

B I P T



Annual
Report
2017



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Message of the Council

Following the designation, on 10 January 2017, of the four BIPT Council members for a six-year term, the year 2017 began with the preparation of the 2017-2019 strategic plan in collaboration with the stakeholders. An annual operational plan was then adopted and largely implemented in this past year. In these documents, the Council attached great importance to making its strategy more accessible by simplifying its strategic axes and the values guiding its actions. Despite the technical nature of the competences exercised by BIPT, this allowed the organisation to become more accessible and more transparent.

A year can not be summed up by a few figures but some of them deserve to be highlighted. In the electronic communications sector, we point out the record level of investment, representing 23.2 % of the turnover, or a slight increase to €8.42 billion. Fixed telephony is decreasing, both in terms of lines and revenues, while the mobile market remains stable. In the postal services sector, the letter post volume is decreasing (-25 % between 2010 and 2016), while the delivery of postal parcels has been increasing over a number of financial years, which results in an overall turnover of the postal sector of €2.5 billion in 2016. The reader will find more information in the following pages.

The year 2017 was marked by several important issues which sometimes made the news. In the telecommunications sector, BIPT once more gave priority to the need to foster competition which remains insufficient in certain markets. Concerning demand, BIPT supported the implementation of "Easy Switch", the procedure allowing consumers to easily switch fixed operator. This is the result of an extensive analysis and consultation process with the stakeholders (operators and users), leading to the adoption of a Royal Decree which entered into force on 1 July 2017.

BIPT also consulted with the sector concerning its latest analysis of the broadband and broadcasting markets, proposed in cooperation with the media regulators (VRM, CSA and Medienrat). Here again, the purpose of these projects is to increase competitiveness in the market, notably by allowing access to Proximus' network (including the optical fibre network)

and the cable operators' network (VOO and Telenet). New remedies were also proposed in order to rectify the shortcomings of the 2011 market analysis, in particular the imposition of an access tariff which is no more dependent on the variations of the (dominant) access operator's retail price. The market analysis concerning (fixed and mobile) termination services was also submitted for consultation. The purpose of this analysis is, among other things, to prevent excessive tariffs in these wholesale markets.

In order to clarify the applicable framework in case of margin squeeze¹ (one of the main obstacles access operators may impose in the market to exclude competitors), BIPT published a new communication which should provide transparent and predictable guidance to the companies concerned (i.e. the regulated companies and the operators benefiting from network access remedies).

The first report on the implementation of the obligations regarding net neutrality was drafted and published pursuant to the European regulation. Even if no infringements were observed, BIPT seized the opportunity to clarify its interpretation of this important new principle in the European legislative arsenal, particularly concerning zero rating. BIPT also monitored the implementation of the roaming regulation by Belgian operators. Furthermore, it granted VOO an exemption, following its dispensation request in order to keep on applying extra fees in addition to the domestic tariff after 15 June 2017, date on which the Roam Like at Home regime came into force. This dispensation was laid down in the regulation to allow virtual operators such as VOO to limit their losses²; this indirectly protects competition in the market.

On 21 March 2017, BIPT rejected bpost's request to increase certain universal postal service tariffs, arguing that the requested increase concerning the small users basket (set of postal products sold to small consumers and belonging to the universal service) would have produced unreasonable margins as regards the cost orientation obligation imposed by law. This decision in principle, which was a first, was confirmed by the Market Court in a judgement of 11 October 2017.

¹ A margin squeeze is a situation where a vertically integrated firm with market power in a key upstream market supplies rival firms in associated downstream markets but sets prices for the input and the downstream service in a way that renders unprofitable the activities of its competitors in the retail market.

² Certain operators (such as VOO) do not own a mobile network. Therefore, they do not generate wholesale revenues from the roaming of foreign visitors in Belgium, and have to bear the procurement costs of roaming services to allow their customers to use their mobile device abroad.



Furthermore, in 2017, the postal legislative framework was also reformed, following a comprehensive study launched by BIPT in 2014-2015. BIPT assisted the minister in the context of this reform, broadly welcomed by the Institute, since it appeared essential to simplify the texts (mostly dating back to 1991) and reform them, given the infringement procedure instigated by the European Commission against Belgium concerning the entry barriers included in the postal licencing regime implemented in 2010. In its opinion of 19 October 2017, BIPT however strongly criticised the fact that the new legislation does not allow BIPT anymore to adequately intervene against the tariff increases imposed by bpost within the framework of the universal service, which do not respect the cost-orientation principle although this principle is enshrined in the postal directive. BIPT particularly deplors the fact that this concern which specifically protects the end-users' interest was not taken into account by the legislator.

Still concerning the postal sector, BIPT also developed a cartography of the postal points and made recommendations to develop e-commerce in Belgium, following a sectoral study on the subject.

BIPT manages two scarce resources owned by the Belgian State: the numbering space and radio frequencies. Concerning radio frequencies, it monitors the correct use, searches the interferences and advises the government concerning the developments of the frequency bands, based on technological developments and European harmonisations. Several public consultations were then organised in order to shape the future regulatory framework for the use of radio frequencies by mobile operators. This consultation forms the basis to define a new necessary framework for the new auctions, particularly essential for selling the spectrum used for the future 5G.

The technological evolution of the sector was also illustrated within the framework of the consultation on the future of numbering.

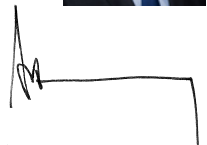
In terms of promoting the consumers' interests, the strategic plan provides that BIPT must contribute to informing users transparently and promote social inclusion; it also aims at ensuring a reliable environment. BIPT wishes to remain the reference regarding optimal information provision to users concerning all the important information regarding electronic communications and postal services. Within the framework of this objective, BIPT has developed and keeps up to date several tools allowing the end-user to be better informed and to choose more precisely the most appropriate service or bundle of services: the tariff simulator, coverage maps and a quality barometer. These tools are regularly updated and improved, taking account of the latest technological developments, among other things.

In accordance with a long-standing request by the operators of the electronic communications sector, the numerous provisions regarding the protection of the consumers in the Act on electronic communications were the subject of an ex post impact assessment, which is published on BIPT's website. This study particularly confirmed the value of this arsenal of tools dedicated to information and transparency, which have encouraged the operators to pay more attention to their service quality.


Also in the interest of consumers, BIPT monitors the security of public electronic communications networks and publicly available electronic communications services. In 2017, a first inspection of the critical infrastructures was carried out to assess the electronic communications networks capacity in the event of a crisis.



Finally, this activity report includes a section concerning the imposition of administrative fines. In 2017, the transparency obligations of the telecommunications operators towards end-users primarily were not always well respected. For BIPT, a scrupulous compliance with these obligations is paramount within its monitoring operations and its law enforcement efforts, given the weak position of the end-users vis-à-vis the operators.



Axel Desmedt



Jack Hamande



Luc Vanfleteren



Michel Van Bellinghen





BIPT

1.1. IN A FEW WORDS

The Belgian Institute for postal services and telecommunications (BIPT) is the 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 in order to use these 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 for the Brussels-Capital Region** and ensures that the operators in that Region comply with the specific regulation on radio and television broadcasting, provided that the activities of the broadcaster cannot be specifically related to the French Community or the Flemish Community.

- **As a Belgian federal administration, it fulfils various missions of public interest.**

1.1.1. Environment

BIPT is in constant contact with numerous Belgian, European and foreign institutions.

- At the Belgian level, BIPT is regularly in contact with the Chamber of Representatives and the federal minister responsible for the postal and telecommunications sectors. Likewise, BIPT cooperates with the Belgian Competition Authority (BCA): Article 55 of the ECAE³ states that BIPT shall ask the BCA's opinion⁴ concerning the draft decisions regarding market analyses. BIPT, the FPS Economy, SMEs, Self-employed and Energy and the two mediation bodies⁵ 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 two consultative committees (the Consultative Committee on postal services and the Consultative Committee on Telecommunications).

³ Act of 13 June 2005 on electronic communications.

⁴ The BCA is composed of the Investigation and Prosecution Service (investigation service) and the Competition College. In 2017, BIPT submitted only one draft decision to the BCA (on 13 January 2017, BIPT submitted its draft decision on the market analysis of voice call termination on individual mobile networks).

⁵ The Office of the Ombudsman for Telecommunications and the Office of the Ombudsman for the Postal Sector.

- At the European level, BIPT fully cooperates with numerous bodies. Among these, the European Commission⁶, the European Committee for Postal Regulation (CERP), the 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 actively participates in or closely follows the activities carried out at the Universal Postal Union (UPU) and the International Telecommunication Union (ITU).

More information on these European and international activities can be found on pages 40 and following.

1.1.2. Democratic control

BIPT is an independent body according to the Act of 17 January 2003 on the status of the regulator. Of course, BIPT conducts its activities in full transparency and in strict compliance with several democratic control mechanisms:

- Every three years, the BIPT Council draws up a strategic plan, the final version of which is submitted to the Chamber of Representatives. On the basis thereof, the Council then prepares its annual operational plans. After each financial year, an annual report on the activities and the development of the postal services and telecommunications markets is transmitted to the government and presented by the Council to the Chamber.
- 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 has been financed by resources coming from the regulated sectors, without public subsidies.
- The decisions of the Belgian Institute for Postal Services and Telecommunications may be the subject of full remedy actions brought before the Market Court whose decision shall be in the form of an interim order. The Court may suspend BIPT's decisions and annul them with retroactive effect. As such, an appeal against a decision has no suspensive effect, even if the Court may, by a provisional decision, suspend, in whole or in part, the implementation of the decision, up to the date of delivery of the judgement.

1.1.3. Complaints handling regarding the functioning of BIPT

BIPT attaches great importance to the quality of its services and has provided itself with a complaints coordinator. In 2017, twenty complaints were received and examined. These complaints mainly arrived by e-mail, but the use of the official complaint form is rising. Seven complaints concerned the procedure regarding the granting of a social telephone tariff: they were caused by the processing of the cases. A complaint concerning the social telephone tariff came via the federal ombudsman; the case is now closed. Seven complaints concerned the Assignments Pool; the processing time of the cases was the main preoccupation. Finally, the Monitoring – Equipment Department was the subject of a complaint. BIPT received three complaints, however they did not concern any provision of service from BIPT.

⁶ Among the groups set up by the Commission, we quote in particular the CoCoM (Communications Committee), the RSPG (Radio Spectrum Policy Programme) and the RSC (Radio Spectrum Committee).

1.2. MISSIONS, VISION, VALUES AND STRATEGIC AXES

These concepts were defined in the 2017-2019 strategic plan, the draft of which was submitted for consultation from 10 to 28 April 2017. To draw up this strategic plan, the BIPT Council invited stakeholders and met many of them, such as postal and telecommunications operators, service providers, but also the representatives of users, employees and companies, institutional players and naturally BIPT's staff.

The final version of the document was then published on the BIPT website on 24 May 2017.

1.2.1. Missions

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

As a regulator, BIPT naturally serves society and the sectors it regulates. Therefore, the definition of its missions is all the more important as it defines the value it can add to society. Several articles of the ECA deal with the activities of BIPT.

Electronic communications, postal services and media in the Brussels-Capital Region are BIPT's main fields of activity. In each of them, its actions are based on the following principles:

1. fostering healthy competition and maintaining market access;
2. contributing to the development of an internal market of efficient networks and services;
3. protecting the users' interests while taking account of social inclusion, a high level of protection, clear information and transparency;
4. managing scarce resources such as radio frequencies and numbering resources;
5. ensuring network security.



1.2.2. Vision of the future

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

"We guarantee that the user has a choice of high-performing and trustworthy communications at the best possible terms and conditions in a competitive environment."

- **High-performing communications**

BIPT welcomes and supports investments in all (postal, electronic communications) networks, innovative services and technologies aiming to allow users to have access to high-quality services at competitive prices in our country.

- **Trustworthy communications**

Each communication between users must be trustworthy for them, including in terms of protection of each user's privacy. BIPT also controls the reliability of information provided to users by the operators.

- **At the best possible terms and conditions**

BIPT wishes that services are offered at affordable and competitive prices, with a high quality, and that they are available and accessible to all.

- **In a competitive environment**

In a liberalised market of electronic communications and postal services, BIPT wishes users to benefit from various infrastructures and a wide choice of services and products providers. BIPT is convinced that a sustainable competitive landscape increases investments in advanced and innovative services and technologies. BIPT also wishes to promote the creation of such landscape via a regulatory framework.

1.2.3. Values

An organisation's values are essential for everyone to recognise themselves in the action it undertakes to accomplish its missions and to realise its vision. They enable everyone, its staff, its customers, its providers, to make sure that any action taken fits the missions and the vision.

These values are: **independence, reliability and transparency.**

- **Independence:** BIPT has always had a critical attitude towards all stakeholders. The regulator's independence ensures its credibility towards the market players as well as all stakeholders. Independence enables stakeholders to deal with a regulator whose actions are stable and predictable over time, while being able to adapt to the changing conditions in the market. This independence is also reflected in a critical attitude towards external pressure and an ongoing questioning of the relevance of its actions, their effects and the perception they create. It is also reflected in the ethical behaviour and the sense of responsibility of the staff, which must make critical thinking a habit. BIPT must ensure it can defend and keep its independence. In this context, the specific status and the financial autonomy represent the best guarantees so that BIPT can carry out its mission efficiently in total independence.
- **Reliability:** as an expertise centre, BIPT wishes, when adopting a position, to be a reliable and competent partner for all stakeholders. This reliability is supported on the inside by the professionalism, teamwork and agility of BIPT. The professionalism promoted by BIPT is meant to be multidisciplinary and combines technical, economic and legal expertise in the field of electronic communications, postal services and media. BIPT seeks to react quickly and with agility to the situations that arise and to the often very fast technical and economic evolutions in the market; its employees' flexibility and internal and external collaboration are essential. BIPT adapts its structures and its working method whenever necessary. Although BIPT is composed of departments, the priority is given to a project based collaboration that is as transversal as necessary between the departments, where a result-based management is a priority.
- **Transparency** is an important element that guarantees control over BIPT's action. Transparency is obtained via openness and visibility, both internally and externally, on the one hand, and dialogue and accessibility, on the other hand. Transparency also comes from the fact that all acts and decisions are appropriately motivated and are previously submitted for consultation as often as possible. Transparency and openness must be really close to an efficient and firm decision-making, allowing to intervene in a timely manner where necessary.

1.2.4. Strategic axes

The first BIPT strategic plan (2010-2013) was composed of eight strategic axes, the second plan (2014-2016) included seven. When drawing up the third plan, we chose, after analysing the previous plan, to keep on simplifying and to clarify this structure. We chose to gather the strategic objectives in three strategic axes covering the external projects. A fourth axis includes internal projects aimed at improving BIPT's functioning and making it more efficient.

The three strategic axes (plus one) guiding the work of BIPT and of its employees are the following:

1. **Competition:** promoting sustainable competition and investments;
3. **Users:** contributing to providing transparent information to consumers, promoting social inclusion, and ensuring a reliable environment;
4. **Scarce resources:** managing scarce resources;
5. **Efficient functioning:** remaining available and being an attractive employer.

For more details on the subject, the reader is referred to the strategic plan⁷ as well as to the annual operational plans⁸ of BIPT.

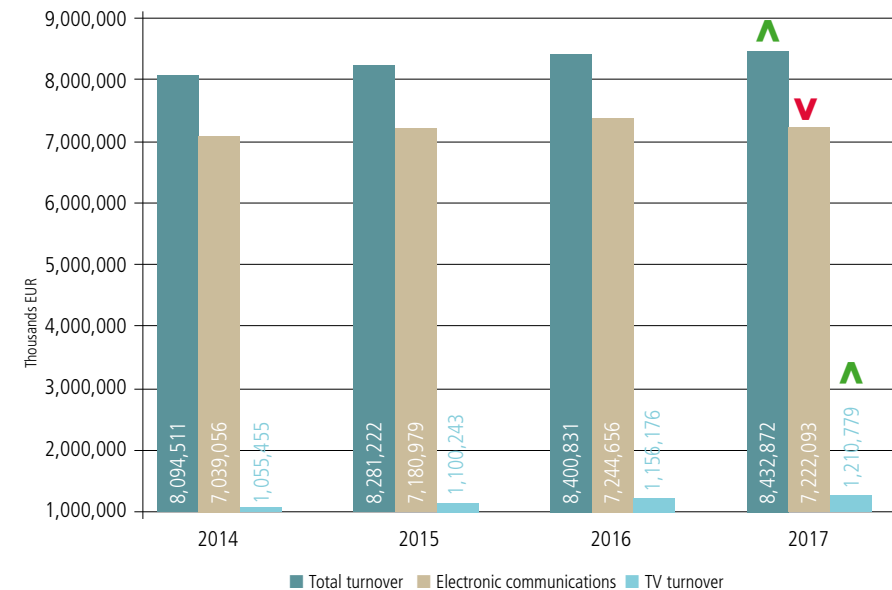
1.3. KEY FIGURES

1.3.1. Electronic communications sector

TURNOVER

The turnover (of the 9 biggest operators) of electronic communications and TV slightly increased by 0.4 % to €8.43 billion. TV remains a growth driver (+4.7 % to €1.21 billion). However, the turnover of the electronic communication market slightly decreased: -0,3 % to €7,22 billion. Over the last two years, the growth of the total turnover of electronic communications and TV was still positive (+2 % in 2015 and +0,9 % in 2016). The negative growth in 2017 is partially due to the migration to alternative communication possibilities to traditional calls and SMSs provided by OTT operators falling outside the scope of BIPT's statistics. Furthermore, the further migration to bundles, associated with bundle reductions, also contributed to the downwards trend.

Electronic communications and TV turnover (source: BIPT)



The composition of the retail turnover of the electronic communications and TV sector is changing. The share of fixed⁹ and mobile telephony is respectively decreasing by 0.4 and 0.2 percentage point (pp) to 45.2 % and 37.9 %. Only the share of TV increased, from 15.9 % to 16.5 %.

⁷ <http://www.bipt.be/en/operators/bipt/publications/strategic-plan-2017-2019-unofficial-translation>

⁸ <http://www.bipt.be/en/operators/folders/16-operational-plans>

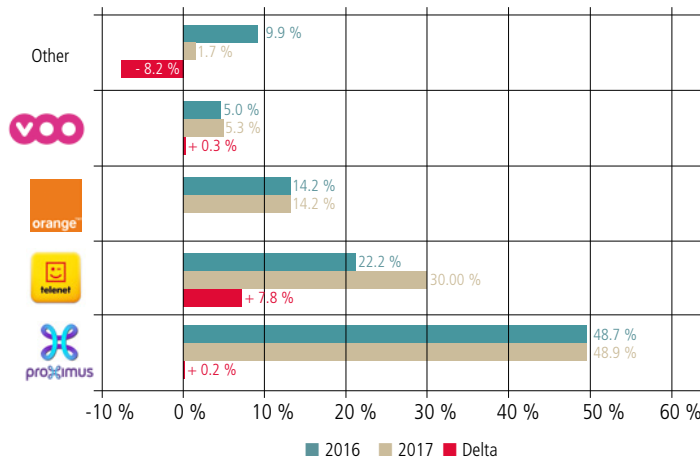
⁹ The fixed market includes fixed telephony (PSTN, cable telephony, VoB or managed VoB and ISDN channels) as well as data, including broadband Internet.

Retail turnover (electronic communications and TV - source: BIPT)			
Fixed	Mobile	Other	TV
€3.294 billion	€2.757 billion	€0.028 billion	€1.199 billion
-0.3% ▼	+0% ▲	+14% ▲	+4.1% ▲
Total turnover in 2017			
+0.6% ▲			
€7.236 billion (2016)		€7.279 billion (2017)	

MARKET SHARE

When considering the figures at the national level, in 2017, Proximus (including Scarlet) increased its market share in terms of turnover by 0.2 pp to [40-50] %. With a growth of 7.8 pp partly due to the acquisition of Base and SFR, Telenet is second behind Proximus and achieves a market share of [30-40] %. Telenet¹⁰ still remains far from Proximus, the leader of the market. VOO also achieved a better turnover and grew by 0.3 pp in terms of market share.

