the Act of 19 April 2014 amending the Act of 21 March 1991 on the reform of certain economic public companies (MO of 14 May 2014).

Moreover a draft Royal Decree was prepared on the composition and operation of the Consultative Committee for the postal services (CCPS) in implementation of Article 8, § 2, of the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors.

⁴⁴ Official Journal, 23.5.2014, L 155/1.

⁴⁵ For "Broadband cost".

7.3. LEGAL SUPPORT AND DISPUTE COORDINATION

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

Legal support of the BIPT acts

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

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

Dispute coordination

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

A. BIPT's Legal Department continued finalizing the appeals introduced during the previous years.

A number of these appeals were the subject of decisions taken in 2014, namely:

1. The Court of Cassation issued two judgements on 3 January 2014 rejecting the appeals of Contactsat and Tecteo, following a judgement of the Constitutional Court of 9 July 2013. Contactsat had lodged an appeal against a judgement of the Brussels Court of Appeal of 28 January 2010 and Tec-

teo against a judgement of the Liège Court of Appeal of 11 December 2009.

These two appeals were consecutive initiatives of BIPT aiming at recovering amounts payable to BIPT by those two companies, for various fees regarding the end of the nineties and the beginning of 2000.

Disputes regarding more specifically the submission of the infrastructures and services of these companies to Article 11 of the Act of 30 July 1979, on radio communications, were instigated, without being taken into account by the various jurisdictions to whom these cases had been notified.

The Court of Cassation's judgements definitively ended those two cases and BIPT recovered the amounts it had claimed.

2. The Court of Cassation pronounced a judgement on 28 February 2014 regarding the appeal of Coditel Brabant against the judgement issued on 6 November 2012 by the Brussels Court of Appeal.

This judgement of the Brussels Court of Appeal had rejected the request for suspension in the framework of the decisions of the Conference of regulators in the electronic communications sector dated 1 July 2011 and regarding the analysis of the television broadcasting market on the different territories of Belgium's linguistic regions.

The Court of Cassation rejected all means of Coditel Brabant, more in particular aimed at the impartiality principle.

3. On 20 March 2014 the Council of State pronounced a judgement stating the withdrawal of the respective appeals of Verizon Belgium Luxembourg, Colt Technology Services, BT Limited and Orange Business Belgium of 26 July 2013 aimed at the annulment of the Royal Decree of 25 April 2013 amending the Royal Decree of 7 March 2007 on the notification of electronic communications services and networks and modifying the Royal Decree of 10 December 2009 amending the Royal Decree on the notification of electronic communications services and networks.

4. The Brussels Court of Appeal pronounced its final judgement on 24 September 2014 regarding the actions for annulment of KPN and Mobistar (with the intervention of Belgacom) against the BIPT Council Decision of 29 June 2010 on market no. 7: voice call termination.

That judgement acts upon a judgement of the Constitutional Court of 30 May 2013 in reaction to a preliminary question asked by the Court of Appeal.

The Constitutional Court had ruled that Articles 2 and 3 of the Appeals Act of 17 January 2003 do not violate Articles 10 and 11 of the Constitution because the different treatment by the Court of Appeal and the Council of State can be given a reasonable justification. Indeed the legislator has been able to consider that the risk of disproportionate effects of an annulment is greater when a regulatory provision is involved, which by definition, is destined for an undetermined number of persons.

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

The Brussels Court of Appeal consequently annulled the disputed decision in its judgement of 24 September 2014, while maintaining its effects until 30 June 2015 and thus applying the principle of modulating the effects of its judgements over time.

5. The Brussels Court of Appeal pronounced a judgement on 12 November 2014 regarding Telenet's appeal for annulment of the decision of the Conference of regulators in the electronic communications sector (CRC) of 1 July 2011 on the analysis of the television broadcasting market on the territory of the bilingual Brussels-Capital Region. The Court of Appeal dismissed Telenet's appeal. Belgacom has intervened in this procedure and the Court of Appeal decided more in particular that Belgacom

should not have been automatically excluded from the gains of the access to Telenet's network but that Telenet should have been obliged to meet the reasonable requests for access to the cable operator's network introduced by Belgacom.

The Court of Appeal moreover judged that the Conference of regulators in the electronic communications sector did not have to adopt a new decision in this matter, thereby using, at least partially, its power of unlimited jurisdiction.

6. On 3 December 2014 the Brussels Court of Appeal pronounced a judgement relating to Belgacom's action against the Conference of regulators in the electronic communications sector's decision of 1 July 2011 on the analysis of the broadband Internet markets annulling said decision because of a lack of motivation for specific points of the decision.

On 18 December 2014 the Conference of regulators in the electronic communications sector adopted a retroactive renewal decision in order to correct the lack of motivation taking into account the judgement and to guarantee the legal certainty for the past and the continuation of the regulation.

7. On 17 December 2014 the Brussels Court of First Instance pronounced a judgement in which was stated that Belgacom withdrew its civil action against the recovery of the 2G licence rights following the modification of Article 30 of the ECA by the Act of 15 March 2010.

Belgacom, Mobistar and Base had brought an action against the amendment of Article 30 of the ECA by the Act of 15 March 2010.

