



Belgian Institute for Postal Services
and Telecommunications

ANNUAL REPORT

20
23

ELECTRONIC COMMUNICATIONS

POSTAL SERVICES

SPECTRUM MANAGEMENT

MEDIA IN BRUSSELS

NETWORK SECURITY



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The BIPT celebrated its 30th anniversary in 2023. Throughout this period, staff members worked hand in hand, joining forces to achieve ambitious goals. The Council wishes to express its deepest gratitude to each and every one of them for their daily commitment and valuable contribution. While we have already come a long way after three decades of regulation of the electronic communications and postal sectors, there are numerous and important challenges ahead. This celebration, that took place on 14 November 2023, was an opportunity to bring together the Council, BIPT staff members and all stakeholders in an event, where, after a quick look to the past, various experts shared their thoughts on the future role of the BIPT, the theme of the evening being “Regulatory challenges in a new digital era”.

The BIPT is strongly involved in preparing the transposition and implementation of the new European digital regulation, and its competences were extended in this area in 2023. In December, it was designated as the competent Belgian authority for the implementation of the Terrorist Content Online Act, together with the Federal prosecutor’s office. At the time of publication of this report, the designation of the BIPT as the DSC (Digital Services Coordinator) under the European Digital Services Act (DSA) is ongoing.

The electronic communications and postal service sectors also continued their own changes in 2023. In the electronic communications sector, the challenge to the 5G auction rules was definitively closed by the Council of State. At the same time, the deployment of optical fibre continued, with some operators forming

The event celebrating the 30th anniversary of the BIPT was an opportunity to exchange views on the “Regulatory challenges in a new digital era”.



joint ventures. In terms of turnover, after two years of standstill, the electronic communications and television sector is showing a slight growth compared to 2022. Investments continued to grow as well, although the increase was considerably lower than the 2022 record. The second edition of the BIPT’s qualitative analysis showed the good to very good quality and coverage of telecommunications networks in Belgium, despite Belgium’s low score in the DESI ranking (Digital economy & Society Index), mainly due to the faster roll-out of 5G and very high capacity fixed

networks in other Member States. Let us also remember that in its communication the European Commission (EC) often focuses on the coverage of optical fibre to the home (FTTH), omitting statistics on the coverage of very high capacity networks (VHCN) in general, which, however, also meets the 2030 connectivity objective and for which Belgium ranks among the best in Europe, with a coverage rate of almost 80% of households, notably thanks to cable. In terms of prices, the international price comparison study for 2023 confirmed that our country was generally expensive for mobile services, fixed internet and bundles. However, both the price level and the lack of information on tariff increases are of concern to Belgian consumers, as shown by the BIPT’s survey on market perception in 2023. However, the BIPT’s national price comparison, based on the besttariff.be simulator, opens up positive prospects for Belgian consumers, who can make significant savings on their telecom services, provided they make the effort to compare all available offers.

The postal sector has also continued its transformation. The double-digit growth in the volume of activity in recent years has ended: the number of parcels has even declined for the first time since 2010, and the volume of letter mail has fallen below 100 items per capita per year for the first time. Yet, e-commerce accounts for about 10% of Belgium’s GDP, with online shoppers spending an average of about €1 400 per year. In order to guide its policy in this increasingly important segment, the BIPT commissioned a study on the postal aspects of e-commerce in Belgium in 2023. This study showed that large foreign online marketplaces play an important role in e-commerce in

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Belgium, and that Belgian e-retailers can still make progress towards professionalisation.

One of the BIPT's fundamental missions is to promote competition and foster innovation and investments. Regarding the electronic communications sector, the BIPT published a consultation on the cost model for access to the fibre networks of Proximus and its subsidiaries Fiberklaar and Unifiber. In a communication, the BIPT also specified the modalities under which an operator may request access to the end-user cable of a competing operator. The BIPT also published a communication this year clarifying the conditions that should be met by any agreements between operators for the deployment of an FTTH network, in order to speed up and extend the deployment of optical fibre networks open to other operators and for the benefit of end-users. Finally, the BIPT has opened up the modem market, freeing users from the obligation to buy the modem of their operator when they take out an internet subscription.

Consumer protection and information form a second strategic axis guiding the regulator's action. The BIPT ensures that users are sufficiently informed about their rights and the possibilities available to them. In 2023, the BIPT provided them with a tool for comparing the prices of basic postal parcels, which complemented the postalpoint.be website. In 2023, telecommunications operators were checked, inter alia, regarding their obligations to connect to the central number database used by emergency services, and for compliance with the Easy Switch procedure (which, for end-customers, facilitates switching to another operator). Consumer protection also includes



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monitoring compliance with regulation by operators and, where appropriate, imposing sanctions.

The BIPT may also require a defaulting operator to take appropriate measures and impose fines on it in terms of network security measures. This power has recently been confirmed by the Market Court.