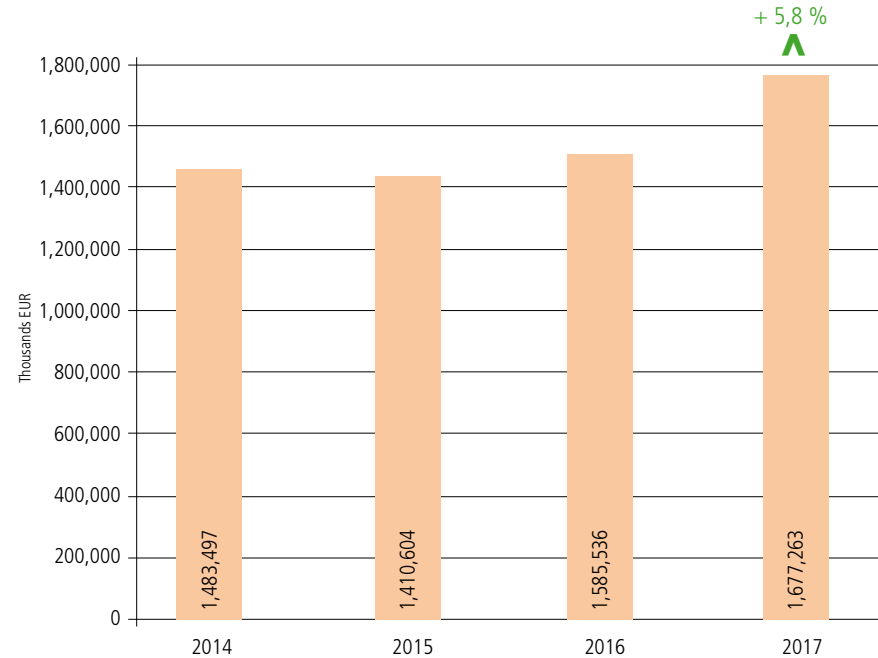
Retail and wholesale turnover of electronic communications and TV and annual percentage change, per operator (source: BIPT)



The investment efforts stepped up: in absolute terms, the investment spending in fixed assets in the electronic communications sector increased by 5.8 % compared to 2016 (€1.68 billion). Given the negative growth of the

turnover in the electronic communications market (-0.3 %), the capex/turnover ratio increased from 21.9 % in 2016 to a record level of 23.2 % in 2017 (+1.3 pp on an annual basis).

Investments in electronic communications (source: BIPT)



The number of fixed broadband lines keeps growing. By the end of 2017, 38.5 % of the Belgian population owned a fixed broadband line. This represents a total of 4.379 million fixed broadband connections, or an increase by 2.7 % compared to 2016.

The number of access channels to the fixed telephony network dropped by 2.7 % for a total of 4.25 million under the pressure of the substitution towards the mobile market and of the OTTs. The success of bundles slows down the movement but the effective use of the fixed line continues to decline sharply: call minutes dropped by 12.9 % in 2017 to a total of 7.77 billion minutes.

The number of TV households continues to increase: in 2017, we counted 60,132 more TV households, which represents a growth by 1.4 % to 4,298,955. This growth is entirely due to the fact that TV is purchased as part of a bundle: +6,3 % to 3,036,739. TV that is purchased separately decreased: -8,6 % to 1,262,216 households. Proximus and Orange are growing to the detriment of the cable operators who lose together 3.1 pp but still represent the most important television technology (with 63 % of the 4.467 million TV connections). The digitisation of the TV consumer base continues: 92 % of TV connections are digital, versus 90 % in 2016.

¹⁰ Since 2017, "Telenet" includes SFR and ex-Base (Telenet Group). Previously, each company was considered as a separate entity. This method is applied in the whole document.

In the mobile market, the number of active SIM cards, despite a decrease by 4.7 % on an annual basis, remains high with a total number of 11.96 million SIM cards (M2M not included) in relation to the population (105 %). The positive net inflow in the postpaid segment (+6.7 % to 8.9 million active SIM cards) was completely undone by the decrease in the prepaid segment (-27,2 % to 3.06 million active SIM cards). The number of SIM cards for mobile broadband grew by 14.8 % to 8,588,776, but is still insufficient to catch up with the European level (24th place by the end of 2017).

With 127 billion megabytes, the total data consumption is 63 % higher than in 2016. Each month, an active data SIM card of a mobile network operator consumes on average 1.17 gigabyte/month in mobile data. This is stimulated by the systematic increase in the included data volume for the bundle subscribers and by the increase in the 4G SIM cards volume. By the end of 2017, some 70.4 % (+6.4 pp on an annual basis) SIM cards offered in their own network generated 4G traffic. Moreover, the average monthly consumption of a 4G data SIM card is 0.578 gigabyte higher than for a 3G data SIM card (1.344 versus 0.766 gigabyte/month).

4-play has become an important factor: VOO was also active in this market in 2017. The operators reached once more a robust net growth in the number of bundle subscribers: +131,601 to 3.19 million. All types of bundles grew (2-play +1,1 % and 3-play +1,4 %), but the number of quadruple-play households experienced the highest growth: +12.1 % to 938,918, representing 29,4 % of the residential bundle market. Approximately one in four active postpaid SIM cards is sold in a bundle with a fixed service. When considering the figures at a national level, we notice that Proximus achieved the biggest number of bundles in 2017 (+0.5 pp market share in volume), but also the strong growth of Orange, which provides fixed services to convergent customers over the cable operators' network. This translates into an increase in the market share by 2 pp to [0-10] %. The success of the product bundling strategy leads to a residential multiplay turnover of €2.490 billion. The share of 3-play remains the biggest with 53 %.

The 2-play bundle market is the most volatile: 16.4 % of the average number of 2-play households quit its operator in 2017. This percentage drops to 9.9 % for 3-play and 5.7 % for 4-play.

The churn rate was partly stimulated by the Easy Switch procedure which came into force on 3 July 2017 in order to facilitate the migration of services (voice, broadband, TV and bundles). During the second half of 2017, this procedure was applied one out of five times on average. In terms of absolute figures, this means that 37,600 of the 222,966 households with fixed services which migrated to a new operator did use the Easy Switch procedure.

1.3.2. Postal sector

On the supply side, the Belgian postal sector includes over 700 postal companies, the majority of which are small. In 2016, bpost, the main operator and the universal postal service provider, represented a major share (60 % to 70 %) of the sector turnover, while the seven main postal operators generated 94 % of the turnover. Meanwhile, we notice that the market concentration in the postal sector constantly declines, which can be interpreted as a very slight increase of competition.

Concerning trends, we notice the same two conflicting trends:

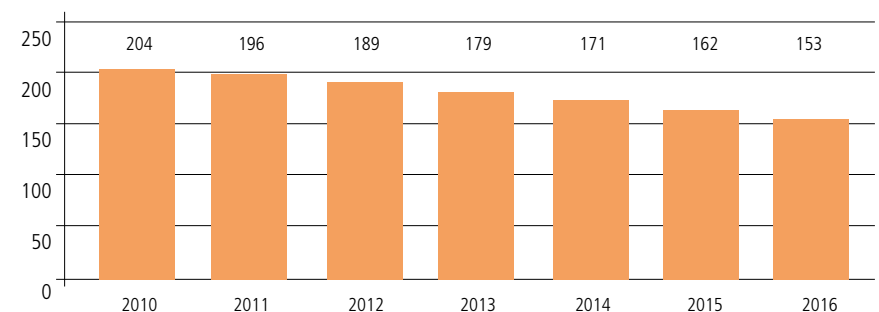
- On the one hand, the number of parcels per capita increased from 8 in 2010 to 15 in 2016. This market which, indeed, includes relatively heterogeneous segments (B2B, B2C and C2X¹¹), is characterised by a higher degree of competition: apart from bpost, numerous main operators are active, such as UPS, DHL, DPD, FedEx, GLS, TNT and PostNL;
- On the other hand, we see once again a volume decrease in the letter post market due to the switch to other forms of electronic mail. Expressed in number of letters per inhabitant on an annual basis, we see a drop from 204 items in 2010 to 153 in 2016. bpost remains the main player in this market segment, with a dominant share in volumes and turnover, leaving a much smaller share to the only postal operator holding a licence in the Belgian market, i.e. TBC-post.

Despite the downwards trend of the volume in the letter post market, it should be noted that the sector resists relatively well to these volume drops by developing innovative services and by responding to users' specific needs, for instance regarding parcel deliveries generated by the e-commerce. As a result, the global turnover of the postal sector climbed from €2.22 billion in 2010 to €2.5 billion in 2016.

EVOLUTION OF LETTER POST AND PARCEL VOLUMES

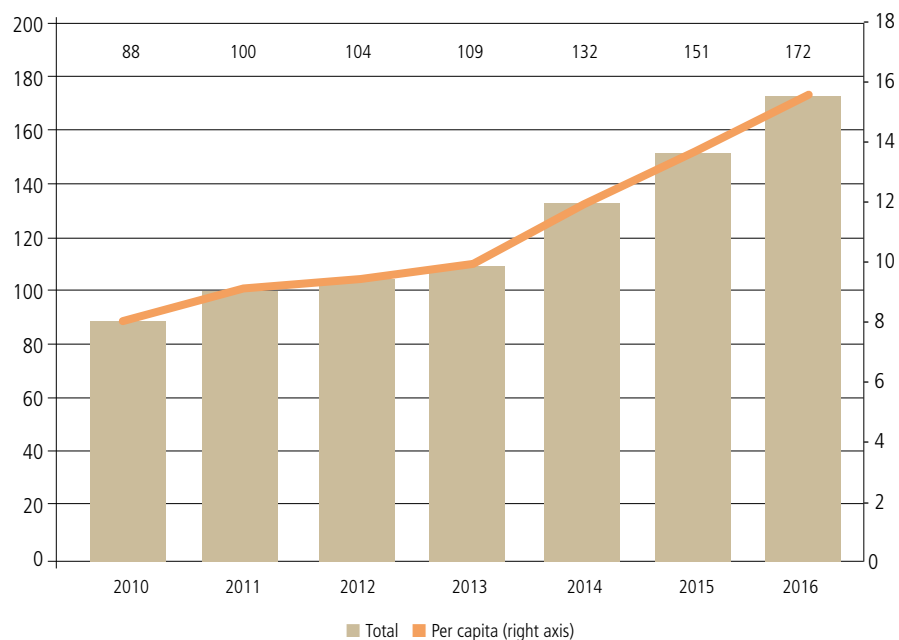
Between 2010 and 2016, the letter post volume fell by 25 %. In 2016, we still count 153 mail items per inhabitant.

Evolution of letter post volume per capita per year (source: BIPT)



¹¹ C2X = C2C (Consumer to Consumer) + C2B (Consumer to Business). An example of a C2B item is a returned parcel following an online order.

Evolution of express services and parcel volumes in total (in million units) and per capita (in units) per year (source: BIPT)

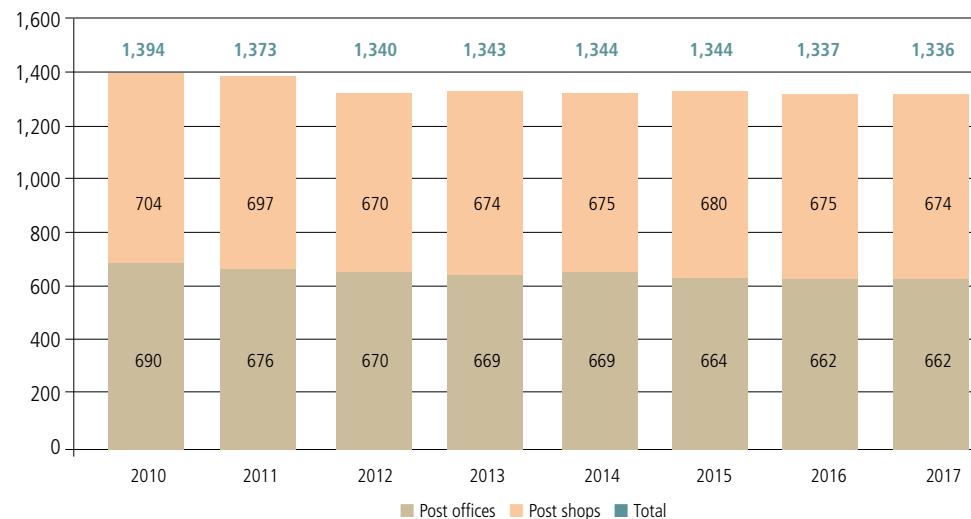


Per inhabitant, the volume of parcels delivered per year increased in 2016 to reach 15 items. On average per capita, more than one parcel is sent or more than one express service is used each month.

ACCESSIBILITY OF THE POSTAL SERVICES

By the end of 2017, a total of 1,336 bpost branches (post offices or postal points) spread all over the territory provided postal services. The total number of service points of the universal service provider has slightly decreased since 2010 but it still meets the conditions set by the postal legislation and the 6th management contract concluded between bpost and the Belgian State. bpost's network further includes service points without staff (13,010 red post-boxes, as well as 152 "Cubees" (parcel lockers)) spread all over Belgium.

Evolution of the total number of bpost's service points



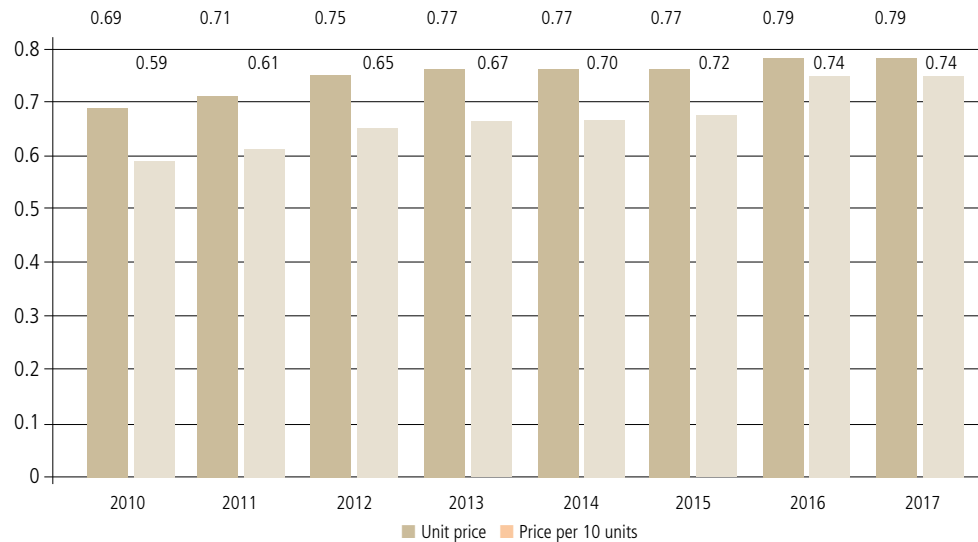
The alternative operators also provide a wide network of access points, with a cumulative total of 6,690 points. Since late 2017, the location of all the access points of all postal operators (with information on the operating hours, clearance hours, accessibility, etc.) is easily accessible via BIPT's website or via www.postalpoint.be.

PRICE OF THE STANDARD DOMESTIC LETTER

In 2017, sending a letter in Belgium cost €0.79 (€0.74 per piece when purchasing 10 stamps). The unit price has not changed since 2016 as bpost's request regarding the tariffs for the small users basket in 2017 was turned down by BIPT.

Since 2010, the unit price of a standard domestic letter has increased by 14.5 %, while the price for 10 units has increased by 25 %.

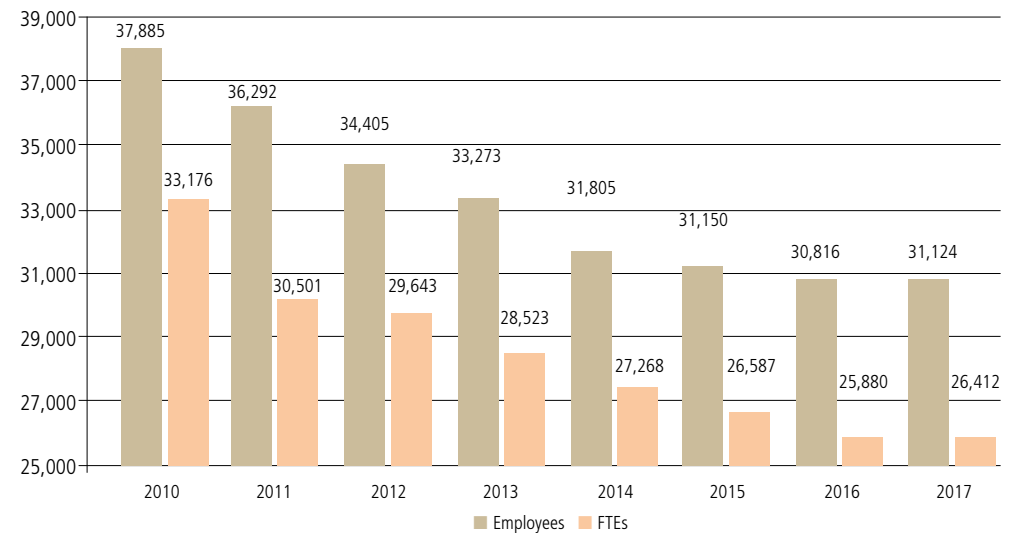
Evolution of the price of the standard domestic letter (EUR) (source: bpost)



EMPLOYMENT

In 2017, the postal sector employed 31,124 people directly. This is the first increase in employment in the postal sector (+1 %) since 2010. However, between 2010 and 2017, the number of postal sector workers decreased by 17.8 %. This decrease is particularly striking when expressed in full-time equivalents (FTEs): -20.4 % compared to 2010. Nevertheless, the number of FTEs also increased (+2.1 %) in 2017 compared to the previous year.

Staff evolution (each 30 June) in the postal sector (source: NSSO)



QUALITY

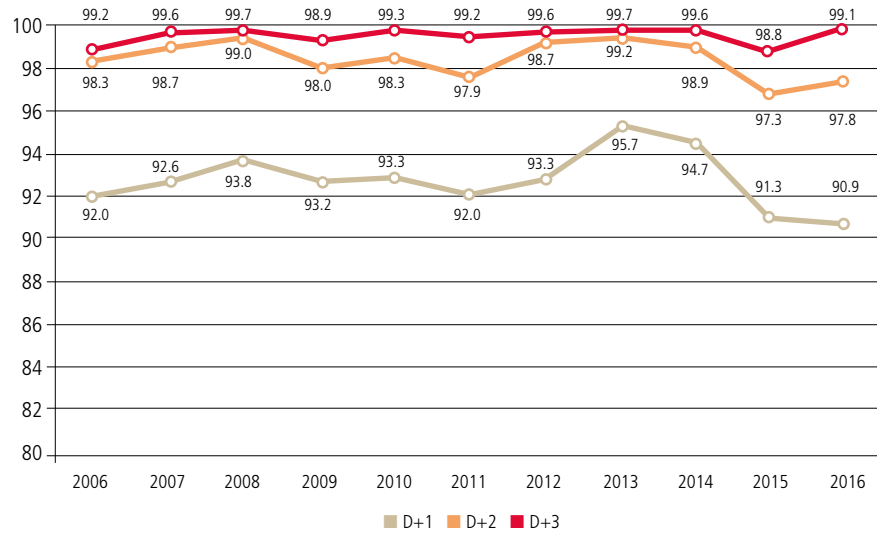
In early 2017, BIPT published the results¹² of its three-year study on the postal users' needs. They give an overall picture of the consumers' point of view concerning the universal postal service in Belgium. Users were generally satisfied of the current postal network, as they wish it to be dense and well located, but are less satisfied concerning the service provided in the post offices. According to them, the universal service provider should improve its service efficiency.

¹² Communication of 7 February 2017 on the qualitative survey of consumer perceptions within the Belgian postal market and Communication of 13 February 2017 on an overall analysis about postal needs in Belgium.

DELIVERY TIMES

Delivery times are measured via the BELEX assessment system, by having a selection of senders send test letters. These test letters are representative of the actual mail flows of bpost. They allow to calculate the number of letters delivered in time, in other words only one day after the posting of the letter before the time of the last collection.

Percentage of bpost's Prior single piece mail delivered in time (between 2006 and 2016)



The quality of this product has reached its lowest level over the last eleven years. This is thus the second time in a row bpost finds itself under the quality standard, which increased from 90 % to 93 % in 2014.

As in 2016, BIPT found that such a decrease in service quality can compromise the regularity and reliability of the service. As a consequence, the need to impose a new remedy in the form of a mandatory investment to improve quality was considered by the end of 2017.