By means of an interlocutory judgement the Constitutional Court had asked preliminary questions to the Court of Justice of the European Union.

The Court of Justice of the European Union had rendered its judgement on 17 March 2013, stating that Member States can impose on mobile phone operators a unique

fee when extending their authorisations, provided that the Member State offers an objective justification within reasonable proportions and with prior notice, having regard to Articles 12, 13 and 14 of Directive 2002/20/EC on the authorisation of electronic communications networks and services (Authorisation Directive).

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

The judgement pronounced by the Court of First Instance closes these files permanently.

B. BIPT's legal department also ensured the follow-up of the following new appeals, that were all introduced in 2014:

1. Belgacom brought before the Brussels Court of Appeal an action for annulment against the BIPT Council Decision of 10 December 2013 regarding the review of the BRUO, BROBA and WBA VDSL2 reference offers (BRXX 2012).
2. Brutélé, Tecteo, Coditel Brabant and Telenet brought before the Brussels Court of Appeal actions for annulment against the Decision of the Conference of regulators in the electronic communications sector of 11 December 2013 regarding the wholesale tariffs for services for access to cable networks on the bilingual Brussels Capital Region.
3. Telenet Tecteo Bidco brought before the Brussels Court of Appeal an action for annulment against the letter of BIPT of 27 June 2014 regarding the unique fee for the use of the 900 MHz and 1,800 MHz frequency bands.
4. Belgacom has introduced an action for annulment with the Brussels Court of Appeal against the BIPT Council Decision of 20 May 2014 imposing an administrative fine on Belgacom for non-compliance, in the context of the WBA VDSL2 reference offer, with the transparency obligation.

BIPT's Legal Department also ensured, following the granting of a public procurement in 2014, the follow-up of various cases for the recovery of debts owed to BIPT.



8 /// THE BUDGET AND ACCOUNTING DEPARTMENT

The internal budgetary policy aims at the one hand to protect BIPT's sound financial structure and on the other hand, to achieve budgetary control to guarantee at any moment that all agreements made can be properly paid while allowing to change priorities with the necessary flexibility. The budgetary policy was also conceived in order to guarantee BIPT's autonomy.

The Department's main task consists of:

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

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

Its main tasks are:

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



FINANCIAL REPORT AND ANNUAL ACCOUNTS

A close-up photograph of a person's hand pointing at a line graph displayed on a tablet. The graph shows a fluctuating line on a grid background. The overall image has a blue color cast. The text 'FINANCIAL REPORT AND ANNUAL ACCOUNTS' is overlaid in large, bold, blue capital letters on the left side of the image.

1 /// BIPT AND THE OFFICES OF THE OMBUDSMEN

The accounts of BIPT and the two Offices of the Ombudsman are given below. The Offices of the Ombudsmen are independent bodies created to handle complaints of consumers about the sector's operators; the intervention of the Institute is limited to making staff available for these two bodies.

BIPT ACHIEVEMENTS - 2014

REVENUES	EUR	EXPENSES	EUR
Repayments	292,503	Staff	22,700,500
Licence and monitoring fees for private radio communications	22,175,361	Functioning	6,109,694
Public licence fees	36,401,892	Investment expenditure	1,237,167
Post	2,618,397	Coordination organisations	1,868,577
Miscellaneous	1,007,330	Treasury	11,200,000
Services performed for third parties	309,706	CF/RT	3,346,781
TOTAL	62,805,189	TOTAL	46,462,719

ACHIEVEMENTS OF THE OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR - 2014

REVENUES	EUR	EXPENSES	EUR
Repayments	0	Staff	1,389,701
Services performed for third parties (sector's participation)	1,777,425	Functioning	271,491
		Investment expenditure	5,935
		Coordination organisations	300
TOTAL	1,777,425	TOTAL	1,667,427

ACHIEVEMENTS OF THE OFFICE OF THE TELECOMMUNICATIONS OMBUDSMAN - 2014

REVENUES	EUR	EXPENSES	EUR
Repayments	70,167	Staff	1,777,257
Services performed for third parties (sector's participation)	2,466,821	Functioning	454,935
		Investment expenditure	77,611
		Coordination organisations	300
TOTAL	2,536,988	TOTAL	2,310,103

2 /// ANNUAL ACCOUNTS OF THE UNIVERSAL SERVICE FUNDS

No universal fund was activated.