2

REPORT ON THE ACTIVITIES IN 2017

The operational plan implements the strategic plan, and the annual report gives an account of this implementation. Readers will find a synoptic table summarising the actions undertaken within the framework of the 2017 operational plan in Annex A, page 48.

In this section, the reader will find the activities development in a nutshell.

The 2017-2019 strategic plan considered four strategic axes, the first being competition. The purpose of the actions below is, on the one hand, to help improve sustainable competition and investments, and, on the other hand, to foster innovation.

PROMOTING SUSTAINABLE COMPETITION AND INVESTMENTS

2.1. MONITORING OF THE ELECTRONIC COMMUNICATIONS MARKET

BIPT publishes on its website¹³ a report concerning the indicators allowing it to monitor the electronic communications market. This information has been used for the statistics in this report and within the framework of decisions, concerning among others the market analyses.

2.2. PUBLICATION OF A 2016 POSTAL OBSERVATORY

The purpose of the indicators examined¹⁴ is to represent the market structure so that all postal sector stakeholders (senders, recipients, operators, various intermediate players, etc.) can grasp the postal market as a whole. 26 operators were consulted (versus 22 in the previous edition). The trends announced in previous years in the Belgian postal market were confirmed. While the segment of press delivery slightly shrank in terms of volume, but not in terms of turnover, and while the letter post continued to decline, the parcels and express segment continued to thrive.

2.3. MODERNISATION OF THE SECONDARY POSTAL REGULATION

In conjunction with the modernisation of the postal Act (see page 43), BIPT analysed the main texts of the secondary regulation in order to ensure the consistency with the new version of the postal Act, to adapt its content to the change in practices in the supply of postal products and services, and to bring a total transparency concerning the obligations imposed upon postal service providers, licence holders and the universal postal service provider.

¹³ <http://www.bipt.be/en/operators/telecommunication/statistics>

¹⁴ <http://www.bipt.be/en/operators/postal/observatorium>



2.4. MOBILE TERMINATION MARKET

BIPT's decision of 29 June 2010, annulled by the Brussels Court of Appeal in September 2014, was the subject of a renewal decision, adopted on 6 May 2015. After a long consultation and notification process, BIPT adopted a new decision on 26 May 2017: BIPT analysed the call termination market on various individual mobile networks. 8 mobile operators (Join Experience, Lycamobile, Orange Belgium, Proximus, Telenet, Telenet Group, Vectone Mobile and Voxbone) have been designated as having SMP in their respective networks. Based on an updated cost model, BIPT imposed upon mobile telephony operators a maximum terminating tariff of €0.99 cent/minute (which represents a 16 % decrease in the mobile termination rates compared to the previous imposed tariff (€1.18 cent/minute). Among the other imposed measures, there is transparency, non-discrimination and interconnection between the operators. The decision entered into force on 1 July 2017.

2.5. FIXED TERMINATION MARKET

The previous market analysis of the wholesale call termination market on individual fixed network was made on 2 March 2012 and was to be renewed. On 25 August 2016, BIPT adopted a decision setting, on the basis of a cost model based on the purely incremental costs, the wholesale tariffs for the provision of fixed termination services, but a judgement of the Brussels Court of Appeal of 15 March 2017 annulled it. On 28 December 2017, BIPT launched a consultation on a new draft decision replacing the former decision of 2012, drastically reducing the powers of BIPT in terms of ex ante tariff control.

2.6. ACCESS AND CALL ORIGATION ON FIXED TELEPHONY

On 27 December 2017, BIPT published its draft decision on the retail market of access to the public telephone network at a fixed location and on the wholesale market of call origination on the public telephone network provided at a fixed location. It proposes a deregulation of both markets. In so doing, it follows the approach of the European Commission, which did not include these markets anymore in the latest edition of its list of relevant markets (2014 Recommendation).

The text, available for consultation until the end of February 2018, is a review of the analyses and conclusions in the decisions following the decision of 31 January 2013 on the retail market of access to the public telephone network at a fixed location, on the one hand, and the decision of 11 August 2006 on call origination on the public telephone network provided at a fixed location, on the other hand.

2.7. MARKET ANALYSIS ON THE WHOLESALE ACCESS TO BROADBAND AND BROADCASTING NETWORKS

On 7 July 2017, BIPT, the Conseil Supérieur de l'Audiodivisuel, the Medienrat and the Vlaamse Regulator voor de Media each published their draft decision following the market analyses of broadband Internet and broadcasting. The analyses carried out by the different regulators showed the presence of competition shortcomings in the retail markets of broadband Internet and television broadcasting. As a consequence, the draft decisions maintain the regulation imposed on Proximus and the cable operators Brutélé, Nethys and Telenet, which is however detailed on the basis of the experience gained with the 2011 CRC market analysis. Concerning the cable operators, a new measure requires them to give access to their broadband services regardless of the access to their broadcasting services. Concerning Proximus, the document examines whether, and to what extent, the access obligations previously applicable to the copper network should be extended or not to the optical fibre network, and, for access to this fibre, various options are considered. Finally, the document includes regulatory amendment proposals aiming at improving the competition environment of broadband services for businesses.

2.8. UPDATE OF THE CABLE OPERATORS' REFERENCE OFFERS CONCERNING MODEM COMPATIBILITY

This project could not be pursued, due to the activities carried out in order to finalise the above-mentioned draft decision.

2.9. SETTING THE ONE-TIME FEES

The One-Time Fees, these once-only payments due by alternative operators for work done by Proximus on its network within the framework of the reference offers BRUO, BROBA and WBA VDSL2, were based on different cost models, and were determined by various decisions of BIPT. The project was split into two branches: the first one devoted to technical data and the second one devoted to accounting and financial data. Concerning the first part, the consultant selected after a call for tenders published by the end of August 2016 needed more time than expected to complete its analyses. BIPT received its report in the course of September 2017. Concerning the second part of the project, the consultant (different from the first one) is expected to hand over its report in early 2018.



2.10. DEVELOPMENT OF A PRICE SQUEEZE DEMONSTRATION TOOL

On 11 July 2007, BIPT adopted the guidelines for the evaluation of price squeeze. They were then used several times in analyses and decisions. Given the developments in the matter over the past years, the adoption of new recommendations by the European Commission and the need to create a practical instrument to assess price squeezes, BIPT published new guidelines as well as a new decision. The guidelines were the subject of the communication of 26 December 2017 which provides BIPT with an adapted and updated margin squeeze test. The corresponding decision of 26 December 2017 repeals the previous decision of July 2007.

SPURRING INNOVATION

2.11. REPORT ON THE MONITORING IN BELGIUM OF THE NET NEUTRALITY REGULATION

On 9 June 2017, BIPT communicated its draft annual report on the monitoring of net neutrality in Belgium (for the period from 30 April 2016 to 30 April 2017) to the CSA, the VRM and the Medienrat. As net neutrality also concerns content issues, BIPT chose to fulfil its monitoring task in cooperation with the audiovisual media regulators.

In that first report, published on its website on 29 June 2017, BIPT wished to highlight the measures already taken in Belgium in order to preserve an open access to Internet. BIPT believes there is currently no serious reason for concern. This opinion is increased by the fact that Internet volumes included in the ISPs' offers are constantly growing, in response to the evolution of the increasing traffic data. However, the past period was clearly a first in terms of execution and monitoring based on the Regulation 2015/2120. In the future, other findings may be identified.

2.12. ANALYSIS OF BARRIERS TO E-COMMERCE DEVELOPMENT AND TRANSPARENCY OF THE POSTAL PARCEL TARIFFS

On 13 June 2017, BIPT published a study on the Belgian market for parcel delivery in the context of e-commerce activities. This scanning held seven recommendations, some of which falling outside of BIPT's area of competence. On 5, 21 and 22 September 2017, BIPT organised three workshops to collect the reactions of the parties primarily concerned by the results and recommendations of the study. Following these workshops and subsequent discussions, BIPT adopted, in early January 2018, a document pointing out avenues for reflection concerning the possible measures to implement the recommendations. This opinion was published on the website on 18 January 2018.

The second strategic axis concerns users. BIPT wants to provide them with transparent information and to promote social inclusion. At the same time, BIPT aims at ensuring a reliable environment.

CONTRIBUTING TO PROVIDING TRANSPARENT INFORMATION TO CONSUMERS AND PROMOTING SOCIAL INCLUSION

2.13. INFORMATION ON THE EASIER SWITCH OF FIXED OPERATOR OR BUNDLE

The "Easy Switch" Royal Decree¹⁵ came into force on 1 July 2017. It has simplified the switch of fixed operator or service bundles and has introduced the obligation to ensure, during such a migration, a synchronisation between the former and new services in order to prevent problems such as double billing and service interruptions. These principles were communicated to the general public so that the benefits of this predictable, synchronised and simple process can contribute to a more dynamic market. BIPT and the operators have added information to their websites. The publication of various press articles is an addition to the efforts to increase awareness of Easy Switch.

2.14. INTERNATIONAL PRICE COMPARISON OF THE ELECTRONIC COMMUNICATIONS SERVICES IN THE RESIDENTIAL MARKET

It has been decided to conduct the international residential price comparison study every two years only, just as the non-residential price comparison study.

2.15. INTERNATIONAL PRICE COMPARISON OF THE ELECTRONIC COMMUNICATIONS SERVICES IN THE NON-RESIDENTIAL MARKET

In early August 2017, BIPT published for the fourth time since 2014 a study comparing the price of electronic communication products for small companies¹⁶ in Belgium and in the neighbouring countries (France, Germany, the Netherlands and the United Kingdom). The study compared the price of fixed and mobile telephony and of fixed and mobile Internet for eight company profiles representative of the electronic communications usage of companies in Belgium. For companies with a high consumption of fixed telephony, the situation significantly improved due to the introduction of a call pack and increased cost in the Netherlands. The price of fixed Internet did not change much and, such as last year, Belgium is at the penultimate place in this ranking. The total cost of mobile telephony (including the cost for data traffic on smartphones) decreased in Belgium.

¹⁵ Royal Decree of 6 September 2016 on the migration of fixed line services and bundles in the electronic communications sector.

¹⁶ This concerns the individual companies and the companies with maximum 50 electronic communications users.



2.16. NATIONAL PRICE COMPARISON OF ELECTRONIC COMMUNICATIONS SERVICES

Since 2013, BIPT has published annually national price comparisons of the average monthly cost of a certain number of electronic communications services based on predefined standard consumption profiles. During 2017, BIPT worked on the harmonisation of the profiles used, by ensuring their consistency with the reality of the Belgian residential telecommunications market and with the neighbouring countries. As a result, in order to reflect changes in the telecommunications market and in the consumers' needs in recent years, the number of profiles for separate services has been reduced, contrary to the number of "packs" profiles. BIPT launched a consultation in early January concerning these modifications.

2.17. ONLINE OVERVIEW OF THE POSTAL POINTS

On 21 December 2017, BIPT published the cartography of the location data of the postal points of all postal operators active in Belgium. Among the main obstacles to the further growth of e-commerce, KPMG's study published by BIPT in June 2017 (see point 2.12 above) pointed out a lack of transparency regarding the offer. Indeed, each postal sector company has published an overview of its own points on its website, without any general overview of the market. BIPT wanted to remedy this shortcoming and provide this overview to the public. On the website www.postalpoint.be, you can look for a postal point via the search engine based on geolocation or a postal code, the name of the municipality or a street name. In 2018, the tool will be further developed and data will be continuously updated, by the operators directly.

2.18. TARIFF SIMULATOR OF ELECTRONIC COMMUNICATIONS SERVICES

This online tool allows consumers to compare the price of different electronic communications services and operators in order to find the offer that best suits their consumption. Including in its four modules (fixed, mobile, Internet and bundles) about 400 active tariff plans, the simulator has been kept up-to-date by the consultant who developed it. In June 2017, after the European call for tenders by the end of 2016, the market was awarded for the continuation of the project. The year 2017 was devoted to a feasibility analysis regarding a further automation of the simulator to enhance its ease of use. In order to deliver results accurately corresponding to the users' consumption, it is necessary that they provide numerous data to the simulator. Automating this process would simplify the task of consumers.

2.19. QUALITY BAROMETER OF THE ELECTRONIC COMMUNICATIONS SERVICES

Online since late 2016, it gathers eight indicators relating to the operators' operational service efficiency. The publication of the results must improve transparency and empower consumers to make better-informed choices. This measure also encourages operators to take measures to further improve their quality of service over time. BIPT updated this barometer in June and October 2017.

2.20. MONITORING THE OBSERVANCE OF ARTICLES 122 AND 123 OF THE ECA

In 2014, BIPT assessed the operators' compliance with Articles 122 and 123 of the ECA regarding the processing of location and traffic data. BIPT had published a report¹⁷ and, one year after, drew the attention of several operators on certain non-conformities regarding both provisions. The issues concerned information provision to consumers and the need for prior authorisation when processing location and traffic data for marketing purposes. Since then, the focus on location and traffic data having increased, a new monitoring of the compliance with the obligations provided in Articles 122 and 123 of the ECA became necessary. In 2017, the operators' terms and conditions were reviewed and analysed; the publication of the report has been postponed to 2018.

2.21. SURVEY ON THE PERCEPTION OF THE FUNCTIONING OF THE ELECTRONIC COMMUNICATIONS MARKET

The annual survey published on 31 August 2017 on BIPT's website showed that users (mainly those who chose bundles and the mobile services consumers) were rather satisfied with the service and prices. The developments in the use of telecommunications services continued: the use of mobile Internet increased and the applications allowing to use message and telephony services over the Internet strongly increased. Comparing prices and services was deemed difficult. However, for the respondents who knew the tariff simulator, the automatic data retrieval project should alleviate this difficulty. Among the consumers, 58 % reported that there has been no problem with their operators over the last three years.

Since 2012, a third party has been carrying out these studies in behalf of BIPT. In 2017, following a call for tenders, a new consultant was appointed for carrying out the studies from 2018 to 2020.

¹⁷ Communication by the BIPT Council of 16 December 2014 regarding the monitoring of compliance with Articles 122 and 123 of the ECA.

2.22. MONITORING THE OBSERVANCE OF THE POSTAL REGULATORY FRAMEWORK

Each year, BIPT must accomplish the following duties: monitoring bpost's compliance with the delivery times, certifying the analytical accounts of bpost, monitoring the observance of their obligations by holders of a licence allowing the delivery of items of correspondence (TBC-Post) and drafting a report on the observance of their obligations by postal service providers. bpost published its results regarding the observance of the delivery times in 2016 and the necessary data for the certification of the 2016 analytical accounts within the deadline set by the 2017 operational plan. The analysis of the results regarding the observance of the 2016 delivery times started in the third quarter 2017 and will continue in 2018. On 29 January 2018, BIPT adopted the decision on the declaration of conformity of bpost's costs accounting system for the year 2015. By means of a communication of 20 December 2017, BIPT stated that in the absence of specific complaints of the Ombudsman or of private individuals, there was no monitoring action of the postal services providers in 2017.

2.23. SATISFACTION SURVEY OF BPOST'S CUSTOMERS AND REVIEW OF THE SURVEY

Each year, bpost conducts a satisfaction survey among its customers, under BIPT's supervision, and drafts an action plan regarding the points for potential improvement. In 2017, BIPT finalised its draft opinion on the 2016 satisfaction survey; it will be published in the course of 2018.

In 2006, 2009 and 2013, BIPT monitored bpost's system organising the measurement of its customers' satisfaction. On 14 April 2017, BIPT published a call for tenders to select and designate a candidate responsible for monitoring bpost's satisfaction survey of its customers. The market was awarded according to the planning provided by the 2017 operational plan, but the provision of the report by the consultant has been delayed. As a consequence, BIPT's communication will be published in the course of 2018.

2.24. IMPROVEMENT OF THE PROVISION OF SUBSCRIBER DATA TO PROVIDERS OF DIRECTORY ENQUIRY SERVICES AND DIRECTORIES

On 18 February 2009, BIPT issued an opinion on subscriber data in response to numerous questions concerning the information the telephone services providers were obliged to give to publishers of directories and to providers of directory enquiry services, and concerning the conditions for communicating this information. Since then, the universal service obligation regarding inquiry services and directories was lifted by the Royal Decree of 15 December 2013 and BIPT reviews each year if this lifting had a significant impact on the level of protection afforded to end-users within the framework of universal service. In this context, BIPT clarified its position in a document of 11 September 2017, describing the necessary subscriber data, detailing the tariff conditions for data transmission and defining the data suitable for use.

2.25. PRICE MONITORING OF PRODUCTS BELONGING TO THE UNIVERSAL POSTAL SERVICE

Via its decision of 21 March 2017 regarding the analysis of bpost's tariff proposal for full rates per piece for the year 2017, BIPT rejected the operator's tariff increase for the small users basket¹⁸, as these tariffs did not comply with the legal obligation of cost orientation. A detailed analysis showed that the proposed tariff increase could lead to tariffs well above the costs, in addition to a reasonable profit, which is contrary to the European and Belgian postal legal framework for the universal postal services. In 2017, bpost did not submit a tariff increase proposal to BIPT for 2018; a proposal was only submitted in March 2018, i.e. under the new postal Act (of 26 January 2018).

2.26. IMPACT STUDY ON CONSUMER PROTECTION RULES

BIPT contracted with a consultant to conduct a study in order to verify if the rules aiming at protecting the consumer included in the legislation in the broad sense are in tune with the problems encountered, and if their impact on the stakeholders is proportionate. The relevance, efficiency, effectiveness and consistency of the legislative and regulatory provisions in question were studied. The analysis showed that, over the last years, serious improvements were made in several domains concerning the protection of consumers in the telecommunications sector. The study also highlighted the usefulness of the quality barometers developed by BIPT, and of the Atlas project (provision of fixed and mobile coverage maps), which encouraged the operators to pay more attention to certain aspects of the quality of the provided services. The recommendations include the importance of anticipating developments of the European framework, a review of the Code of Ethics to avoid redundancies with the general provisions regarding the protection of consumers and the rationalisation of their monitoring. It is also recommended to analyse the use of BIPT's tariff simulator or of the Easy Switch procedure via BIPT's annual survey, in order to collect additional information. This report was published on BIPT's website on 10 August 2017.

ENSURING A RELIABLE ENVIRONMENT

2.27. IMPROVING TRANSPARENCY IN TERMS OF MOBILE NETWORKS QUALITY

Coverage, at the basis of the Atlas project, informs users on the availability of a mobile network. However, it does not give information on the signal reception quality at the different locations where they will want to use their mobile connection (mobile telephony or Internet). This is why BIPT has set itself the objective of measuring

¹⁸ This comprises a set of postal services that are representative of the products used by private persons and small businesses: priority and non-priority domestic items, outgoing priority and non-priority cross-border mail, outgoing cross-border and domestic postal parcels, outgoing cross-border and domestic registered items and insured items.



and publishing the qualitative characteristics of mobile networks in a manner that is the closest to the users' experience. In 2017, BIPT selected a consultant to develop an application allowing users to transmit their findings in real usage conditions.

BIPT also took measures in 2017 specifically concerning indoor coverage. An indoor system or DAS¹⁹ is a passive network of antennas installed inside a building that are connected via cables to a central hub. It must be equipped to service the different usual frequency bands (700/800/900/1 500/1 800/2 100/2 500/2 600 MHz) for 2G/3G/4G and thus allow full competition between service providers. In the future, these indoor systems will have to be adapted to 5G. On 15 September 2017, BIPT adopted a communication concerning the minimum technical specifications for indoor antenna systems. These specifications were set in consultation with the mobile operators, Beltug, Agoria, the organisation of engineering and consultancy agencies, and the building confederation. BIPT also developed an online module allowing candidates builders to send a connectivity request of a multi-operators DAS to a point of contact.

2.28. CRITICAL INFRASTRUCTURES

The Royal Decree of 14 June 2014 complements the Act of 1 July 2011 on the security and protection of critical infrastructures. It designates BIPT, for the electronic communications sector, as the inspection service responsible for monitoring the implementation of the provisions of the Act of 1 July 2011. The inspection process was initiated in 2017. In this context, the security plans of the electronic communications operators who own infrastructures designated as critical were received by BIPT. The Institute then carried out a critical analysis of these security plans. The observations were communicated to the operators with, when required, requests for further clarification.

2.29. OPTIMISING THE REACTION PROCESS IN THE EVENT OF A CRISIS

The sectoral crisis plan was drafted in 2015. Since then, it has been continuously updated in order to improve the procedures that are helpful in the event of a crisis. The redundancy of communication circuits was also improved (use of Astrid as a back-up of traditional mobile networks). Furthermore, over the course of 2017, BIPT carried out tests to assess the operators' reaction procedures. Exercises involving the sector and the duty service organised by BIPT were also organised.

2.30. ENHANCING THE QUALITY OF MOBILE NETWORKS COVERAGE AT BORDERS

Given the lack of sufficient human resources to complete this project, it could not be carried out in 2017. It is now included in the 2018 operational plan.

¹⁹ Distributed Antenna System.

The third axis is dedicated to scarce resources and their optimal management. Radio frequencies and numbering space determine the deployment of technologies and services. In this context, regulation must serve as a facilitator and structure markets.

2.31. PREPARATION OF THE AUCTION OF THE 700 MHz BAND

The framework for the auction of the 700 MHz band and the 2G and 3G frequency bands has not been laid down by the government in 2017 yet (see point 2.35).

2.32. ADAPTATION OF THE NUMBERING PLAN TO THE LONG-TERM EVOLUTIONS IN THE MARKET

The numbering plans must be continuously reviewed and adapted to foster innovation in the electronic communications market. On 31 January 2017, BIPT launched a consultation regarding the numbering aspects of eCall services²⁰. The purpose of this public consultation was to establish the right conditions for the successful and consistent deployment of this service in the Belgian market via the most appropriate numbering resources. The respondents' reactions and their analysis by BIPT were gathered in a summary on 20 June 2017. On this basis, BIPT prepared a draft decision in order to amend the M2M decision²¹ regarding numbering to allow the use of the 077 series for eCall and the "Connected Car" applications, as well as a draft Ministerial Order authorising the extraterritorial use of E.212 and E.164 numbering resources for eCall, the M2M applications and the "Connected Car" applications. As a direct consequence, a circular letter of 6 October 2017 was adopted by the minister responsible for telecommunications. Finally, BIPT's decision of 10 January 2018 lays down the numbering plan regarding IoT²² and eCall communications.

Concerning the emergency services in 2017, BIPT continuously examined, as in previous years, the interferences, faulty routings and other incidents notified or observed in the field of electronic communications concerning emergency services, and did so to implement a remedy when necessary. In 2017, BIPT particularly provided its technical expertise within the framework of the introduction of the European eCall system in Belgium. Furthermore, BIPT was involved in the discussions between the emergency services, the mobile operators and the

²⁰ eCall is a European initiative included in the Directive "Intelligent transport systems". Each vehicle is equipped with an automatic safety system (via sensors, among other things) alerting the emergency services in the event of an accident. As soon as the sensors detect a collision, the system automatically calls the emergency number 112, certain data are sent and a voice channel is opened with a public safety answering point. A person inside the vehicle in distress can also establish a manual connection with such an answering point by using a special button. All new car models will have to be equipped with the eCall technology as of 31 March 2018 pursuant to Regulation (EU) 2015/758 of the European Parliament and of the Council of 29 April 2015.

²¹ M2M : Machine to Machine.

²² IoT (or "Internet of Things") means a communication service involving the automatic transfer of data between the equipments or applications, either with little or no human interaction, or within the framework of a voice communication between a limited and previously determined set of connections.

manufacturers concerning the introduction of the Advanced Mobile Location (AML). The AML is an application used on mobile phones allowing to improve the location of mobile emergency calls. The emergency services providing on-site assistance can then respond more quickly. Since 1 July 2017, the AML is used in Belgium on mobile phones with the Android operating system. In 2018, other manufacturers will allow the installation of the AML in their mobile devices.

2.33. PUBLICATION OF A COMMUNICATION ON THE INTRODUCTION OF 5G

According to the 5G action plan of the European Commission, the 3.4-3.8 GHz band will be the pioneer band for the introduction of 5G in Europe. Belgium must be prepared. For BIPT, a consultation on the main candidate bands for the early introduction of 5G is necessary. However, it is impossible to launch it prior to knowing the framework for the auction of the 700 MHz band and the auction for the 2G and 3G frequency bands. BIPT plans to assign the user rights for the whole 3.4-3.8 GHz frequency band as soon as possible via an open, transparent and non-discriminatory granting procedure.

By the end of December 2017, BIPT launched a consultation on wireless microphones and other PMSE equipment²³ used in the 470-862 MHz band for a usage as of 1 January 2020. The 694-790 MHz band will be made available for 5G and will not be available anymore for wireless microphones. A possible auction for this band could take place in early 2019. BIPT currently assumes that this band will not be available anymore by the end of 2019 for wireless microphones. BIPT wished to anticipate the future abandon of the 700 MHz band: an information address for all the PMSE users seemed very timely and necessary.

2.34. REFARMING OF THE AERONAUTICAL BANDS IN 8.33 KHZ

The frequency band between 108 and 137 MHz is reserved for aviation for short and medium distance communications between pilots and the staff of ground stations. Article 4.5 of the European regulation 1079/2012 imposed 8.33 kHz channel spacing instead of the current 25 kHz. This reduced spacing allows to create new frequency assignments in the band from 117.975 MHz to 137 MHz. The full migration towards 8.33 kHz should be completed by 1 January 2019. Over the course of 2017, BIPT and the Directorate General of Air Transport (of the FPS Mobility and Transport) closely cooperated to ensure the aeronautical safety. The users of these bands were warned concerning the migration and the need to check their data and, if necessary, to request a new licence. The granting of new authorisations could also start.

²³ "Program Making and Special Events" refers to different technical equipments, generally wireless microphones or stage monitors. These equipments can be used for productions of cultural content for television, theatres and operas, the coverage of media or sporting events, etc.

2.35. PREPARATION OF THE AUCTION OF THE 2G AND 3G FREQUENCY BANDS

BIPT worked on the draft bill amending Article 30 of the ECA, the draft Royal Decree on radio access in the 900 MHz, 1,800 MHz and 2 GHz frequency bands, and on the draft Royal Decrees on radio access in the 700 MHz, 1,400 MHz and 3,600 MHz frequency bands.

The 2G and 3G licences of Proximus, Orange Belgium and Telenet Group are valid until 15 March 2021. From then on, the 2G (900 MHz and 1,800 MHz) and 3G (2 GHz) frequency bands will not be granted anymore. It is therefore urgent to work on a granting procedure. The user rights for the 5G bands in 700 MHz and 3,600 MHz must also be granted. In 2017, a public consultation was organised at the request of the minister responsible for telecommunications. This should lead to a multi-band auction which could be organised in 2019.



The fourth and final strategic axis concerns the functioning of BIPT. The objectives are to ensure an accessible environment by communicating in a transparent and accessible manner with all the stakeholders and to be an attractive employer in order to develop the talents that are already present and to attract new ones.

ENSURING AN ACCESSIBLE FUNCTIONING

2.36. EFFICIENT COMMUNICATION WITH ALL STAKEHOLDERS

The Communication Department of BIPT endeavoured to ensure a good communication concerning the Institute's activity with stakeholders via the strategic plan, the operational plan, the annual report and the publication of press releases. It also processed the 1,500 incoming e-mails, quickly and efficiently.

2.37. MODERNISING BIPT'S WEBSITE

Over the course of 2017, the Communication Department continued the work begun in 2016 to accurately frame the modifications to bring, given the European obligations, the good practices, the standards applied by the federal administration and while taking account of the needs expressed by certain users. This considerable work allowed to establish a list of requirements which were presented to Smals, the non-profit IT organisation common to the Belgian public organisations. In return, a service proposal meeting the expressed requirements was received. The works started early 2018 and the online publication is scheduled for the end of the year.

2.38. MARITIME DEPARTMENT AND AERONAUTICAL DEPARTMENT

This project has been postponed (see point 2.39).

2.39. RADIO AMATEURS DEPARTMENT

Amateur radio is a lively hobby in Belgium, representing several recognised associations and thousands of enthusiasts. BIPT grants, among other things, the transmission licences as well as the certificates of competency. In order to improve the quality of its service, BIPT decided to modernise and simplify its operational processes and to integrate them into a new computer program. In 2017, the management of the services to radio amateurs by means of this new tool started. In view of the corrections to the software, it has been decided not to immediately transfer the processes of the Maritime and Aeronautical Departments.

2.40. PARTICIPATION IN THE NATIONAL AND INTERNATIONAL CONSULTATIVE BODIES

For a descriptive account of the activities in this field, readers are invited to consult pages 40 and following presenting the activities of the International Relations Department of BIPT.

BEING AN ATTRACTIVE EMPLOYER

2.41. INTERNAL OPERATIONAL PLAN

BIPT endeavours to be an effective and efficient organisation, and to remain an attractive employer. An internal operational plan is drafted based on projects aiming at improving the functioning. Such as the annual operational plan, each project is handled in a card describing the objective(s) being pursued and mentioning performance indicators. The BIPT Council quarterly reviews the results obtained.





3

REPORT ON THE ACTIVITIES OF THE OPERATIONAL SERVICES

3.1. ELECTROMAGNETIC SPECTRUM MANAGEMENT, LICENCES AND FREQUENCIES

The management and the monitoring of the radio spectrum fall within the brief of BIPT. BIPT then assigns and grants frequencies to “radio users”, whether via licences for the use of private radio communications or user rights for public radio communications (i.e. for operators).



The granting of licences for the use of private radio communications is divided into three ranges of activities relating to the authorisation of stations and networks, the certificates to use certain stations and the qualifying examinations to use certain stations.

3.1.1. Frequency management

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 Assignments Department in 2017 are the following:

Number of files dealt with for mobile services (HCM Agreement)	2017
Number of coordinations	
Coordinations asked by Belgium	163
Incoming coordinations asked by France	98
Incoming coordinations asked by the Netherlands	39
Incoming coordinations asked by Germany	18
Incoming coordinations asked by Luxembourg	0
Incoming coordinations asked by the United Kingdom	31
Total	349

BIPT is not responsible for the frequency planning of broadcasting stations, but its Frequency Management Cell processes the daily coordination requests 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 agreement²⁴ (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.

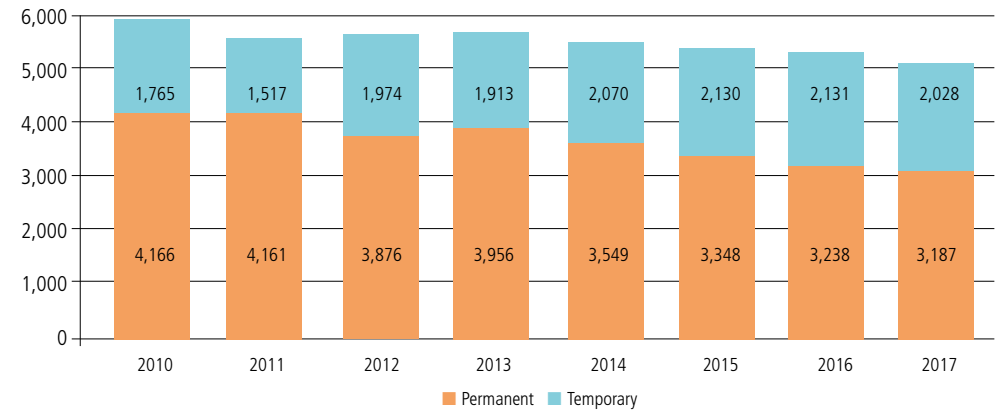
3.1.2. Licences for private radio communications networks and individual stations

The following table includes the total number of licences granted on 31 December 2017 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 under the Royal Decree of 16 April 1998 concerning ground satellite stations.

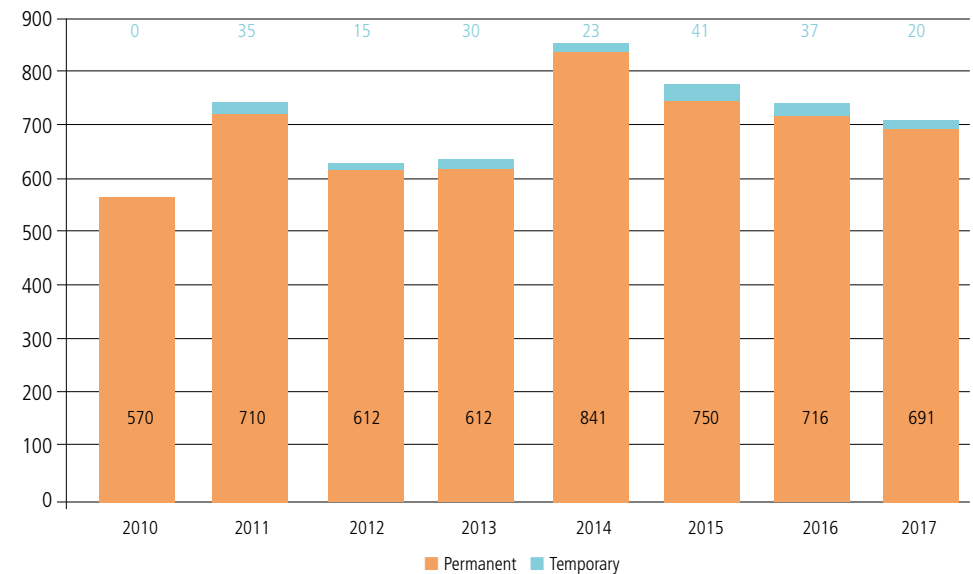
Number of licences for private radio communications networks and individual stations			
		Permanent	Temporary
1 st category	Private mobile networks	3,187	2,028
2 nd category	Fixed networks (radio-relay links)	383	12
3 rd category	Mobile radio communications networks established by public bodies for medical and social aid	691	20
4 th category	Jammers installed in prison establishments	2	0
5 th category	Radio amateurs	6,537	0
6 th category	Other radio communications networks (radars, demonstrations, tests...)	51	19
7 th A category	General holder's licences	355	0
7 th B category	Individual holder's licences	57	0
8 th A category	Fixed networks established by operators	17	0
8 th B category	Trunk networks	16	0
Satellites	Satellite networks	39	93

The figures below show the evolution of the number of professional licences of the 1st and 3rd categories.

Licences of the first category



Licences of the third category



Two opposed trends neutralise the evolution of the number of files concerning the private radio communications mobile networks. On the one hand, we notice the decline of the permanent files, which can be explained by the use of cellular networks of DECT²⁵ (cordless phones) systems which are not subject to licencing. On the other hand, the user-friendliness of the push-to-talk solution certainly increases the number of temporary files.

²⁴ LEGBAC : Limited Exploratory Group on Broadcasting to Aeronautic Compatibility.

²⁵ Digital Enhanced Cordless Telephone.

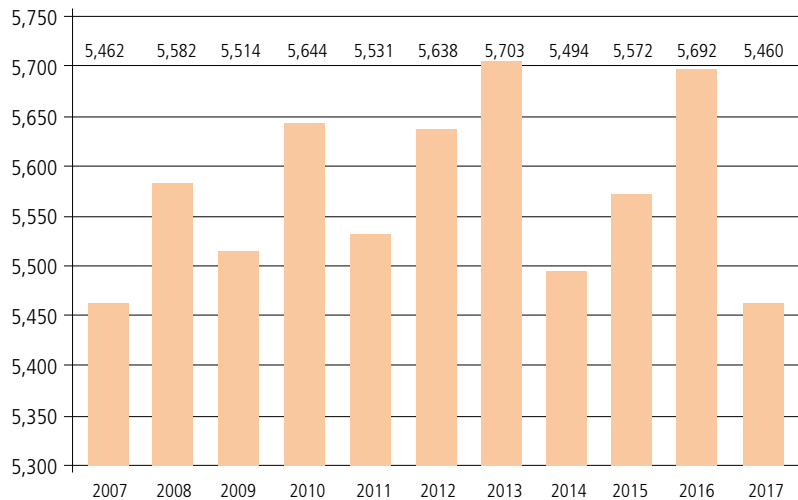
3.1.3. Radio amateurs (5th category)

For radio amateurs, the number of station licences remains stable with almost 6,700 files (6,537 licences for private individuals and radio-clubs, and 132 licences for automatic stations without staff), as radio amateurs stopping their activity are replaced by new licence holders.

It is recalled that in 2014 radio amateurs were allowed to replace the ON prefix of their call sign by the OP (P for "Poppies"²⁶) prefix during each November until 2018 in commemoration of the First World War.

In order to improve the quality of all the services and to take account of the future challenges, an upgrade of the methodology and of all the computer tools started in 2017 within the department. These new tools should be fully operational in 2018 and will allow to significantly improve the quality of the services provided to radio amateurs.

Licences of the fifth category



3.1.4. Other (test) licences

1. The user rights in the 3.5 GHz and 10.5 GHz frequency bands that b.lite BVBA and Mac Telecom SA transferred to Broadband Belgium BVBA were valid until 25 April 2019 and could be extended for five-year periods. BIPT's decision of 21 March 2017 allowed such an extension. But on 2 March 2017, Broadband Belgium indicated to BIPT its wish to waive its user rights in the 10.5 GHz band, which was acknowledged by the decision of 21 March 2017. In mid-May, Broadband Belgium notified to BIPT the retrocession of its user rights in the 3.5 GHz band. The decision of 27 June 2017 repealed then the decision of 21 March 2017.

2. Two decisions were adopted in 2017 concerning mobile communications on board vessels and aircraft: the decisions of 2 May and 3 October 2017. The decision of 2 May 2017 lays down the technical and operational conditions for the use of radio frequencies in order to offer MCA (Mobile Communication Services on Aircraft) services. This decision complies with Decision 2008/294/CE²⁷, as amended by Decisions 2013/654/UE²⁸ and 2016/2317/UE²⁹. Concerning the decision of 3 October 2017, it deals with the technical and operational conditions for the use of radio frequencies in order to offer MCV services. This decision complies with Decision 2010/166/UE³⁰, as amended by Decision 2017/191/UE³¹.

3. On 28 November 2018, BIPT received from Citymesh a complete and official request to establish and operate a transmitting installation located in Belgium's exclusive economic area³² in the North Sea. This request was submitted in accordance with Article 22 of the ECA. In December, BIPT decided to authorise the use of the 3,430-3,450 MHz and 3,530-3,550 MHz frequencies by Citymesh SA for the establishment and operation of a transmitting installation located in Belgium's exclusive economic area in the North Sea. The interim conditions were set in accordance with the conditions imposed on similar user rights granted to Telenet and E-BO Enterprises for the same purpose. This decision was adopted on 4 January 2018.

4. In 2011, BIPT adopted a decision³³ intended to ensure coexistence between the aeronautical radars of Belgocontrol and of the Ministry of Defence in the 2,700-2,900 MHz frequency band, on the one hand, and

²⁷ Commission Decision of 7 April 2008 on harmonised conditions of spectrum use for the operation of mobile communication services on aircraft (MCA services) in the Community.

²⁸ Commission Implementing Decision of 12 November 2013 amending Decision 2008/294/EC to include additional access technologies and frequency bands for mobile communications services on aircraft (MCA services).

²⁹ Commission Implementing Decision of 16 December 2016 amending Decision 2008/294/EC and Implementing Decision 2013/654/EU, in order to simplify the operation of mobile communications on board aircraft (MCA services) in the Union.

³⁰ Commission Decision of 19 March 2010 on harmonised conditions of use of radio spectrum for mobile communication services on board vessels (MCV services) in the European Union.

³¹ Commission Implementing Decision of 1 February 2017 amending Decision 2010/166/EU, in order to introduce new technologies and frequency bands for mobile communication services on board vessels (MCV services) in the European Union.

³² The North Sea is divided in exclusive economic areas of the coastal States. Within the exclusive economic area, the coastal State has jurisdiction over the establishment and use of installations and structures (Article 56, b, (i), of the United Nations Convention on the Law of the Sea). The Belgian legislation consequently applies.

³³ Decision of the BIPT council on the coexistence between 4G operators in the 2500-2690 MHz band and radars in the 2700-2900 MHz band.

²⁶ In Commonwealth countries, the poppy is a symbol to remember those who died during the First World War.

the use of the 2,500-2,690 MHz band by 4G operators, on the other hand. This decision contained transitional measures which have expired. The decision of 11 September 2017 is an update of the previous text.