ANNEXES



1 /// SITUATION OF THE 2014 OPERATIONAL PLAN

THE STRATEGIC AXIS "INNOVATION" Support the emergence of increasingly innovative services for users	
1. Steer and anticipate the new developments on the market	
Spectrum pooling	Project put on hold ⁴⁶
Spectrum hoarding	Project completed
2. Encourage the apparition of new markets and new services	
The adaptation of the numbering plan to the long-term evolutions on the market	Project completed
The development of a system for efficient and effective granting of the numbers	Project completed
3. Manage the scarce resources for the benefit of the users	
Verification of the cost orientation of the wholesale prices for .be domain names	Project completed
Spectrum inventory	Project completed
Spectrum monitoring - Preventive inspections	Project completed ⁴⁷
Spectrum monitoring - Interference resolution	Project completed
Inspection of telecommunications equipment that arrives or will arrive on the (European) Belgian market	Project completed

THE STRATEGIC AXIS "COMPETITION AND INVESTMENTS" promoting a sustainable framework for competition and investments	
1. Contribute to creating a favourable framework for the roll-out of infrastructures, networks and services and a favourable climate for investments	
Modification of the 900 MHz and 1,800 MHz RDs	Project completed
Publication of a 2013 postal observatory	Project completed

THE STRATEGIC AXIS "COMPETITION AND INVESTMENTS" promoting a sustainable framework for competition and investments	
2. Stimulate competition, more in particular by means of market analyses	
Granting of a service concession regarding the delivery of acknowledged newspapers and acknowledged periodicals	Project is ongoing ⁴⁸
Retail market analysis for fixed telephony services [3 & 5 (2003)]	Project completed
Fixed termination market: determination of the fixed termination rates	Project postponed to 2015
Broadband and broadcasting market analysis	Project postponed to 2015
Analysis of the wholesale market for termination on the individual mobile networks [7 (2007)]	Project postponed to 2015
NGN/NGA cost model - Pricing of the Ethernet transport and Multicast services	Project completed
NGN/NGA cost model - Pricing of the access services for unbundling and wholesale broadband access	Project is ongoing ⁴⁹
Decision about the reference offers regarding the opening up of the cable	Project is ongoing ⁵⁰
WACC calculation	Project completed
Implementation of BROTSOLL/NGLL qualitative	Project completed
Implementation of BROTSOLL/NGLL quantitative	Project postponed to 2015
Inspection of the wholesale tariffs for obligations on the broadcasting market	Project postponed to 2015
Situation after three years of opening up to the competition of the market	Project is ongoing ⁵¹
Improvement and follow-up of operational processes	Project completed

⁴⁶ More research is required.

⁴⁷ Only part of the project ("Development of ATIS/AIS catcher") still has to be carried out in collaboration with the FPS Mobility and Transport.

⁴⁸ Following a change in legislature, the Government selected the three applications submitted in 2014 on 6 February 2015, which allowed BIPT, as of that moment, to continue the procedure set out.

⁴⁹ The finalisation of the project has been delayed until just after the revision of the "one-time fee".

⁵⁰ The BIPT decision still has to be promulgated.

⁵¹ The WIK report outlining the results of the opening up of the postal market was published on 3 March 2015.

THE STRATEGIC AXIS "RELIABILITY" ensuring a reliable and high-quality digital environment	
1. Improve the transparency in terms of networks quality	
Improve the transparency in terms of networks quality	Project is ongoing ⁵²
2. Reinforce network reliability	
Notification of security incidents	Project is ongoing ⁵³
Notification of security risks	Project is ongoing ⁵⁴
Determination and description of the minimum required safety measures	Project is ongoing ⁵⁵
Inspection of the postal services providers	Project completed
3. Data retention and legal interception	
Contribution to the creation of the Belgian eCall system	Project is ongoing ⁵⁶
Improvement of the reliability and the availability of the identification and location data	Project is ongoing ⁵⁷
Localisation of the nomadic service users	Project is ongoing ⁵⁸



THE STRATEGIC AXIS "INFORMATION" Contribute to improve information for consumers	
1. Inform the consumers	
National price comparison	Project completed
Comparative price study in Belgium and in the neighbouring countries regarding the telecom products for the non-residential customers	Project completed
Comparative price study in Belgium and in the neighbouring countries regarding the telecom products for the residential customers	Project completed
2. Help the consumers	
Tariff simulator	Project completed
Facilitate changing operators or providers of fixed services: telephone, Internet and/or television (easy switch project)	Project is ongoing ⁵⁹
Survey on the perception of the market functioning	Project completed
3. Protect the consumers	
Monitoring of the implementation of the legislation	Project completed
Monitoring of the consumption: informative message for the 070 numbers	Project completed

⁵² The publication of the maps on BIPT's website is planned for 2015.

⁵³ In the light of the complexity and the multitude of files related to the security of electronic communications networks and services, it was not possible to achieve all goals set for 2014. It was indeed preferred to focus the actions on the priority files such as the telecom planning in case of power blackouts. Reinforcing the "Network security" Department's staff will allow BIPT to consolidate an even more efficient comprehensiveness of planned initiatives.

⁵⁴ Cf. 53.

⁵⁵ Cf. 53.

⁵⁶ The project is awaiting the decision of the FPS Internal affairs regarding the financing of the filtering exchanges.

⁵⁷ Contacts were made with Belgacom regarding the possible changes to its EMR database.

⁵⁸ Phase 2 of the standards project of the M493 group of ETSI relating to the localisation of nomadic voice calls (VoIP) was approved and work on phase 3 (technical specifications) was started.

⁵⁹ The accomplishment of the project was spread over two years in the light of the necessity to adopt regulatory measures following a report with BIPT recommendations.