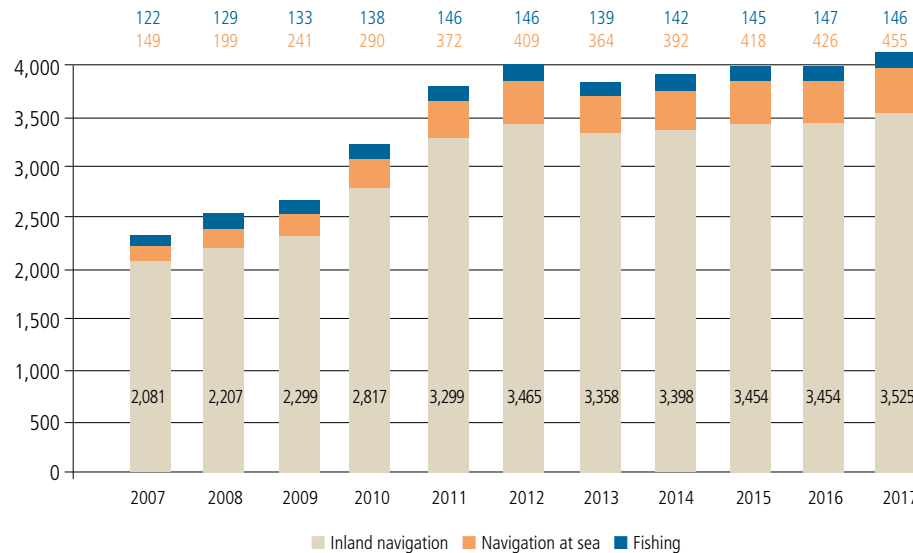
5. Test authorisations were granted to Proximus and Telenet Group for LTE and 4G tests. As for 5G, authorisations were granted to Ericsson and Proximus.

The operators are also allowed to perform tests in the frequency bands assigned to them without having to apply for a specific authorisation from BIPT.

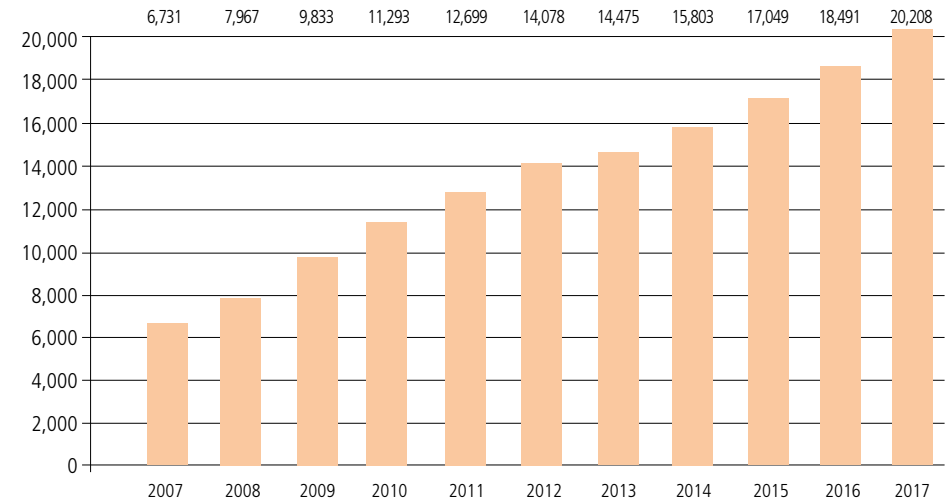
3.1.5. Maritime licences

In 2017, the total number of ship station licences amounted to 24,334, distributed among 20,208 yachts, 3,525 commercial inland navigation vessels, 455 ocean-going ships and 146 fishing boats.

Professional maritime licences



Licences for pleasure sailing



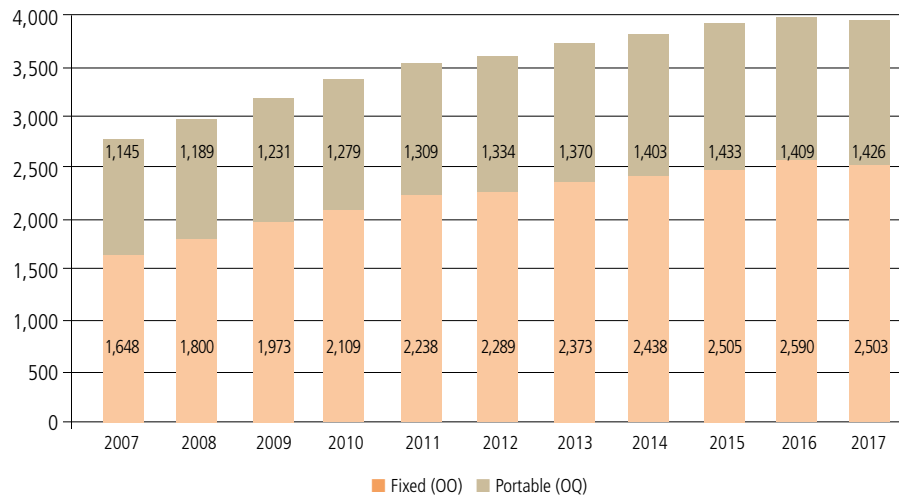
The increase in the number of ships continues; it is still largely due to the increasing number of persons of foreign nationality choosing to sail under the Belgian flag. Several reasons explain this, such as free licences.

3.1.6. Aeronautical licences

Currently, 3,929 licences for aeronautical stations are managed by BIPT: 2,503 for installations on board aircraft and 1,426 for portable stations. The decline in the number of portable licences can be explained by the new rules on the use of call signs by microlight pilots decreed in collaboration with the Directorate General of Air Transport.

We also note that the year 2017 was marked by the refarming of aeronautical bands, under Article 4.5 of the Commission Implementing Regulation (EU) No 1079/2012 of 16 November 2012, imposing 8.33 kHz channels in place of the 25 kHz channels used today.

Aeronautical licences

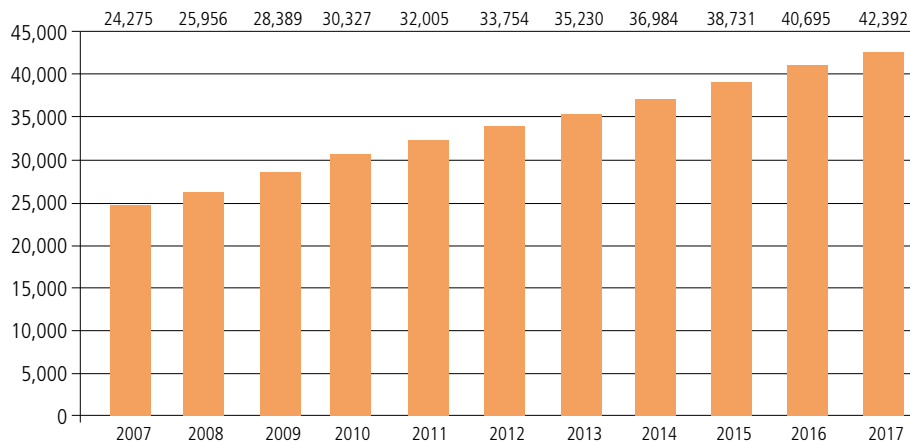


3.1.7. Maritime certificates

In 2017, BIPT issued and renewed a total of 7,161 certificates to use a maritime radio station. Those are divided into 5,250 renewals and 1,911 new certificates.

42,392 persons currently hold a certificate to use a ship station.

Evolution of the number of certificates to use a ship station

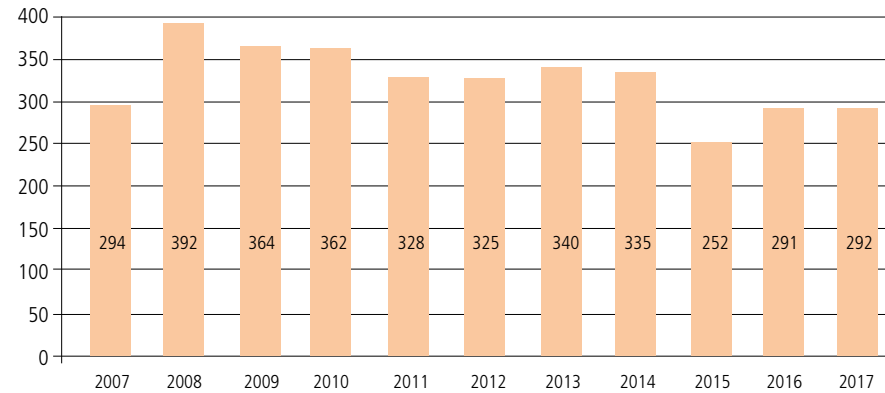


3.1.8. Aeronautics

In 2017, BIPT issued 292 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.

In 2017, 8,104 persons held a certificate to use an aircraft station.

Evolution of the number of issued certificates to use an aircraft station

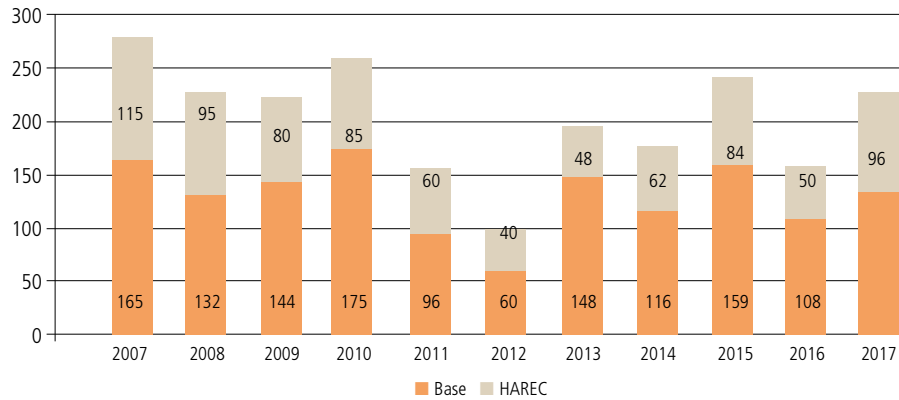


3.1.9. Radio amateur examinations

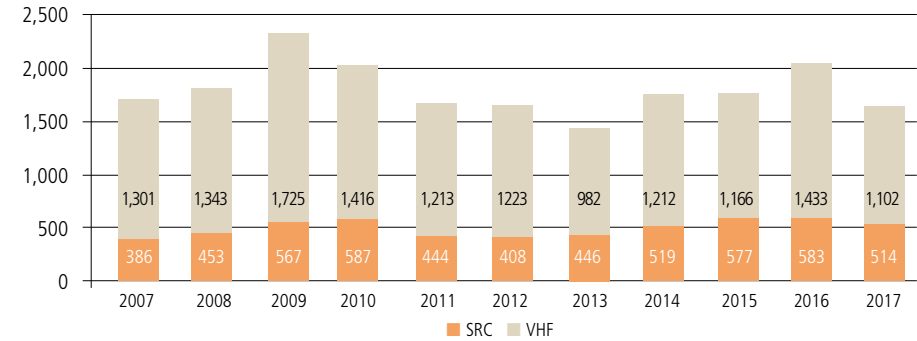
In 2017, the number of registrations for the examination to obtain a basic certificate amounted to 131 and there was a 66 % success rate. There were 96 candidates who took the HAREC exam ("Harmonised Amateur Radio Examination Certificate"). There was a 50 % success rate.

Obtaining the HAREC certificate requires an advanced knowledge of radio technique. Given that the subject matter is standardised at the European level, the HAREC certificate is recognised in 47 countries, which enables its holder (after completing a few formalities) to pursue his hobby in the signatory countries of this agreement.

Radio amateur examinations



VHF - SRC examinations



Basic certificates are relatively limited compared to HAREC certificates, regarding frequencies as well as powers authorised; however, the former are cheaper.

An increasing number of amateur yachtsmen at sea want to equip their ship with rescue devices connected to the GMDSS system (VHF-DSC, EPIRB etc.).

3.1.10. Examinations for maritime radio communications

GOC (General Operator's Certificate) and ROC (Restricted Operator's Certificate) examinations

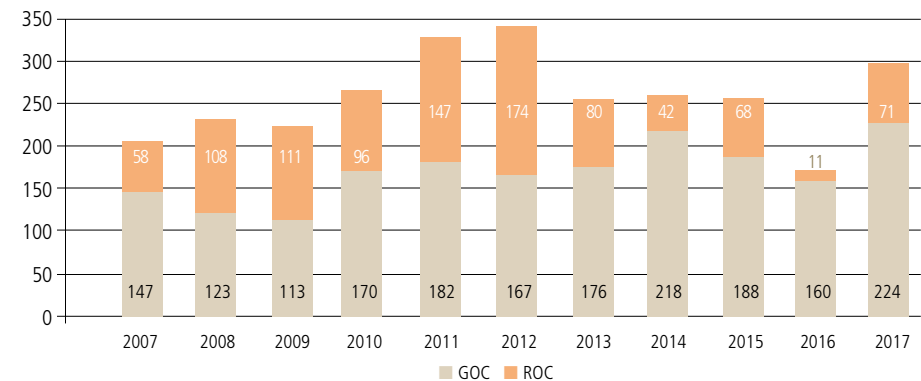
VHF (Very High Frequencies) and SRC (Short Range Certificate) examinations

Concerning the GOC and ROC examinations, the number of candidates in 2017 respectively amounted to 224 candidates, 180 of whom were successful, and to 71 candidates, 59 of whom were successful.

In 2017, the VHF exam attracted 1,102 candidates, 998 of whom passed. 514 candidates took the SRC exam, with an 89 % success rate.

The VHF examination gives access to the restricted VHF certificate which is mandatory for (pleasure or commercial) navigation on inland waterways. The VHF certificate also allows to use a VHF radio for pleasure sailing at sea. The SRC examination gives access to the SRC certificate of a higher level which offers more rescue opportunities (GMDSS³⁴) for pleasure sailing at sea. The ROC³⁵ and GOC³⁶ examinations are primarily intended for sea-going professionals.

GOC - ROC examinations



The low difference in complexity between the GOC and ROC exams incites candidates for navigation at sea to take the GOC exam.

³⁴ GMDSS : Global Maritime Distress and Safety System.

³⁵ ROC : Restricted Operator's Certificate.

³⁶ GOC : General Operator's Certificate.

3.2. MANAGEMENT OF ELECTRONIC COMMUNICATIONS SERVICES OPERATORS

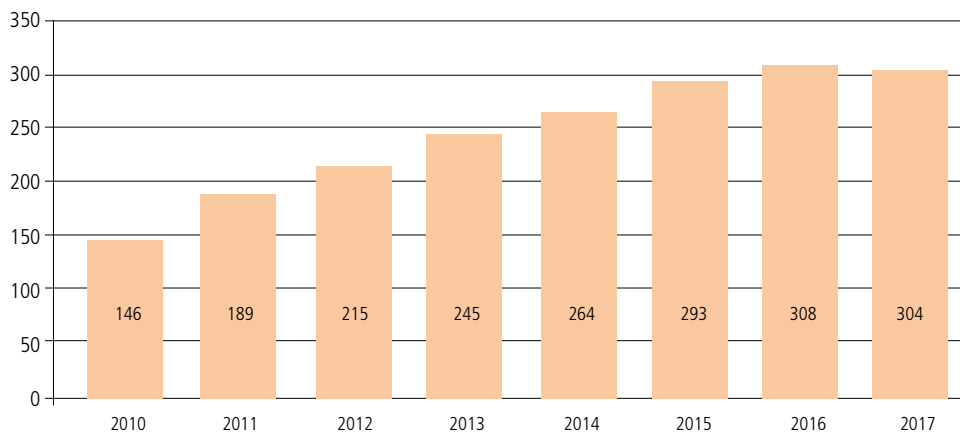
Several operational services of BIPT are exclusively dedicated to operators, in order to manage, among other things, the notification and the status of operator, the sharing of radio sites and the addressing (essentially in terms of numbering).

3.2.1. Notifications and status of the operator

Since the entry into force on 1 January 2014 of the Decree of 25 April 2013 amending the Decree of 7 March 2007 on the notification of electronic communications services and networks, there is no more distinction between an operator providing a public telephone service and a voice service. These two notions have been replaced by the concept of “electronic communications service”. 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 introduced.

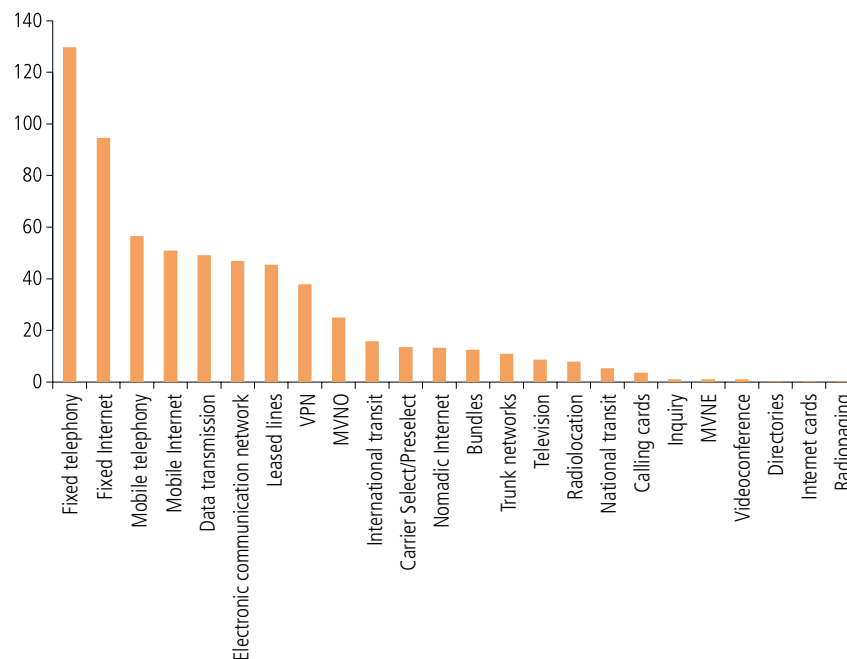
Furthermore, the Act of 31 July 2017 pertaining to various provisions regarding electronic communications made significant changes concerning the status of operator which now uses the notion of “provision of electronic communications services available to the public or of public electronic communications networks”.

Evolution of the number of electronic communications operators



In 2017, there were 33 new operators, 27 modifications and withdrawals.

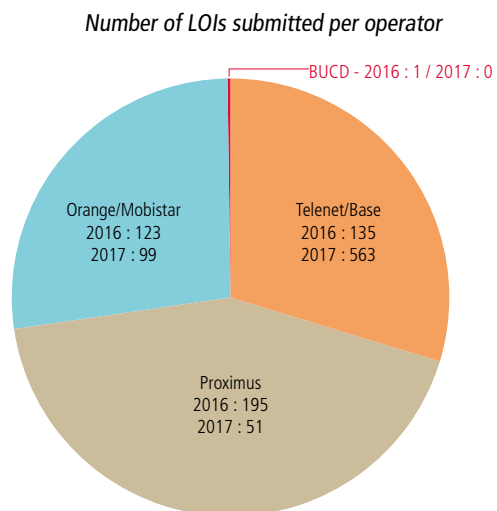
Services provided and number of operators providing those services.



³⁷ RISS: Radio Infrastructure Site Sharing.

3.3. SHARED USE OF ANTENNA SITES

Measures have been taken in order to prevent the construction of more antenna sites than necessary. Article 26 of the ECA provides a mandatory consultation via a Letter of Intention (LoI). Before applying for an urban planning permit, each operator has to enquire about the other operators' interests in a common usage of a site. These operators are free to join the project or not. A report of this consultation is sent to the participating operators within maximum one month. The non-profit organisation RISS³⁷ (www.riss.be) monitors then the practical realisation and the coordination of the exchange of information between the operators involved. The overview below compares the number of consultations submitted in 2016 and 2017. The increase in the number of consultations is mainly due to the extension of Telenet's mobile network.



3.4. ADDRESSING (NUMBERING)

BIPT manages the numbering space, which includes tasks such as the allocation, reservation, withdrawal, transfer and monitoring of the use of the numbering capacity (monitoring policy). In case of inappropriate use, BIPT intervenes. Information on the national numbering plan (such as the lists of reserved and allocated numbers) is published on BIPT's website. In 2017, 4,332 number blocks were assigned. There were 414 allocations, 48 modifications, 167 reservations and 178 withdrawals.

3.5. INSPECTIONS ENSURING AN INTERFERENCE-FREE SPECTRUM

Within BIPT, the National Spectrum Monitoring Department (NCS) is responsible for policing the radio waves in the broad sense of the word.

3.5.1. Preventive checks

The preventive monitoring of radio spectrum users is an important mission for BIPT.

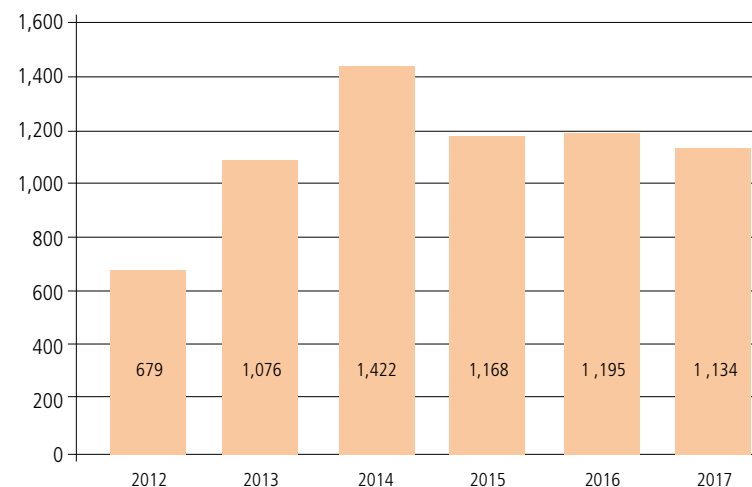
Other than in special circumstances, the NCS systematically monitors the private radio communications networks in the following circumstances:

- when a new licence is granted to a private network;
- when the structure of an existing network is modified (for instance by adding a number of base stations);
- temporary authorisations (for building sites, for instance).

The purpose of this verification is to examine the correspondence between the installed network and what is mentioned in the authorisation. The purpose is twofold:

1. Checking that, in the end, the customer will receive correct invoices;
2. Preventing interferences: a network that is not properly set up may create interferences on an adjoining network.

Preventive checks on the radio spectrum



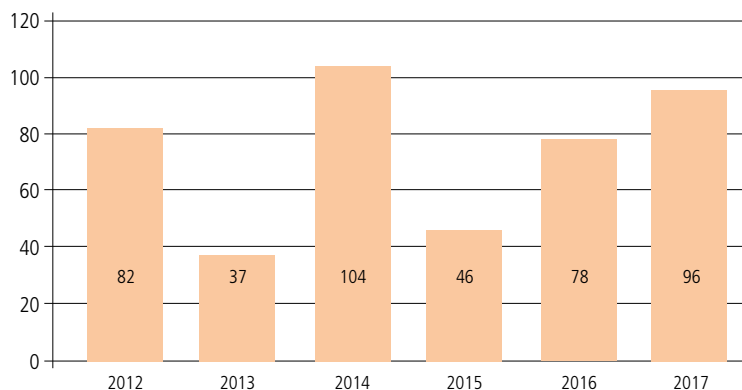
In addition, ad hoc controls are executed, e.g. of networks that have not been controlled for some time, or systematic controls of a category of companies likely to use equipment subject to authorisation (such as nursing homes, municipal administrations, taxi companies...).

Apart from these controls of companies, there are other various controls:

- Monitoring campaigns, which consist in verifying, at a given geographical point, the received transmissions and to cross-check these measurements with the licences database in order to identify possible unlicensed users;
- Road checks: this type of control is tending to disappear since the use of the CB is licence-exempt.

In 2017, BIPT launched measurements campaigns with ViaPass within the framework of the possible use of GPS jammers by truckers trying to evade payment of the kilometre tax.

Various checks on the radio spectrum



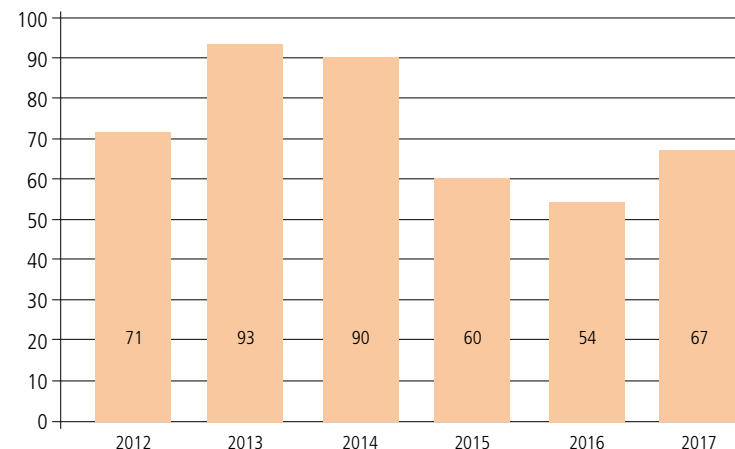
3.5.2. Monitoring during major events

The importance of monitoring during major (sporting, cultural...) events is related to the importance of these events and their media coverage. These major events gather dozens, even hundreds of different users, from around the globe, for whom the setting up of their means of radio communications in accordance with the planning previously established by BIPT's Assignments Department is not a priority. As a consequence, the risk of incorrect programming is high, which increases the probability of interferences.

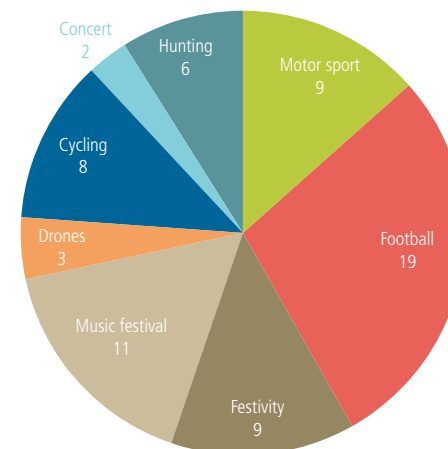
On-site inspection focuses on two aspects:

1. Controlling the observance (and the presence) of an authorisation;
2. Researching and immediately eliminate an interference during major events.

Monitoring during major events



The 67 major events monitored in 2017 include the Tour de France, the 24 hours of Spa-Francorchamps, the F1 Grand Prix, the Memorial Van Damme, the U2 concert, the Tomorrowland festival, the football match between Belgium and Gibraltar and even the Carnival of Charleroi.



3.5.3. Monitoring of private broadcasting

27 monitoring operations were carried out in 2017. There are two reasons for this type of operation: either a request from the media regulator of the community concerned, or a complaint concerning interferences, generally aeronautical.



3.5.4. Interference

Radio interference can hinder and stop the proper operation of radio transmitters or receivers. The NCS is responsible for measuring and handling problems affecting the radio spectrum. Coordinated from BIPT's head office in Brussels, the NCS includes five regional centres in order to cover the country as effectively as possible.

Number of interferences in 2017 per sources category and per type of victim

Source \ Victims	Victims														Totals	
	To fill in ...	Aeronautical	Broadcasting	Defence Systems	Fixed Links	Land Mobile	Maritime	Meteorology	Radio Astronomy	Satellite Systems (Civil)	Short Range Devices	Non Radio	Other	Vanished		Unknown
Aeronautical	1	6	6							1		2	4	6	1	27
Broadcasting	1		8								2	4	6	12	3	36
Defence Systems				1												1
Fixed Links																0
Land Mobile	7		3			64				1	70	7	21	41	13	227
Maritime							17					2	1	2	2	24
Meteorology	1					1					6			3		11
Short Range Devices			1			4					26	5	7	11	10	64
Radio Astronomy																0
Satellite Systems (Civil)				1						1						2
Non Radio											1	1	2			4
Other	3		4			1					1	6	9	9	3	36
Vanished	1						5							1	1	8
Totals	14	6	22	2	0	70	22	0	0	3	106	27	50	85	33	440

The categories come from the European table of frequency allocations (EFIS³⁸).

More than 50 % of the interferences affected mobile networks (including the networks of mobile operators and the professional PMR networks);

- 86 % (196) affected mobile operators' networks, i.e. 44 % of the total interferences;
- 19 % (44) came from GSM repeaters;
- 23 % (52) came from DECT 6.

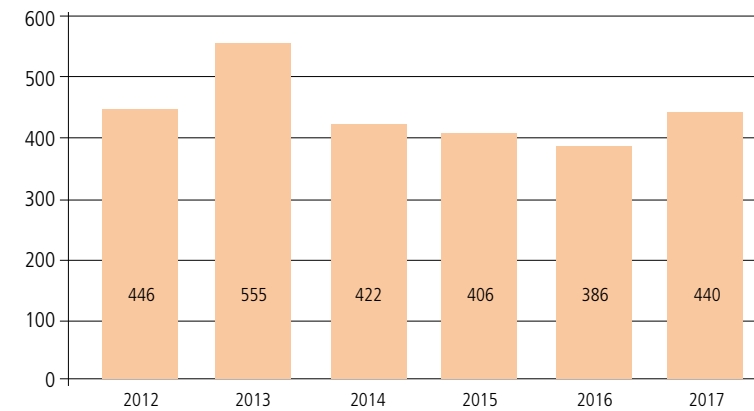
11 % of the interferences can be deemed as critical: 6 % concern aeronautical interferences and 5 % maritime interferences.

20 % of the complaints disappear before being identifiable. Half of them affected mobile networks.

11 interferences affected weather radars. This phenomenon is well known and is primarily (or exclusively) due to Wi-Fi devices operating in the 5 GHz band, i.e. the band used by weather radars. In response to this, BIPT and the radar team of the Royal Meteorological Institute of Belgium (RMI) decided to start an exchange of information and to set up an action plan for a better detection of transmitters creating unwanted interferences.

The number of interferences per year is stable, about 400 cases.

Evolution of the number of interferences



³⁸ ECO (European Communications Office) Frequency Information System.

³⁹ Radio equipment with a very short range (remote controls of sliding doors, babyphones, Wi-Fi modems...).



3.5.5. Points of attention

The highest processing priority is given to the interference cases; interferences affecting safety (maritime and aeronautical networks) are immediately processed (thanks to a round-the-clock duty service).

A high priority is also given to interferences affecting professional networks, and more particularly the mobile operators' networks. As in the past, there are two main sources of interferences: the DECT6 phones and the repeaters.

3.5.6. Monitoring the market radio equipment and telecommunications terminal equipment

Monitoring the market radio equipment and telecommunications terminal equipment

The year 2017 was marked by the transition between the legislation based on the R&TTE Directive of 1999 and the RED Directive⁴⁰ replacing it. In practice, implementing the RED Directive is still a delicate task as a number of grey areas remain; they are by the way discussed at the international level (e.g. which type of drones is subject to the RED Directive?).

Shops, manufacturers, fairs

495 points of sale (shops, markets...) were controlled. A dozen fairs were attended to keep abreast of the latest developments and to inform the exhibitors concerning the legal provisions.

13,710 non-compliant products were seized, and are distributed as follows.

Type	
Radio controlled toys	6,264
Bluetooth applications	2,180
Smartwatches	33
FM transmitters	211
GSM apps (smartphones / trackers / tablets)	204
Remotes	152
Repeaters	20
Other	4,646
TOTAL	13,710

Customs

There are two types of controls in collaboration with the customs services:

1. Controls of mass import;
2. Controls of goods bought over the Internet (directly to manufacturers or via a retail website).

Concerning mass import, 12,869 products were banned from import; the department carried out 151 controls of goods bought over the Internet. These operations resulted in 361 official reports.

Type	
Radio controlled toys	6,187
Bluetooth applications	1,202
Smartwatches	1,112
GSM apps (smartphones / trackers / tablets)	121
Remotes	50
Drones	3,297
Repeaters	25
Other	875
TOTAL	12,869

Controls ordered by a different department of BIPT

Only one control of that type was carried out in 2017: a control of the observance of the identification obligation of the end-user of a prepaid card⁴¹.

During the first half of 2017, several dozens of controls were carried out, to ensure the proper implementation of the Royal Decree. The operations took place in several points of sale throughout the country. The mechanisms used to activate the operators' SIM cards via their websites were also controlled. For each infringement found, BIPT's agents with the capacity of criminal investigation officer wrote an official report, which was then transmitted to the competent judicial authorities.

⁴⁰ Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC.

⁴¹ The regulation, laid down in the Royal Decree of 27 November 2016 on the identification of prepaid cards, introduced the obligation to identify prepaid cards users; this is one of the counter-terrorism measures.





REPORT OF THE HORIZONTAL DEPARTMENTS

This section presents BIPT's more regular activities (transverse support activities, international activities, conciliations, regulatory activities) which contribute to the efficient operation of the organisation and to the achievement of the defined objectives.

4.1. 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 Organisation Management/Internal Monitoring Department, which is responsible for the organisational management, the coordination of the implementation of the internal monitoring and of the process management. In 2017, the department continued to work on simplification and automation in accordance with the strategic axis "administrative efficiency" of the strategic plan.

As to automation, the Registry is involved in the extension and optimisation activities of the electronic documents management system. The department is in charge of proposing, guiding, testing and implementing the adjustments wanted. Furthermore, the Registry has been using since 2015 an electronic voting tool in accordance with the Royal Decree of 19 April 2014 establishing the internal regulations of the BIPT Council. The Registry has been verifying its correct implementation, concerning the operating rules and the deadlines for the publication of decisions and opinions.

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

Finally, the Registry provides secretarial duties for the Consultative Committee on Telecommunications.

The Registry's objective remains the same: to constitute and to remain a precious management instrument for the use of the Council members and the entire organisation.

Concerning the organisation management and internal control, the year 2017 was marked by the drafting of the 2017-2019 strategic plan and of the 2017 operation plan, in addition to an update of the strategic risks and actions to be undertaken; the department is responsible for the follow-up and of the drafting of reports on these subjects. The action plans regarding the internal control, the new points of attention and the defaulting payers continued to be followed. The long-term actions concerning the main integrity risks were defined and the report on short-term actions was finalised. The actions concerning the management of risks to the integrity of priority services were followed and a new analysis has been launched.

Different tips and recommendations were communicated within the organisation, such as a framework for projects and suggestions concerning the values of BIPT.

By the end of 2017, the preparations started concerning a new LEAN project, for which workshops will take place in 2018. The points of action deriving from the previous LEAN exercise continued.

Concerning process management, a first milestone was reached regarding the digitising of the different operational services coming into contact with citizens. BIPT's agents handling the licences for radio amateurs are now using a more efficient and future proof programme, laying down the groundwork for the further digitising of other departments of BIPT. Other benefits of this programme are the centralisation of all the "customers" (citizens and companies) in a single database, and the use of uniform working methods between different departments.

4.2. THE COMMUNICATION DEPARTMENT

The department continued its efforts to ensure an efficient and high-quality communication with stakeholders. The 2017-2019 strategic plan, the 2017 operational plan and the 2016 annual report were presented to stakeholders and published; 26 press releases were published in order to report current events and explain BIPT's actions. Each information request from press bodies was transmitted to the spokesman. The requests via phone, letter or e-mail were treated as soon as possible. The website was continuously updated and the department ensured that the most relevant information was published on its LinkedIn and Twitter accounts.

As a support department, the Communication Department publishes an internal newsletter, distributes internal communications and contributes to the tasks of the operational departments via proofreading and advice on the formulation of messages BIPT wishes to publish.

4.3. THE TRANSLATION DEPARTMENT

The Translation Department supports all the agents of BIPT and has accumulated a wealth of know-how over the years. To that end, its members use a computer-assisted translation tool. The translation or proofreading requests are submitted via a specific module of the electronic documents management environment.

Its main tasks are:

- Translating general, economic, legal and technical texts into four languages (English, French, Dutch and German);
- Quality control: review of the internal and external websites and a considerable number of publications (letters, e-mails or internal notes, press releases, opinions, (market analysis) decisions, consultations...);
- Linguistic advice.

4.4. THE IT DEPARTMENT

The department provides an end-to-end computer assistance in order to meet the various IT needs of BIPT. Its main tasks are the following: managing software and hardware, network maintenance, developing and deploying software solutions, managing IT projects.

The IT helpdesk helps users to solve different software or hardware issues; it also ensures network management as regards servers, websites, the intranet, connections, security and databases. Moreover, it maintains the existing applications.

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

1. Analyses in relation to the renovation of BIPT's website;
2. Start of modernisation and automation works regarding the tariff simulator;
3. Analyses in relation to the migration of the current electronic documents management tool to a more effective solution;
4. Renewal of the LAN network;
5. Security maintenance and improvement (update of the firewalls, lessons learned from the security audits);
6. Extension of the storage capacity of the network;
7. Replacing the cooling system of the server room;
8. Launching a feasibility study concerning a complete or partial migration of the IT infrastructures in the GCloud.

4.5. HUMAN RESOURCES, PERSONNEL 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 materialised in the projects below:

Recruitments at levels A and C

In 2017, fourteen new agents were added to the staff of the regulator. Regarding level A: three engineers and five advisors with training in economy, law or translation. Regarding level C: four new administrative agents were hired, two of which at the reception of BIPT; two technicians joined the technical services.

Promotion to level B

The first successful candidate to the promotion exam to the grade of Administrative Head of Department which took place in late 2016 was promoted on 1 July 2017.

Review of the appraisal system

In autumn 2017, the BIPT Council submitted a review proposal of the system to the Consultative committee. A survey of the evaluators showed that they do not wish a drastic change of the current system, but a few modifications seemed necessary according to them. The aim of the draft text was mainly to bring the appraisal system closer to the concrete tasks, on the one hand, and to establish a more direct link with the strategic and operational plans. The negotiations on the subject will continue in 2018.



360° feedback

In 2017, BIPT tested in a pilot project the new 360° feedback⁴² tool of the FPS Strategy and Support. Eleven team managers participated on a voluntary basis in this exercise and discovered the strengths and points of development in the eye of their colleagues, their superior or their clients. Following the positive response to this initiative, it has been decided to expand this project in 2018 to all level A and B staff members who are interested.

Training

The most significant training actions in 2017 were:

- The end of the big scale training of the staff launched in 2016 to improve its use of Excel;
- A training regarding cost models, enabling the members of the staff who needed it to acquire the necessary learning in this field;
- A training action for certain economists, jurists or engineers – and also the new staff members of the Market Department – to improve their knowledge concerning economic regulation;
- A training action in communication for the members of the Council;
- Several specific technical trainings for the engineers of the Market Department;
- Specific trainings in network security for the engineers of the Netsec Department;
- Finally, various workshops with internal speakers, on various technical or administrative subjects.

4.6. INTERNATIONAL RELATIONS DEPARTMENT

The general framework of the electronic communications regulation and, increasingly, the regulation of the postal services is being determined at the European level by way of directives, regulations, decisions and other recommendations. 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 of the work done in those various regulatory organisations on the strategic preparations at the European level. The participation of BIPT serves to highlight the specific domestic circumstances. Below a 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 hand.

BIPT as a regulator

The IRG and BEREC

The objectives of the IRG are:

1. 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 offer level 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.

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 field of regulation;
- providing advice on 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.

BEREC created numerous working groups in which BIPT is actively involved. BIPT also participates in 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 project requirement documents were drawn up per working group.

In 2017, BEREC closely followed the progress made in the European DSM⁴³ project, which is one of the ten political priorities of the European Commission. According to BEREC, the major point of the DSM is the review of the regulation regarding electronic communications. On 14 September 2016, the European Commission published its propositions in view of an Electronic Communications Code which will generate a new framework, for instance, for the access regulation, the protection of the consumer, the spectrum, the universal service and the institutional framework. In 2017, BEREC also published short technical documents to provide relevant expertise and concrete proposals for amendments to the legislative institutions of the EU.

⁴² 360° feedback is an analytical method allowing to assess the (general and technical) skills and the behaviour of a participant. It is based on a survey of different target groups in the immediate working environment of the participant (internal/external clients, colleagues, manager, co-workers).

⁴³ Digital single market.

Furthermore, BEREC developed a new medium-term strategy for 2018 to 2020.

The fifth Stakeholder Forum took place on 16 October 2017. Its main topics were the promotion of new investment models and incentives for innovation in a converging market.

ERGP

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 ERGP is therefore a body for consultation and discussion between the postal regulators and gives opinions to the European Commission in the field of postal services.

BIPT participates in five working groups and a task force, which worked on the following topics:

1. Regulatory accounting and price regulation;
2. Implementation and Evolution of the USO⁴⁴;
3. End-User Satisfaction and Monitoring of Market Outcomes;
4. Cross-Border Parcel Delivery for E-Commerce Purposes;
5. End-To-End Competition and Access Regulation;
6. ERGP Effectiveness and Efficiency (Task Force).

In 2017, these groups drafted eight reports (including seven external reports). BIPT steers, in cooperation with ANACOM, the Portuguese regulator, the activities of the group "End-User Satisfaction and Monitoring of Market Outcomes". In 2017, this group published two external ERGP reports and two Flash reports.