THE STRATEGIC AXIS "INVOLVEMENT" Encourage social involvement and social inclusion	
1. Monitoring of the universal service	
Net cost calculation of the provision of the social tariffs borne by the providing operators	Project is ongoing ⁶⁰
Calculation of the universal postal service net cost in 2013	Project is ongoing ⁶¹
Modernisation of the universal telecom service	Project is ongoing ⁶²
Specific monitoring following the modernisation of the universal telecommunications service	Project completed
Designation of the universal postal service provider	Project is ongoing ⁶³
2. Postal and telecommunications services at affordable prices	
Quality control of the bpost service	Project completed
Price monitoring of the products belonging to the universal postal service	Project completed
3. Protection of the consumers with specific needs	
Measures in favour of disabled or less able-bodied users	Project is ongoing ⁶⁴

THE STRATEGIC AXIS "DIALOGUE" Having a continuous dialogue	
1. Relations with the parties concerned	
Monitoring of the electronic communications market	Project completed
Efficient communication with all stakeholders	Project completed

THE STRATEGIC AXIS "GOOD PERFORMANCE" Being an attractive employer and a well performing regulator	
1. BIPT, an efficient and effective organisation	
Automation of certain STTS functionalities	Project is ongoing ⁶⁵



⁶⁰ The finalisation of the project has been delayed, among other things because required information from the social tariffs provider having asked for the reimbursement of the net costs is awaited.

⁶¹ The realisation of the project has been delayed, among other things because of the late receipt of certain required information.

⁶² As regards the designation of the provider of the geographical element, the project has to be developed. However, the installation of the new Government in 2014 gave rise to new reflections regarding the geographical element of the universal service.

⁶³ The progression of the file was slowed down in order to be able to take into account the results of the file "Situation after three years of opening up of the market to the competition".

⁶⁴ BIPT has to undertake new steps with the stakeholders in order to promote an equivalent access for disabled people. BIPT will more in particular publish a collection of the rights and obligations of consumers, in an accessible manner, among other things in braille.

⁶⁵ For the completion of its automation project BIPT is subject to the realisation of a project of the Crossroads Bank for Social Security (CBSS).

2 /// REPORT ON THE MONITORING AIMED AT IN ARTICLE 21 OF THE ACT OF 17 JANUARY 2003

This provision aims at the case in which BIPT has indications that the legislation or regulation, the compliance of which BIPT monitors, or the decisions taken by the Institute in implementation of this legislation or regulation, has been violated.

On that basis two decisions imposing an administrative fine have been adopted in 2014:

- The BIPT Council Decision of 28 January 2014 imposing an administrative fine on Schedom Dommel for non-compliance with Articles 108, § 1, b), 3rd and 5th section, 108, § 1, f), 108, § 2, 110, § 1 and 111/3, §§ 1 and 3 of the ECA;
- the BIPT Council Decision of 20 May 2014 imposing an administrative fine on Belgacom for non-compliance, in the context of the WBA VDSL2 reference offer, with the transparency obligation - Public version - Confidential version destined for Belgacom



3 /// LIST OF THE COUNCIL PUBLICATIONS IN 2014

1. DECISIONS OF GENERAL INTEREST

DATE OF THE DECISION	TITLE
17/12/2014	Decision of the BIPT Council regarding the withdrawal of the user rights for the 10,238-10,294 / 10,588-10,644 MHZ frequencies for radio access granted to Evonet
15/12/2014	Decision of the BIPT Council on the granting of usage rights and on the division of spectrum in the 900 MHz and 1,800 MHz frequency bands - Version reserved for Belgacom & non-confidential version
12/12/2014	Decision of the BIPT Council on monitoring mail delivery times for the year 2013 for domestic priority single piece mail, domestic non priority single piece mail, domestic single piece registered items, domestic single piece parcels and incoming cross-border priority single piece letter post
25/11/2014	BIPT decision regarding the conformity for the system of separated accounts of Belgacom for the year 2012
25/11/2014	BIPT decision regarding the conformity for the system of separated accounts of Belgacom for the year 2011
21/11/2014	Decision of the BIPT Council on introducing a tariff warning message that precedes calls to 070 numbers
16/10/2014	Decision of the BIPT Council about the use of a special prefix for all radio amateurs on the occasion of the commemoration of the 100 th anniversary of the First World War
8/10/2014	BIPT Council decision regarding the analysis of bpost's tariff proposal for full rates per piece for the year 2015 - Confidential version - Non-confidential version
26/09/2014	Decision by the BIPT Council on the neutralisation of certain error messages on access lines in compliance with Article 7, § 2, of the Act of 13 June 2005 on electronic communications
24/09/2014	Decision of the BIPT Council on the restitution of the 3G licence of Telenet Tecteo BidCo