As BIPT was appointed Chair of the ERGP in 2017, the ERGP work programme 2018 was established under its chairmanship. Eight concrete results are expected from this programme, based on the medium-term strategy for the years 2017 to 2019. This work programme 2018 has been adopted taking into account a few specific contributions from the stakeholders, received during the consultation phase.

The ERGP work programme 2018 is organised around three vertical strategic pillars (reflecting the principles of the postal Directive), i.e.:

1. Promoting a sustainable universal service;
2. Encouraging a competitive European internal postal market;
3. Involving and protecting end-users.

The document also includes a horizontal axis: improving ERGP's efficiency. In 2018, Jack Hamande, BIPT Council member, will serve as Chair of the ERGP.

⁴⁴ Universal Service Obligation.

International activities of BIPT as a representative of the Belgian State

Universal Postal Union (UPU)

BIPT represents Belgium in the Council of Administration of the Universal Postal Union as an observer. In 2017, BIPT continued to focus on the development of the postal regulation within the UPU.

Since the previous World Congress of September 2016, BIPT has a seat on the Council of Administration and on the Postal Operations Council. As such, it sees to it that the necessary reforms of the UPU are implemented, as approved by the 2016 World Congress, and will ensure that the interests of Belgium and Europe as a whole are protected. Last year, Belgium also focused on good governance at the UPU, and on the future funding model of the UPU.

The Kenyan regulator and BIPT are both vice-chairs of the Commission 2 of the Council of Administration dedicated, on the one hand, to the universal service (USO, Regulatory Affairs and Postal Regulation) and, on the other hand, to the general coordination of the bi-annual forum on postal regulation. In 2017, under the Belgo-Kenyan leadership and in the presence of various experts, stakeholders discussed the impact of e-commerce on the postal regulation.

CERP, European Committee for Postal Regulation

BIPT took part in the CERP's activities. CERP commits itself to ensuring a good coordination between its members and strives for the respect of the "acquis communautaire". BIPT attended to the plenary assembly in Madrid. Mr. Vasquez, Spanish representative, was appointed CERP Chairman for a term of three years.

There was an impassioned debate on "How Could CERP Move Forward", which led to a simplification of the organisation structure, which came into force in the second half of 2017. During this plenary meeting, BIPT acted as the moderator of the session devoted to "The Main Challenges after 26th UPU Congress, Especially on Reform of the UPU and Remuneration System". The deputy director general of the UPU and representatives of PostEurop and UPS were among the panellists.

Postal Directive Committee and other activities of the European Commission⁴⁵

BIPT continued to follow the developments in the context of the implementation of the Postal Directive and attended the single meeting organised last year. BIPT presented the ERGP work programme 2018, as well as a report commenting the main elements of two studies of the ERGP: "ERGP Report on Quality of Service, Consumer Protection and Complaints" and "ERGP Report on Core Indicators for Monitoring the European Postal Market".

⁴⁵ DG for Internal Market, Industry, Entrepreneurship and SMEs



CEN, the European Committee for Standardisation

BIPT took part in the plenary meeting of the technical committee CEN/TC⁴⁶ 331 - CEN Postal services, the European Committee for Standardisation. 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 and the efficient provision of the universal service in the European Union.

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

The international activities in the field of radio spectrum are an important part of the tasks of the Assignments Pool of BIPT. 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 in 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 2017, the RSPG adopted the following recommendations:

- RSPG Opinion on a long-term strategy on future spectrum needs and use of wireless audio and video PMSE applications (21 November 2017);
- RSPG Opinion on Spectrum issues in the proposal for a Directive of the European Parliament and of the Council establishing the European Electronic Communications Framework (7 February 2017);
- RSPG Interim Opinion on Common Policy Objectives for WRC-19 (7 February 2017);
- RSPG Opinion on Spectrum Aspects of Intelligent Transport Systems (7 February 2017);
- RSPG Opinion on the Spectrum Aspects of the Internet-of-things (IoT) (7 February 2017).

In 2017, the activities of the RSC led to the adoption of the following Commission Implementing Decisions:

- Decision 2017/191/EU of 1 February 2017 amending Decision 2010/166/EU, in order to introduce new technologies and frequency bands for mobile communication services on board vessels (MCV services) in the European Union;
- Decision 2017/1483/EU of 8 August 2017 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices and repealing Decision 2006/804/EC.

COCOM

BIPT participated in the works of the COCOM (Communications Committee) as an expert.

Council working groups

BIPT answers the specific technical questions of the Permanent Representatives to the European Union within the framework of the electronic communications and postal services.

Organisation for Economic Co-operation and Development (OECD)

BIPT took part in the GTPISC⁴⁷, through which members of the OECD (mainly regulators) think about the global trends of digital economy.

4.7. THE LEGAL DEPARTMENT

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

Preparation of the electronic communications regulation

As in previous years, BIPT worked in favour of the improvement of legislative and regulatory texts. Several 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.

The publications at the legislative level were:

- The Act of 5 May 2017 regarding audiovisual media services in the bilingual Brussels-Capital Region (M.B.23.05.2017);
- The Act of 31 July 2017 pertaining to various provisions regarding electronic communications (M.B. 12.09.2017).

⁴⁶ TC : Technical Committee.

⁴⁷ Working Party on Communication Infrastructures and Services Policy

At the regulatory level, to implement the ECA and the above-mentioned Programme Act, there was the publication of:

- The Royal Decree of 24 February 2017 regarding the appointment of the police service referred to in Article 19, §1, subparagraph 2, 2° of the Royal Decree of 27 November 2016 on the identification of the end-user of mobile public electronic communications services provided by means of a prepaid card (M.B. 9.03.2017);
- The Ministerial Order of 8 May 2017 authorising the identification method proposed by Carrefour Belgium S.A. in accordance with Article 19, §1, subparagraph 2, 2° of the Royal Decree of 27 November 2016 on the identification of the end-user of mobile public electronic communications services provided by means of a prepaid card (M.B. 22.05.2017);
- The Ministerial Order of 31 August 2017 appointing as public authority the Immigration Office of the FPS Internal Affairs in accordance with Article 9, subparagraph 2 of the Royal Decree of 27 November 2016 on the identification of the end-user of mobile public electronic communications services provided by means of a prepaid card (M.B. 11.09.2017);
- The Ministerial Order of 22 December 2017 authorising the identification method proposed by Lycamobile SPRL in accordance with Article 19, §1, subparagraph 2, 2° of the Royal Decree of 27 November 2016 on the identification of the end-user of mobile public electronic communications services provided by means of a prepaid card (M.B. 02.01.2018).

Furthermore, pursuant to 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, the following Royal Decree was drafted in 2017 and published in 2018:

- Royal Decree of 26 January 2018 establishing the procedure for settlement of disputes referred to in Article 4 of the Act of 17 January 2003 on legal remedies and the conciliation of differences with reference to the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors (M.B. 08.02.2018).

Preparation of the postal regulation

One of the tasks of the Postal Market Department of BIPT is to evaluate the opportunity to adapt the legal and regulatory postal framework to the market evolutions. Given that (1) since its adoption, more than 25 years ago, the Act of 21 March 1991 on the reform of certain economic public companies has undergone numerous changes (2) following these successive amendments, the Act of 21 March 1991, in that it regulates the postal sector, lacks

consistency, BIPT saw fit to prepare a draft bill exclusively dedicated to postal services. On 19 October 2017, the BIPT Council published an opinion concerning the draft bill on postal services.

The Act of 26 January 2018 on postal services (M.B. 09.02.2018) contains now most of the relevant legislative provisions concerning postal services, which were previously contained in the Act of 21 March 1991.

Dispute coordination and legal support

Dispute coordination

The BIPT Legal Department is responsible for the coordination of legal appeals mainly concerning the decisions adopted by BIPT. BIPT is also regularly asked to settle 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.

The Legal Department of BIPT continued finalising the appeals introduced the previous years; some of them were the subject of decisions taken in 2017, i.e.:

1. The Market Court delivered on 15 March 2017 a judgement annulling the BIPT Council Decision of 25 August 2016 on wholesale tariffs for call termination on the public telephone network provided at a fixed location, following actions brought by Proximus and 3Stars. Based on a new cost model, BIPT had imposed a reduction in termination rates on fixed telephony operators. However, BIPT did not consult with the Belgian Competition Authority concerning the draft decision. According to the Market Court, the Belgian law imposes such a consultation on decisions imposing, enforcing or modifying the obligations imposed by a market analysis. Given that this consultation is a substantive and formal requirement, the Market Court annulled the contested decision.
2. On 22 March 2017, the Market Court delivered a judgement stating the withdrawal of Proximus from its appeal against the BIPT Decision regarding the approval and publication of the specifications No 2016/APA/OTF "One-Time Fees" and "Isla Repair".
3. On 23 March 2017, the Court of Cassation delivered a judgement rejecting the appeal lodged by Coditel and AIESH against the judgement of the Court of Appeal of 13 May 2015 dismissing the actions for annulment against four decisions adopted on 1 July 2011 by the Conference of regulators in the electronic communications sector (CRC) regarding the analysis of the television broadcast market. The Court of Cassation considered that the grounds against the judgement of 2015 were defective in law and fact, what makes said judgement definitive in respect of the parties.



4. On 19 April 2017, the Market Court delivered a judgement annulling 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, following the action brought by Proximus. This decision, which was based on a market analysis of 2011, was annulled for procedural reasons. Indeed, the 2011 market analysis decision concerning the broadband markets had been annulled by the Brussels Court of Appeal. To avoid any legal uncertainty, the CRC adopted on 18 December 2014 a renewal decision of this market analysis; a decision that was also annulled by the Court of Appeal on 29 June 2016. The Market Court found that the contested decision of 20 May 2014 had no more legal basis and thus annulled the decision. BIPT lodged an appeal in cassation against that judgement.
5. On 7 June 2017, the Market Court delivered a judgement partially annulling the BIPT Council Decision of 8 August 2013 regarding the analysis of market 7 (recommendation 2003) and of market 6 (recommendation 2007): minimum set of leased lines (M7) and wholesale terminating segments of leased lines (M6), following the action brought by Proximus. The Court first stressed that the separation of powers and the discretionary margin of the regulator when making decisions should be taken into account. Proximus blamed BIPT for having made errors in the substitution analysis concerning the markets definition, more particularly the substitution between products with different speeds in the relevant market by putting all the products in the same market. According to the Court, BIPT did not commit a manifest error of assessment and confirmed BIPT's decision in its principles. However, one of the remedies imposed by BIPT concerning the fact that Proximus is an SMP operator in the relevant market, i.e. access of OLOs to man holes, was annulled by the Court, which considered that it should be based on the objectives stated in the law, such as promoting competition, and that an imposed obligation must solve a particular problem, which was not the case in that instance.
6. On 25 October 2017, the Market Court delivered four judgements annulling the decisions of the CRC of 11 December 2013 and 19 February 2016 regarding the wholesale tariffs for the access services to the cable networks on the territories of the Brussels Capital Region, the French-speaking Region, the Dutch-speaking Region and the German-speaking Region. However, the Court maintained the effects of these decisions for 6 months. The Court first analysed the decisions of 2013, for which the European Commission had made comments regarding the inclusion of an existing operator as a reference for the costs. Pursuant to generally applicable principles, the Court considered that the CRC should have observed these comments, or at least explained and substantiated why it did not observe them. In the absence of explanations, the Court found that the CRC had violated its duties of diligence and to provide reasons. As a consequence, the decisions of 2013 were annulled. Given that the decisions of 2016 partly included a review of the annulled decisions of 2013, the Court also considered that it should annul the decisions of 2016 on the same basis. Furthermore, the Court held that the decisions of 2016 were based on a market analysis decision of 2011, which was adopted for more than three years, and cannot be used as a legal basis for the adoption of

new implementing decisions. However, given the fact that the annulment of these decisions of 2013 and 2016 without temporary any implementing measure would have unacceptable consequences in terms of legal certainty, the Court decided to maintain the effects of these decisions for 6 months, until April 2018, especially with a view to the adoption of a new market analysis on the markets concerned for the year 2018.

This concludes the proceedings.

BIPT's Legal Department also followed up new appeals, all of which were introduced in 2017:

1. On 26 May 2017, bpost lodged an appeal for annulment with the Market Court against the BIPT Decision of 21 March 2017 regarding the analysis of bpost's tariff proposal for the full rates per piece for the year 2017. On 11 October 2017, the Market Court delivered a judgement rejecting the action of bpost, stating, among other things, that BIPT acted within the scope of its powers and its legal mission by verifying the compliance of bpost's tariff proposal with the cost orientation principle, and that BIPT cannot be accused of any excess of jurisdiction. The Court also stressed that BIPT was required by law to monitor the observance of the affordability and cost orientation, and that both principles have a separate and autonomous meaning. The Court emphasized that BIPT had correctly interpreted the cost orientation principle in considering that this obligation imposed a lower limit (below-cost pricing) and an upper limit (excessive margin). Finally, the Court held that given the silence of the legislator, it was the role of BIPT to determine the level of the reasonable margin bpost may apply to the small users basket, in the exercise of its discretionary powers pursuant to the law, and that BIPT cannot be accused of any manifest error of assessment concerning its margin calculation and concerning the definition of the threshold from which the margin requested by bpost for the year 2017 should be considered as unreasonable.
2. Gridmax and Citymesh filed actions for suspension and annulment with the Market Court against the BIPT Decision of 21 March 2017 concerning the extension of the user rights of Broadband Belgium. On 28 June 2017, the Market Court delivered two judgements finding the agreement of BIPT to withdraw the contested decision and acknowledging the withdrawal of both applicants.
3. On 3 July 2017, Brutélé brought before the Market Court an action for annulment against the BIPT Decision of 27 April 2017 imposing an administrative fine upon it for non-compliance with the level of detail of the basic invoice for electronic communications. The case was prepared in 2017 and a judgement is expected in 2018.
4. On 3 July 2017, Nethys brought before the Market Court an action for annulment against the BIPT Decision of 27 April 2017 imposing an administrative fine upon it for non-compliance with the level of detail of the basic invoice for electronic communications. The case was prepared in 2017 and a judgement is expected in 2018.

5. On 22 July 2017, Viasat UK brought before the Market Court an action for annulment against the BIPT Decision of 29 June 2016 on the user rights of Inmarsat Ventures Ltd for the complementary ground components. Inmarsat Ventures Ltd intervened voluntarily with BIPT within the framework of this action. The case was prepared in 2017 and a judgement was delivered on 14 March 2018.
6. Several Walloon municipalities cited the Belgian State as a third party to the disputes with the SPRL Mosaic, an operator who was granted an individual postal licence on 22 May 2013 and using it under the name TBC-Post. These disputes, initiated by the SPRL Mosaic, concern the issue of the postal public tenders of the sued municipalities. BIPT decided to intervene voluntarily with the Belgian State in the context of these disputes.

BIPT's Legal Department also continued the execution of the public contract granted in 2014 for the follow-up of various cases for the recovery of debts owed to BIPT.

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 awarding of public contracts from BIPT and with the general follow-up of public procurements.

4.8. THE BUDGET AND ACCOUNTING DEPARTMENT

The internal budgetary policy aims at protecting BIPT's sound financial structure in a flexible and functional manner, and at ensuring that all the agreements made can be properly paid and thereby at being able to react quickly to changes in priorities. The budgetary policy was also conceived in order to guarantee BIPT's autonomy.

The department's main tasks consist 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;
- potentially needed adaptation of 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 assessment. The department processes data so that they can be immediately used as a source of useful information for BIPT's 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.

In particular, the financial management of BIPT aims at ensuring an automatic link between the procurement policy and the financial commitments, on the one hand, and their financial monitoring, on the other hand.



5

FINANCIAL STATEMENT AND ANNUAL ACCOUNTS

5.1. BIPT AND THE OFFICES OF THE OMBUDSMAN

The accounts of BIPT and the two Offices of the Ombudsman are given below. The Offices of the Ombudsman are independent bodies created to handle consumer complaints about the operators of the sectors concerned; the intervention of the Institute is limited to making staff available for these two bodies and to providing them with a logistic support regarding purchases, accounting and budget.

BIPT ACCOUNTS - 2017

REVENUES	EUR	EXPENSES	EUR
Repayments	153,698	Staff	25,406,740
Licence and monitoring fees for private radio communications	20,632,076	Operation	6,006,474
Public licence fees	43,221,762	Investment expenditures	1,128,645
Postal services	2,909,157	Coordination organisations	1,676,484
Miscellaneous	53,066	Treasury	73,452,078
Services performed for third parties	13,140	CF/RT	2,564,999
TOTAL	66,982,899	TOTAL	110,235,420

In 2017, the revenues were slightly lower than in 2016 (€1.8 million). This is due to a decrease in the fees for private radio communications, a consequence of a tariff adaptation.

Concerning the expenses, the staff costs increased, due to the fact that December was once again included in the budget year in question. As a consequence, 13 months were paid in 2017.

The payment to the Treasury in 2017 was significantly and for once only higher than usual, as the previous years were the subject of a final statement of the amount to pay to the Treasury.

ACCOUNTS OF THE OFFICE OF THE OMBUDSMAN FOR THE POSTAL SECTOR - 2017

REVENUES	EUR	EXPENSES	EUR
Repayments	--	Staff	1,655,080
Services performed for third parties (sector contribution)	1,794,319	Operation	173,420
		Investment expenditures	90,227
		Coordination organisations	300
TOTAL	1,794,319	TOTAL	1,919,026

ACCOUNTS OF THE OFFICE OF THE OMBUDSMAN FOR TELECOMMUNICATIONS - 2017

REVENUES	EUR	EXPENSES	EUR
Repayments	81,669	Staff	2,059,715
Services on behalf of third parties (sector contribution)	2,224,855	Operation	273,000
Other	22,967	Investment expenditures	54,726
		Coordination organisations	300
TOTAL	2,329,491	TOTAL	2,387,741

5.2. ANNUAL ACCOUNTS OF THE UNIVERSAL SERVICE FUNDS

No universal fund was activated.