DATE OF THE DECISION	TITLE
24/09/2014	Decision of the BIPT Council concerning the publicly available national telephony services provided at a fixed location for either residential users or companies - Public version - Non-public version
13/08/2014	Decision of the BIPT Council on radio interfaces B05-01 up to B05-05, B06-01 up to B06-23, B07-01 up to B07-05 and D01-01 up to D01-03
11/08/2014	Decision of the BIPT Council regarding the addendum to the BROTSoll reference offer for next-generation leased lines (NGLL)
22/07/2014	Decision of the BIPT Council on the division of spectrum in the 1,800 MHz band
22/07/2014	BIPT Council decision on the technical and operational terms required to avoid harmful interference in the paired 2 GHz band
7/07/2014	Decision of the BIPT Council regarding the conformity of Belgacom's cost accounting system in 2012 - Public version - Confidential version for Belgacom
20/05/2014	BIPT Council Decision of 20 May 2014 imposing an administrative fine on Belgacom for non-compliance, in the context of the WBA VDSL2 reference offer, with the transparency obligation - Public version - Confidential version destined for Belgacom
8/05/2014	Decision of the BIPT Council on the radio interfaces B10-05, B10-06, B10-08 and E27-01
1/04/2014	Decision of the BIPT Council laying down the circumstances in which the operators have to notify BIPT of a security incident and the terms and conditions of this notification
1/04/2014	Decision of the BIPT Council regarding the addendum "Specifications for P=5 service quality"
21/03/2014	Decision of the BIPT Council of 12 December 2014 on monitoring mail delivery times for the year 2013 for domestic priority single piece mail, domestic non priority single piece mail, domestic single piece registered items, domestic single piece parcels and incoming cross-border priority single piece letter post

DATE OF THE DECISION	TITLE
21/03/2014	BIPT Council Decision on monitoring mail delivery times for the year 2011 for domestic priority single piece mail, domestic non priority single piece mail, domestic single piece registered items, domestic single piece parcels and incoming cross-border priority single piece letter post
19/02/2014	BIPT Council Decision concerning the addendum "Vectoring" - Non-confidential version - Confidential version
28/01/2014	BIPT Council Decision imposing an administrative fine to Schedom Dommel for non-compliance with Articles 108, § 1, b), 3 rd and 5 th section, 108, § 1, f), 108, § 2, 110, § 1 and 111/3, §§ 1 and 3 of the Act of 13 June 2005 on electronic communications
7/01/2014	Decision of the BIPT Council regarding the composition of the board mentioned in the Royal Decree of 5 May 2006 laying down a reconciliation procedure before BIPT for 2014



2. CONSULTATIONS

DATE OF THE CONSULTATION	TITLE
12/12/2014	Consultation of the BIPT Council on the draft operational plan 2015
10/12/2014	Consultation at the request of the BIPT Council regarding the revision of the policy for the management of the numbering plan
9/12/2014	Consultation by the BIPT Council on the draft communication by BIPT regarding cordless microphones and other PMSE equipment in radio interfaces B10 and F2
9/12/2014	Consultation of the draft decision on the prices NGLL addendum to BROTSOLL
7/11/2014	Consultation of the BIPT Council on the spectrum for public mobile telecommunications
24/10/2014	Decision of the BIPT Council on granting exclusive frequency bands for the use of radio relay links
1/10/2014	Draft decision by the BIPT Council on the transparency of the reference offers [Incl. Addendum Protocols Transparency]
15/07/2014	Consultation of the BIPT Council on the draft decision regarding the access to manholes of Belgacom
14/07/2014	Consultation of the BIPT Council regarding the draft decision on introducing a tariff warning message that precedes calls to 070 numbers
9/07/2014	Consultation on the draft decision of the BIPT Council on radio interfaces B05-01 up to B05-05, B06-01 up to B06-23, B07-01 up to B07-05 and D01-01 up to D01-03
8/07/2014	Draft Decision of the BIPT Council regarding the neutralisation of certain error messages on access lines in compliance with Article 7, § 2, of the Act of 13 June 2005 on electronic communications
13/06/2014	Draft Decision of the BIPT Council on the restitution of the 3G licence of Telenet Tecteo BidCo
27/05/2014	Consultation of the BIPT Council on the BIPT draft communication on the issue of the identification of the postal service provider having treated the item
23/05/2014	Consultation of the BIPT Council regarding its draft communication about the obligation to notify oneself as an operator to BIPT

DATE OF THE CONSULTATION	TITLE
15/05/2014	Consultation of the BIPT Council on the technical and operational terms required to avoid harmful interference in the paired 2 GHz band
05/05/2014	Consultation of the BIPT Council on the draft operational plan 2014
9/04/2014	BIPT council draft decision regarding the cost of capital for operators with a significant market power in Belgium
1/04/2014	Consultation on the draft decision of the BIPT Council on the radio interfaces B10-05, B10-06, B10-08 and E27-01
24/02/2014	Consultation on the draft guidelines of BIPT for the interpretation of the term "subscriber with more than 5 numbers"
7/02/2014	Consultation of the BIPT Council regarding the draft decision on the NGLL addendum to BROTSoLL
17/01/2014	Consultation of the BIPT Council on the draft strategic plan 2014-2016
17/01/2014	Consultation of the BIPT Council on spectrum hoarding
16/01/2014	Consultation of the BIPT Council regarding the evolution of tariff simulator
14/01/2014	Draft decision of the BIPT Council concerning the publicly available national telephone services provided at a fixed location for residential and non-residential users
8/01/2014	Consultation of the BIPT Council at the request of the Minister of Economy regarding the Draft Royal Decree amending the Royal Decree of 7 March 1995 concerning the establishment and operation of GSM mobile phone networks and the Royal Decree of 24 October 1997 concerning the establishment and operation of DCS-1,800 mobile phone networks