6.1. SITUATION OF THE 2017 OPERATIONAL PLAN

6

ANNEXES

STRATEGIC AXIS "COMPETITION"	
1. Promoting sustainable competition and investments	
Monitoring of the electronic communications market	Card carried out
Publication of a 2016 postal observatory	Card carried out
Modernisation of the secondary postal regulation	Card carried out
Mobile termination market	Card carried out
Fixed termination market	Card carried out
Access and call origination on fixed telephony	Card carried out
Market analysis on the wholesale access to broadband and broadcasting networks	Card carried out
Update of the cable operators' reference offers concerning modem compatibility	Card carried out
Fixing the One-Time Fees	Card carried out
Development of a price squeeze demonstration tool	Card carried out

2. Spurring innovation	
Report on the monitoring in Belgium of the Net Neutrality Regulation	Card carried out
Analysis of barriers to e-commerce development and transparency of the postal parcel tariffs	Card carried out

STRATEGIC AXIS "USERS"	
1. Contributing to providing transparent information to consumers and promoting social inclusion	
Information on the easier switch of fixed operator or bundle	Card carried out
International price comparison of electronic communications services in the residential market	Card not carried out
International price comparison of electronic communications services in the non-residential market	Card carried out
National price comparison of electronic communications services	Card is being carried out
Online overview of the postal points	Card carried out
Tariff simulator of electronic communications services	Card is being carried out
Quality barometer of electronic communications services	Card carried out
Monitoring the observance of Articles 122 and 133 ECA	Card is being carried out
Survey on the perception of the functioning of the electronic communications market	Card carried out
Monitoring the observance of the postal regulatory framework	Card carried out
Satisfaction survey of bpost's customers and review of the survey	Card is being carried out
Improvement of the provision of subscriber data to providers of directory enquiry services and directories	Card carried out
Price monitoring of products belonging to the universal postal service	Card carried out
Impact study on consumer protection rules	Card carried out

2. Ensuring a reliable environment	
Improving transparency in terms of mobile networks quality	Card is being carried out
Critical infrastructures	Card carried out
Optimising the reaction process in the event of a crisis	Card carried out
Enhancing the quality of mobile networks coverage at borders	Card postponed

STRATEGIC AXIS "SCARCE RESOURCES"	
1. Managing scarce resources	
Preparation of the auction of the 700 MHz band	Card is being carried out
Adaptation of the numbering plan to the long-term evolutions in the market	Card carried out
Publication of a communication on the introduction of 5G	Card is being carried out
Refarming of the aeronautical bands in 8.33 kHz	Card carried out
Preparation of the auction of the 2G and 3G frequency bands	Card is being carried out

STRATEGIC AXIS "EFFICIENT FUNCTIONING"	
1. Ensuring an accessible functioning	
Efficient communication with all stakeholders	Card carried out
Modernising BIPT's website	Card is being carried out
Maritime and Aeronautical Department	Card postponed
Radio Amateur Department	Card is being carried out
Participation in the national and international consultative bodies	Card carried out

2. Being an attractive employer	
Internal operational plan	Card carried out



6.2. REPORT ON THE MONITORING REFERRED TO IN ARTICLE 21 OF THE ACT OF 17 JANUARY 2003

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

1. On 17 October 2017, BIPT imposed a €25,000 fine on Lycamobile for non-compliance with the rules on roaming. By obliging its roaming customers to take out the expensive "Pay As You Go" tariff plan, Lycamobile imposed de facto a surcharge for roaming services. However, since 15 June 2017, roaming tariffs within the EU can no longer differ from national tariffs. Communications in other EU Member States should then be subject to national rates. There are two exceptions to that principle; the operators may define the limits to that use to prevent abuses. The operators may also request an exemption when the alignment of the roaming tariffs on the national tariffs is a real and serious issue for them. However, Lycamobile did not use these exceptions; but BIPT found that Lycamobile did not charge its customers using roaming services in the EU the usual Belgian tariffs, but the tariffs applied by Lycamobile for "Pay as You Go", and that this plan was the only plan of Lycamobile allowing roaming. However, it appeared that "Pay as You Go" is more expensive than the other plans of Lycamobile. As a consequence, Lycamobile's customers paid a higher tariff for roaming services than for their national communications. This is contrary to the existing European regulation on this matter.
2. Warned several times by BIPT concerning the irregular nature of its roaming tariffs, Lycamobile did not react before mid-September, after charging its customers roaming tariffs that do not comply with the legislation in force. After having heard the operator orally and in writing, BIPT condemned it to pay a fine. By mid-September, Lycamobile modified its roaming tariffs. This does not however alter the fact that Lycamobile's customers had to pay during the summer roaming tariffs that did not comply with the legislation in force. As a consequence, these changes did not influence BIPT's decision to impose a fine.
3. On 28 November 2017, BIPT sentenced Lycamobile to an administrative fine of €12,500 for lack of collaboration with the Office of the Ombudsman for Telecommunications. After the Office of the Ombudsman for Telecommunications and BIPT prompted the operator in writing to take the complaints submitted to the Ombudsman seriously and to provide adequate treatment of these complaints, BIPT received by the end of June a list of 13 recent cases (subsequent to BIPT's letter) showing that the cooperation with the Ombudsman was still poor. BIPT gave then notice to the operator concerning the non-compliance with Articles 136 of the ECA and 43bis, §5, of the Act 21 March 1991, as Lycamobile did not react to the complaints submitted to the Ombudsman and, in a certain number of cases, did not implement the recommendations which had become mandatory. Lycamobile replied that the complaints were not handled because they were received

by the wrong department. BIPT did not support this position: Lycamobile is free to choose its internal functioning, including the treatment of complaints. When a person or an organisation contacts Lycamobile via a valid address, be it a physical address or an e-mail address unmistakably belonging to Lycamobile, the operator must ensure that the (electronic) message arrives at the right person or department and that it is duly handled. The cooperation with the competent bodies, be it BIPT or the Ombudsman, cannot depend on the internal organisation of an operator. On the contrary, it is a legal obligation which falls to each operator and which must be observed.

It is thus unimaginable that an operator could refer to its internal organisation to justify the absence or lack of reaction to letters and e-mails. For these reasons, an administrative fine of €12,500 was imposed.

4. On 27 April 2017, BIPT imposed a fine of €136,800 on VOO because the operator did not mention the volume of Internet data used on its monthly invoices for fixed broadband Internet. This appeared during a control carried out by IBPT concerning the invoices of Brutélé and Nethys, who both market the offer of VOO in the telecommunications market. Since 1 February 2014, the telecommunications operators are required to mention the volume of Internet data on every invoice relating in whole or in part to Internet access (article 4/1 of the Ministerial Order of 12 November 2009 "basic invoice"). Despite the clear legal obligation, a control showed that VOO did not include this reference in its fixed Internet invoices, when a subscriber did not exceed the limits of the authorised Internet volume, or when the subscriber benefited from an "unlimited" Internet offer. A simple reference to the consumed volume in the personal space of the operator's customer is not enough according to BIPT to comply with the legal obligation. The mandatory legal information to provide in the invoice is useful for the consumer in order to make the right choice of Internet offer. This is also the case in the context of an "unlimited" volume of Internet data, as there may be Internet offers including a limited volume of data, to a lower price, which could meet the user's needs. Taking into account, among other things, the long duration of the infringement, BIPT imposed a fine of €96,800 on Nethys (which serves a large part of the territory of Wallonia), and a fine of €40,000 on Brutélé (operating mainly in the Brussels-Capital Region).
5. Identical or similar shortcomings were noted in two other operators: SFR (infringement since 1 February 2014) and Orange Belgium (concerning its fixed Internet offer launched in September 2016 and using the cable operators' network). In two decisions of 12 October 2017, BIPT imposed a €25,000 fine on SFR and a €10,000 fine on Orange Belgium.

All the operators had to prove that they had taken the necessary actions to comply with the legal obligation, which was the case.

6.3. LIST OF THE DOCUMENTS ADOPTED AND PUBLISHED IN 2017

Date	Title
DECISIONS	
26-12-2017	Decision abolishing the BIPT Council Decision of 11 July 2007 on the guidelines regarding the evaluation of price squeeze
14-12-2017	Decision regarding the thresholds and terms and conditions for reporting of security incidents within the electronic communications sector
17-10-2017	Decision imposing an administrative fine upon Lycamobile for non-compliance with articles 6A and 6E(3) of the roaming regulation
12-10-2017	Non-confidential version of the decision imposing an administrative penalty upon Coditel Brabant BVBA for non-compliance with article 4/1 of the ministerial order of 12 November 2009 fixing the level of detail of the detailed basic invoice regarding electronic communications
12-10-2017	Non-confidential version of the decision imposing an administrative penalty upon Orange Belgium NV for non-compliance with article 4/1 of the ministerial order of 12 November 2009 fixing the level of detail of the detailed basic invoice regarding electronic communications
03-10-2017	Decision on the technical and operational conditions regarding the mobile communication services on board vessels
26-09-2017	Decision regarding the listing and classification of products and services provided by the universal service provider for the year 2015
26-09-2017	Decision on radio interfaces B08 (1 to 4), B09 (1 to 5), B12 (1 to 7), D01-01, D02 (1 to 27) and D03 (1 and 2) and the abolition of radio interface B10-13
11-09-2017	Decision on the coexistence between 4G operators in the 2500-2690 MHz band and radars in the 2700-2900 MHz band
14-07-2017	Translation of the non-confidential version of the Decision imposing an administrative penalty upon Citymesh NV for non-compliance with the Decision of the BIPT Council of 7 May 2015
14-07-2017	Decision on the possibility for Mundio Mobile to charge additional fees based on article 6c of regulation (EU) no 531/2012 of the European Parliament and of the Council
27-06-2017	Decision repealing the Decision of 21 March 2017 concerning the extension of the rights of use of Broadband Belgium
26-05-2017	Market analysis mobile call termination (2017)
24-05-2017	Decision on the possibility for Nethys to apply surcharges on the basis of Article 6d of Regulation (EU) No 531/2012 of the European Parliament and of the Council of 13 June 2012 on roaming on public mobile communications networks within the Union, as amended by Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015



02-05-2017 Decision regarding the communication of the speed of a fixed or mobile broadband connection

02-05-2017 Decision on the technical and operational conditions regarding the mobile communication services on aircraft

27-04-2017 Non-confidential version of the decision imposing an administrative penalty upon Nethys for non-compliance with article 4/1 of the ministerial order of 12 November 2009 fixing the level of detail of the detailed basic invoice regarding electronic communications

27-04-2017 Non-confidential version of the decision imposing an administrative penalty upon Brutélé for non-compliance with article 4/1 of the ministerial order of 12 November 2009 fixing the level of detail of the detailed basic invoice regarding electronic communications

25-04-2017 Authorisation to provide audiovisual media services - Canal Maroc 1

10-04-2017 Decision on the rights of use of Broadband Belgium in the 10.5 GHz frequency band

21-03-2017 Decision regarding the analysis of bpost's tariff proposal for full rates per piece for the year 2017

21-03-2017 Decision concerning the extension of the rights of use of Broadband Belgium

21-03-2017 Decision on radio interfaces A01 to A05, B01, B04, B11, B13 and B17

16-01-2017 Decision on the composition of the board referred to in the Royal Decree of 5 May 2006 regarding a conciliation procedure before the Belgian Institute for Postal Services and Telecommunications for the year 2017

CONSULTATIONS

28-12-2017 Consultation regarding the analysis of the market for fixed termination

28-12-2017 Draft decision fixed telephony access and call origination markets

27-12-2017 Consultation regarding the wireless microphones and other PMSE equipment in the 470-862 MHz band for use as of 1 January 2020

14-12-2017 Draft decision on the radio interfaces for digital radio-relay links

04-12-2017 Consultation on the draft of the operational plan 2018

01-12-2017 Consultation at the request of the BIPT Council regarding the draft decision of the BIPT Council on the granting to Citymesh of temporary user rights for the establishment and operation of a transmission installation in the Belgian economic zone in the North Sea

27-09-2017 Consultation organised by the BIPT Council at the request of the minister responsible for telecommunications regarding the automation of the tariff simulator

12-09-2017 ERGP - Public consultation regarding the "ERGP Work Programme 2018"

29-08-2017 Consultation at the request of the Minister in charge of telecommunications regarding the draft ministerial order on the granting of an exception to the principle included in article 8, subsection 1, of the royal decree of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights

29-08-2017 Consultation on the draft Decision of 29 August 2017 relating to the determination of the numbering plan for IoT and eCall communication

11-08-2017 Consultation organised at the request of the Minister of Telecommunications on the 1427-1517 MHz frequency band

14-07-2017 Draft decision on the thresholds and terms and conditions for the notification of security incidents

07-07-2017 Consultation regarding the analysis of the broadband and television broadcasting markets

13-06-2017 Consultation on the draft of the operational plan 2017

07-06-2017 Consultation organised at the request of the Minister of Telecommunications on the 3400-3800 MHz frequency band

23-05-2017 Consultation organised at the request of the Minister of Telecommunications on the 900MHz, 1800MHz, 2GHz, 700MHz and 1400MHz frequency bands

19-05-2017 Consultation on the draft decision on radio interfaces B08 (1 to 4), B09 (1 to 5), B12 (1 to 7), D01-01, D02 (1 to 27) and D03 (1 and 2) and the abolition of radio interface B10-13

17-05-2017 Consultation on the draft Royal Decree amending the Royal Decree of 18 December 2009 on private radio communications and user rights for fixed networks and trunk networks

9-05-2017 Consultation at the request of the Minister in charge of telecommunications of 9 May 2017 on the royal decree regarding the transmission of a short text message in case of an imminent threat or major disaster

03-05-2017 Consultation on the technical and operational conditions regarding the mobile communication services on board vessels

10-04-2017 Public consultation on the draft strategic plan 2017- 2019

02-02-2017 Consultation on the technical and operational conditions regarding the mobile communication services on aircraft

31-01-2017 Consultation regarding the numbering aspects of eCall services

17-01-2017 Consultation on a draft article of law at the request of the Minister

COMMUNICATIONS

27-12-2017 Communication by the BIPT Council of 27 December 2017 regarding the monitoring of the universal telecommunications service 2016-2017

26-12-2017 Communication regarding the guidelines implementing margin squeeze tests

20-12-2017 Communication on BIPT's monitoring in 2017 of the postal service providers

19-12-2017 Communication regarding the Belgian postal services observatory for 2016

14-12-2017 Communication regarding the tariff conditions 078 numbers have to meet in order to be used by the B2C companies' customer services

26-11-2017 Communication on the list of postal operators holding an individual licence

06-10-2017 Circular letter of 6 October 2017 regarding the extraterritorial use of foreign numbering means in Belgium - Implementation of Article 8 of the Royal Decree of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights

15-09-2017 Communication on minimum technical specifications for indoor antenna systems

- 10-08-2017 Final report for an ex-post impact assessment of the Belgian federal regulation regarding consumer protection in electronic communications law
- 29-06-2017 Annual report on the monitoring of net neutrality in Belgium
- 18-05-2017 Communication regarding the results of the study on the Belgian market for parcel delivery in the context of e-commerce activities
- 24-05-2017 Note for the attention of Alexander De Croo, Vice-premier and Minister of the Digital Agenda, Telecom and Postal Services, regarding an evaluation of the information sheets by virtue of Article 5 of the 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
- 13-02-2017 Communication on an overall analysis about postal needs in Belgium
- 07-02-2017 Communication on the qualitative survey of consumer perceptions within the Belgian postal market
- 24-01-2017 Communication by the BIPT Council of 24 January 2017 regarding communication on board of seagoing vessels in the 457.5125-457.5875 MHz and 467.5125-467.5875 MHz frequency bands
- 27-06-2017 Investments in the telecom sector reach record height in 2016
- 23-06-2017 The Market Court has approved the market analysis decision regarding the leased lines
- 14-06-2017 Roam Like At Home enters into force tomorrow
- 14-06-2017 BIPT publishes a study on the Belgian market for parcel delivery in the context of e-commerce activities
- 09-06-2017 BIPT publishes new coverage maps and a new quality barometer
- 08-06-2017 BIPT observes several violations during a monitoring operation concerning the registration of prepaid cards
- 31-05-2017 BIPT imposes a 16 % decrease of the wholesale mobile termination rates
- 24-05-2017 "Roam Like At Home": BIPT authorises Nethys to apply extra fees after 15 June
- 23-05-2017 BIPT imposes a €136,800 fine on VOO
- 29-03-2017 BIPT turns down bpost's request for a tariff increase in 2017
- 24-03-2017 BIPT has extended the user rights of Broadband Belgium by 5 years
- 23-03-2017 The Market Court annuls the BIPT Decision on wholesale tariffs for fixed call termination services
- 14-03-2017 Viapass, BIPT, Regions and traffic police check for jammers in lorries
- 24-02-2017 The KMI/IRM and BIPT work together to detect radar interference
- 21-02-2017 Postal users want a high-standard service and are open to more modern postal applications

OPINIONS

- 19-10-2017 Opinion on the bill regarding postal services
- 11-09-2017 Update of 11 September 2017 of the BIPT opinion of 18 February 2009 on the determination and the conditions of provision of the basic identification data by telephone service providers to the publishers of directories and to the providers of directory enquiry services
- 23-03-2017 Opinion regarding the legislative proposal amending the Act of 13 June 2005 on electronic communications as regards the user profile (DOC 54 2140/1)

PRESS RELEASES

- 21-12-2017 BIPT publishes a cartography of Belgium's postal points
- 04-12-2017 BIPT imposes fine on Lycamobile for non-compliance with the roaming rules
- 10-11-2017 BIPT imposes a fine of 25,000 EUR on SFR and a fine of 10,000 EUR on Orange
- 27-10-2017 The Brussels Court of Appeal has annulled the decisions of the CRC regarding the wholesale tariffs for access services to cable networks
- 16-10-2017 "DECT 6.0" cordless phones disturb mobile operators' networks
- 11-10-2017 The Market Court confirms BIPT's decision to reject an increase in postal tariffs in 2017
- 04-10-2017 BIPT has updated its telecommunications services quality barometer
- 31-08-2017 BIPT publishes the results of its annual survey on the telecom users' perception
- 10-08-2017 BIPT publishes the results of its impact assessment regarding consumer protection rules
- 02-08-2017 BIPT publishes a benchmark price study of telecom products for small companies
- 07-07-2017 Telecom and media regulators publish a new market analysis regarding the broadband internet



6.4. GLOSSARY

B2B: Business-to-Business

B2C: Business-to-Consumer

BCA: Belgian Competition Authority

BEREC: Body of European Regulators for Electronic Communications

BROBA: Belgacom Reference Offer Bitstream Access

BRUO: Belgacom Reference Unbundling Offer

C2X: Consumer-to-Consumer or Consumer-to-Business

CBSS: Crossroads Bank for Social Security

CEN: European Committee for Standardization

CEPT: European Conference of Postal and Telecommunications Administrations

CERP: European Committee for Postal Regulation

COCOM: Communications Committee

CRC: Conference of Regulators of the electronic communications sector

DAS: Distributed Antenna System

DECT: Digital Enhanced Cordless Telephone

DG: Directorate General

DSM: Digital Single Market

ECA: Act of 13 June 2005 on electronic communications

ERGP: European Regulators Group for Postal services

GMDSS: Global Maritime Distress and Safety System

GOC: General Operator's Certificate

HAREC: Harmonised Amateur Radio Examination Certificate

IRG: Independent Regulators Group

LEGBAC: Limited Exploratory Group on Broadcasting to Aeronautic Compatibility

Lol: Letter of Intention

M.B.: *Moniteur belge*

M2M: Machine to Machine

NCS: National Spectrum Monitoring Department

NRA: National regulatory authority

PMSE: Programme Making and Special Events

R&TTE: Radio and Telecommunications Terminal Equipment

RED: Radio Equipment Directive (directive 2014/53/EU of 16 April 2014)

RISS: Radio Infrastructure Site Sharing

ROC: Restricted Operator's Certificate

RSC: Radio Spectrum Committee

RSPG: Radio Spectrum Policy Group

SRC: Short Range Certificate

TC: Technical Committee

UPU: Universal Postal Union

VHF: Very High Frequencies

VRM: Vlaamse Regulator voor de Media

WBA: Wholesale Broadband Access

xDSL: Digital Subscriber Line



6.5. USEFUL ADDRESSES

Belgian Competition Authority

City Atrium, rue du Progrès, 50
1210 Brussels
Tel. 02 277 52 72
Fax: 02 277 53 23
info@bma-abc.be
<https://www.belgiancompetition.be/en>

FPS Economy, SMEs, Self-Employed and Energy

City Atrium C
Rue du Progrès 50
1210 Brussels
Tel. 0800 120 33
Fax 0800 120 57
info.eco@economie.fgov.be
<http://www.economie.fgov.be>

Consultative Committee on Telecommunications

Ellipse Building - Building C
Boulevard du Roi Albert II 35
1030 Brussels
Tel. 02 226 87 58
Fax: 02 223 88 77
piet.steeland@ibpt.be
<http://www.cct-rct.be>

Consultative Committee on Postal Services

Ellipse Building - Building C
Boulevard du Roi Albert II 35
1030 Brussels
Tel. 02 226 87 65
Fax: 02 223 88 77
aurélie.seghers@ibpt.be
www.ccsprcp.be

Office of the Telecommunications Ombudsman

Boulevard du Roi Albert II 8 boîte 3
1000 Brussels
Tel. 02223 06 06
Fax 02219 77 88
plaintes@mediateurtelecom.be
www.ombudsmantelecom.be

Office of the Ombudsman for the postal sector

Boulevard du Roi Albert II 8 boîte 4
1000 Brussels
Tel. 02 221 02 30
Fax: 02 221 02 44
info@smspo.be
www.smspo.be

Conseil supérieur de l'audiovisuel

Boulevard de l'Impératrice, 13
1000 Brussels
Tel. 02 349 58 80
Fax: 02 349 58 97
info@csa.be
www.csa.be/

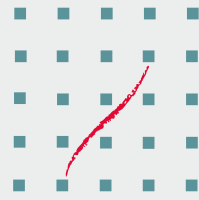
Medienrat der Deutschsprachigen Gemeinschaft Belgiens im Ministerium der Deutschsprachigen Gemeinschaft Belgiens

Gospertstraße 42
4700 Eupen
Tel. 087 59 63 00
Fax: 087 55 28 91
info@medienrat.be
<http://www.medienrat.be/>

Vlaamse Regulator voor de Media

Koning Albert II-laan 20 - bus 21
1000 Brussels
Tel. 02 553 45 04
Fax: 02 553 45 06
vrm@vlaanderen.be
<http://www.vlaamseregulatormedia.be>





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