3. COMMUNICATIONS

DATE	TITLE
23/12/2014	Communication by the BIPT Council on BIPT's monitoring in 2013 and 2014 of the postal service providers
11/12/2014	Communication of the BIPT Council regarding the Belgian postal services observatory for the years 2010 to 2013
4/11/2014	BIPT Council Communication on the monitoring of the provision of information by operators to disabled people
30/09/2014	Inquiry about the users' perception of the Belgian electronic communications market (September 2014)
23/09/2014	Communication of the BIPT Council regarding the check of the operator's general conditions
13/06/2014	BIPT Council communication regarding the draft of the specifications and of the contracts for the concession of services regarding the delivery of press
21/05/2014	Communication by the BIPT Council on the verification of the calculation of the universal postal service net cost in Belgium
14/05/2014	Communication by the BIPT Council regarding the request of Telenet NV of 9 December 2013 to reallocate the following entire number block 09 332 of Belgacom NV to Telenet NV
7/05/2014	Communication of the BIPT Council on the list of the postal operators who have been granted an individual licence for the provision of a service within the universal service scope
28/04/2014	Communication of the BIPT Council regarding the consultation on spectrum hoarding
25/04/2014	Communication by the BIPT Council on BIPT's monitoring in 2012 of bpost's quality of service
22/04/2014	Communication by the BIPT Council regarding the summary of the contributions made within the framework of the consultation of 16/01/2014 on the evolution of the tariff simulator www.besttariff.be
4/04/2014	National benchmarking of the telecommunications services rates in Belgium [Rates applied on 3 February 2014]
19/03/2014	Communication of the BIPT Council of 19 March 2014 regarding the Belgian postal services observatory for the years 2010, 2011 and 2012



DATE	TITLE
20/02/2014	Communication of the BIPT Council regarding the compliance statement of the cost accounting system for bpost for 2012 based on the reports made by the College of Commissioners at bpost.
4/02/2014	BIPT Council Communication on the BIPT audit of the external BELEX monitoring system of bpost for monitoring the delivery times of domestic priority and non-priority single piece letter post items, and of the internal monitoring system of bpost for domestic registered items and single piece letter postal parcels
20/02/2014	Communication of the BIPT Council regarding the compliance statement of the cost accounting system for bpost for 2011 based on the reports made by the College of Commissioners at bpost

4. OPINIONS

DATE OF THE OPINION	TITLE
23/12/2014	Opinion of the BIPT Council on the 2013 improvement plan and the 2014 action plan following the customer satisfaction survey for the year 2013
15/05/2014	Opinion of the BIPT Council modifying the Royal Decree of 24 May 2006 on licences for seafarers and modifying the Royal Decree of 20 July 1973 regulation maritime inspections
22/04/2014	Opinion of the BIPT Council regarding the Ministerial Order of 12 November 2009 fixing the level of detail of the basic invoice regarding electronic communications
21/03/2014	Opinion of the BIPT Council on the Draft Royal Decree regarding the collaboration between BIPT on the one hand and the Belgian Competition Council on the other
11/03/2014	Opinion of the BIPT Council on the proposal of Act of 29 January 2014 modifying, as regards the administrative fines, the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors
12/02/2014	Opinion of the BIPT Council amending the Royal Decree of 7 March 1995 concerning the establishment and operation of GSM mobile phone networks and the Royal Decree of 24 October 1997 concerning the establishment and operation of DCS-1,800 mobile phone networks
16/01/2014	Opinion of the BIPT Council on the draft modification of Article 36 of the Act of 13 June 2005 on electronic communications
13/01/2014	Proposal of the BIPT Council on the definition of the bitrate for functional Internet access in the context of the geographical element of the universal service and draft opinion of the BIPT Council of 13 January 2014 on the geographical element of the universal service - Non-confidential version
10/01/2014	Opinion of the BIPT Council on the Draft Royal Decree establishing the internal regulations of the Council of BIPT
10/01/2014	Opinion of the BIPT Council on a draft Royal Decree amending the Royal Decree of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights and amending the Royal Decree of 9 February 2011 laying down the Telecommunications Code of Ethics

5. PRESS RELEASES

DATE OF THE PRESS RELEASE	TITLE
23/12/2014	The CRC adopts a renewal decision on the analysis of the broadband Internet markets
15/12/2014	BIPT publishes the economic key figures of the postal sector
3/10/2014	Telecom operators adapt their general conditions at the request of BIPT
30/09/2014	Inquiry about the users' perception of the Belgian electronic communications market
26/09/2014	BIPT deregulates fixed telephony
17/07/2014	Belgian telecommunication prices on the non-residential market are rather advantageous compared to the neighbouring countries for the smallest enterprises
30/06/2014	BIPT publishes statistics of the electronic communications sector in 2013
12/06/2014	3 candidates for the delivery of recognised newspapers and recognised periodicals
11/06/2014	8 recommendations to promote mobile broadband penetration in Belgium
26/05/2014	BIPT imposes a € 403,000 fine on Belgacom
9/04/2014	BIPT publishes a notice of concession and call for tenders regarding the delivery of recognised newspapers and recognised periodicals
4/04/2014	BIPT publishes a comparison of the cheapest telecom tariffs on the Belgian residential market
12/02/2014	Behaviour and priorities of users of postal services
05/02/2014	Comparison of Belgian telecom prices with neighbouring countries



4 /// LIST OF IMPLEMENTING MEASURES PUBLISHED IN THE MONITEUR BELGE

4.1. DECREES IMPLEMENTING THE “BIPT ACT” (17 JANUARY 2003)

1. Ministerial Order of 15 May 2014 laying down the diplomas or certificates required to be nominated in different level A degrees at the Belgian Institute for postal services and telecommunications (M.B. 17 June 2014)
2. Ministerial Order of 15 May 2014 laying down the terms and conditions for the aptitude test provided for in Article 86, subsection two, of the Royal Decree of 11 January 2007 laying down the administrative status of the staff of the Belgian Institute for Postal services and Telecommunications, with a view to obtaining the capacity delegate of the coordination mission by the members of staff (M.B. 17 June 2014)
3. Royal Decree of 8 May 2014 on the cooperation between the Belgian Institute for Postal Services and Telecommunications and the Belgian competition authority (M.B. 14 July 2014)
4. Royal Decree of 25 April 2014 amending certain provisions on the status of the staff of the Belgian Institute for Postal services and Telecommunications (M.B. 1 July 2014)
5. Royal decree of 24 April 2014 on the regulation of the postal service (M.B. 9 July 2014).
6. Royal Decree of 19 April 2014 establishing the internal regulations of the Council of the Belgian Institute for Postal services and Telecommunications (M.B. 05 June 2014)

7. Royal Decree of 10 April 2014 laying down the reintegration compensation provided for in Article 16 of the Royal Decree of 11 May 2003 establishing the status, remuneration and duties of the chairman and the members of the Council of the Belgian Institute for Postal Services and Telecommunications (M.B. 10 June 2014)

4.2. DECREES IMPLEMENTING THE “ELECTRONIC COMMUNICATIONS ACT” (13 JUNE 2005)

1. Royal Decree of 25 April 2014 amending the Royal Decree of 2 February 2007 on the emergency services under Article 107, § 1 and 3, of the Act of 13 June 2005 on electronic communications, and pertaining to various provisions regarding electronic communications for the emergency services (M.B. 7 July 2014)
2. Royal Decree of 10 April 2014 amending the Royal Decree of 7 March 1995 concerning the establishment and operation of GSM mobile phone networks and the Royal Decree of 24 October 1997 concerning the establishment and operation of DCS-1,800 mobile phone networks (M.B. 6 June 2014)
3. Royal Decree of 4 April 2014 amending the Royal Decree of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights and modifying the Royal Decree of 9 February 2011 laying down the Telecommunications Code of Ethics (M.B. 22 May 2014)

4. Royal Decree of 2 April 2014 on shared use of antenna sites (M.B. 22 May 2014)

5. Royal Decree of 2 April 2014 laying down the principles on which the Belgian Institute for Postal Services and Telecommunications checks and approves the calculation and the amount of the costs for which a reimbursement has been claimed from the fund for emergency services providing on-site assistance (M.B. 23 May 2014)

6. Royal Decree 2 April 2014 laying down the operating conditions of the fund for emergency services providing on-site assistance (M.B. 23 May 2014)

7. Royal Decree of 2 April 2014 laying down the conditions for the reimbursement of any overcompensation by the fund for emergency services providing on-site assistance (M.B. 23 May 2014)

8. Royal Decree of 2 April 2014 amending the Royal Decree of 26 February 2010 on the transfer of rights of use for radio frequencies that are used entirely or in part for publicly available electronic communications services (M.B. 30 May 2014)

9. Royal Decree of 2 April 2014 on the change, regarding quality of service, of certain objectives imposed on the provider of the geographical element of the universal service by the Act of 13 June 2005 on electronic communications (M.B. 30 May 2014)

10. Royal Decree of 2 April 2014 on the specification of the speed level of functional Internet access in the provision of the geographical element of the universal service regarding electronic communications (M.B. 30 May 2014)
11. Royal Decree of 2 April 2014 modifying the Royal Decree of 26 January 2007 on the frequency-modulated wave policy in the 87.5 MHz 108 MHz band (M.B. 10 June 2014)
12. Ministerial Order of 19 March 2014 regarding the extension of the available reserve of geographical telephone numbers for the Charleroi region (M.B. 24 April 2014)
13. Ministerial Order of 5 March 2014 fixing the technical solution that operators providing or reselling 2G mobile services have to implement so that the emergency services providing on-the-spot assistance can be reached by means of text messages (M.B. 18 March 2014)
14. Royal Decree of 28 February 2014 modifying the Royal Decree of 27 April 2007 laying down the conditions of the open designation mechanism of the provider of the fixed geographical element of the universal service regarding electronic communications (M.B. 28 March 2014)
15. Ministerial Order of 9 January 2014 determining the file handling costs for the Ethics Commission for Telecommunications (M.B. 27 January 2014)
16. Royal Decree of 15 December 2013 determining the content of the information sheets, referred to in Articles 111, § 2, of the Act of 13 June 2005 and 5, § 2, of the Act of 15 May 2007 (M.B. 13 January 2014)

17. Royal Decree of 15 December 2013 on the lifting of the universal service obligations concerning the provision of the universal directory enquiry service and the provision of the universal directory in the electronic communications sector (M.B. 9 January 2014)
18. Ministerial Order of 15 December 2013 on the lifting of the universal service obligations concerning the provision of the universal directory in the electronic communications sector (M.B. 9 January 2014)

4.3. DECREES IMPLEMENTING “THE ACT ON THE REFORM OF SOME ECONOMIC PUBLIC COMPANIES” (21 MARCH 1991)

1. Royal Decree of 11 March 2014 appointing the chairman of the Consultative Committee on Telecommunications (M.B. 31 March 2014)
2. Royal Decree amending the Royal Decree of 11 January 2006 laying down the procedure for declaring and transferring postal services not included in the universal service and implementing Articles 144quater, § 3, 148sexies, § 1, 1° and 148septies of the Act of 21 March 1991 on the reform of certain economic public companies (M.B. 22 May 2014)
3. Royal Decree of 19 April 2014 amending the Royal Decree of 11 January 2006 implementing Title IV (Reform of the Postal Authorities) of the Act of 21 March 1991 on the reform of certain economic public companies (M.B. 27 May 2014)
4. Royal Decree of 25 April 2014 on the analytic accountancy of the universal postal service provider (M.B. 3 July 2014)
5. Royal Decree of 24 April 2014 on the regulation of the postal service (M.B. 9 July 2014)

5 /// GLOSSARY

- BBC:** Broadband Cost
BCA: Belgian Competition Authority
BEREC: Body of European Regulators for Electronic Communications
BROBA: Belgacom Reference Offer Bitstream Access
BROTSOLL: Belgacom Reference Offer for Terminating Segments of Leased Lines
BRUO: Belgacom Reference Unbundling Offer
CA: Council of Administration
CBSS: Crossroads Bank for Social Security
CCPS: Consultative Committee on Postal Services
CEN: European Committee for Standardisation
CEPT: European Conference of Postal and Telecommunications Administrations
CERP: European Committee for Postal Regulation
CLI: Calling Line Identity
COCOM: Communications Committee
CPG: Conference Preparatory Group
CRC: Conference of Regulators of the electronic communications sector
CSA: Conseil supérieur de l'audiovisuel
CSC: Carrier Select Code
DECT: Digital Enhanced Cordless Telephone
DG: Directorate General
DSL: Digital subscriber line
DVB-T: Digital Video Broadcasting - Terrestrial
ECA: Act of 13 June 2005 on electronic communications
ECC: Electronic Communications Committee
ECP: European Common Proposal
ERGP: European Regulators Group for Postal services
ERO: European Radio communications Office
ESA: European Space Agency
ETSI: European Telecommunications Standard Institute
FPS: Federal Public Service
FttH: Fiber to the Home
GMDSS: Global Maritime Distress and Safety System
GOC: General Operator's Certificate
GSM: Global System for Mobile communications
HAREC: Harmonised Amateur Radio Examination Certificate
HCM: Harmonised Calculation Method
IP: Internet Protocol
IRG: Independent Regulators Group
ISPC: International Signalling Point Code
ITU: International Telecommunication Union
ITU: International Telecommunication Union
LEGBAC: Limited Exploratory Group on Broadcasting to Aeronautic Compatibility
LL: Leased Line
M.B.: Moniteur belge
M2M: Machine to Machine
MNC: Mobile Network Code
MTR: Mobile Termination Rate
NCS: National Spectrum Monitoring Department
NGA: Next Generation Access
NGLL: Next Generation Leased Lines
NGN: Next Generation Network
NRA: National regulatory authority
NSPC: National Signalling Point Code
OSN: One Stop Notification
PMSE: Program Making and Special Events
PT: Project Team
R&TTE: Radio and Telecommunications Terminal Equipment
ROC: Restricted Operator's Certificate
RSC: Radio Spectrum Committee
RSC: Radio Spectrum Committee
RSPG: Radio Spectrum Policy Group
SGEI: Services of General Economic Interest
SMP: Significant Market Power
SMS: Short Message Service
SRC: Short Range Certificate
STT: Social Telephone Tariff
STTS: Social telephone tariffs department
TC: Technical Committee
T-DAB: Terrestrial Digital Audio Broadcasting
TDD: Time Division Duplex
UHF: Ultra High Frequency
UMTS: Universal Mobile Telecommunications System
UPU: Universal Postal Union
VHF: Very High Frequencies
VoIP: Voice over IP
VPN: Virtual Private Network
VRM: Vlaamse Regulator voor de Media
WACC: Weighted Average Cost of Capital
WBA: Wholesale Broadband Access
WRC: World Radio Conference
WTO: World Trade Organisation

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