Given its extensive knowledge of the regulated sectors, the BIPT regularly plays an active role in the preparation and implementation of initiatives that shape the future of electronic communications and postal services. In the field of telecommunications, the BIPT is fully committed to bringing about the reform of social tariffs. In a completely different area, the BIPT also contributed its expertise in the framework of the 6G and 5G calls for projects. The BIPT's expertise in the field of digital infrastructure security was also called upon within the framework of the transposition of the NIS2 Directive, in which the BIPT played an active role. As regards the postal sector, the BIPT delivered an important opinion on the Act of 17 December 2023 pertaining to various

provisions in order to improve the working conditions of postal parcel deliverers. The Institute then collaborated on the implementation of this act, and more specifically on the development of the BELparcel platform.

For some years now, the sustainability of postal activities and the environmental impact of the electronic communications sector have also been among the BIPT's concerns. Sustainability is now a major challenge for operators, whose efforts are showing positive results in terms of reducing energy consumption and CO₂ emissions, as well as recycling and waste management. In the postal sector, the sustainability of last mile delivery was examined in the context of the new study on the postal aspects of e-commerce published in June 2023.

If a page turned in 2023 on thirty years of regulation, another chapter in the history of the BIPT ended this year, with the end of the six-year mandate of the Council composed of Michel Van Bellinghen, Chairman, Luc Vanfleteren, Axel Desmedt, and

Bernardo Herman, Members of the Council. A selection procedure made it possible to form a new Council for the BIPT.

The year 2024 thus began with a new Council, composed of Michel Van Bellinghen, Chairman, and Bernardo Herman, Peggy Valcke and Stefaan Vyverman, Members of the Council. The strategic plan for the years 2024 to 2026 will soon be published after a four-week consultation.

The Council warmly thanks the previous Council Members and all staff members for their work in recent years, and looks forward to meeting with them the many challenges ahead.

This report describes the accomplishments of the BIPT in 2023; it was thus drafted on 31 December 2023 and does not take subsequent developments into account deliberately. The Members of the Council wish you an insightful reading and are ready to answer any questions.



Bernardo Herman
Member of the Council



Peggy Valcke
Member of the Council

Stefaan Vyverman
Member of the Council



Michel Van Bellinghen
Chairman of the Council



2023: key figures



2023

The BIPT celebrated its 30th anniversary in 2023. It was created in 1993 to assist the public authorities in the organisation of the opening-up of the telecommunications market, and both its status and tasks have changed over time. Today, the BIPT is at the dawn of a new era, preparing to meet the challenges of digital regulation.

78%

In Belgium, the coverage of fixed 1 Gbps networks reached 78% by the end of 2023, which is better than the European average.

These results are quickly improving, given the acceleration of the deployment of optical fibre.



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The BIPT invested in modernising its radio spectrum monitoring network by replacing the mast of the monitoring station in Ophain. The seven fixed monitoring stations of the BIPT have the most modern equipment to continuously monitor the spectrum in order to limit the risk of interference and quickly respond in case of interference.

100

On the postal market, the number of letter post items decreased by 7.9% in one year and is now below 100 items per capita per year. For the first time since 2010, the number of express items and parcels has not increased, and has even slightly decreased (-0.6%) in one year. Per capita, a parcel is now sent on average about every 11 days.



The annual report at a glance



CHAPTER 1 THE BIPT

In 2023, the BIPT celebrated its 30 years of operation. While we have already come a long way after three decades of regulation of the electronic communications and postal service sectors, there are numerous and important challenges ahead.

The BIPT has several duties in its initial areas of competence. It is also intensely involved in the transposition or implementation of the new European digital regulation. The BIPT does not only exercise its powers at the national level. It also ensures that the interests of the Belgian postal and telecommunications sectors are preserved by assuming various international responsibilities.

CHAPTER 2 Realisation of our strategic objectives in 2023

The implementation of the BIPT's strategic objectives is based on four strategic axes: competition, users, scarce resources and efficient functioning. This chapter explains how the four strategic axes were translated into action via the 2023 Operational Plan and the day-to-day operation of the BIPT.



CHAPTER 3 2023 in numbers

This chapter describes the main trends observed by the BIPT on the electronic communications, postal service and media markets. The BIPT closely monitors market developments and has published detailed information: the postal observatory reflects the postal market trends, whereas the situation on the electronic communications and television market is the subject of an annual study, published as a communication of the BIPT.

ANNEXES Additional information

In addition to a financial report and the annual accounts of the funds for the universal services, the annual report must include an overview of the infringement proceedings initiated. You will find this and other relevant information, such as the BIPT's organic framework in the annex. You will also find extra information about the BIPT's activities in 2023.





1

CHAPTER 1
THE BIPT

1.1 Our 30 years of operation

The BIPT is the federal regulatory body responsible for regulating the electronic communications market, the postal market, the electromagnetic spectrum of radio frequencies as well as the audiovisual media services and the video-sharing platform services in the bilingual Brussels-Capital Region.



1.1.1. Our 30 years of operation

Both the postal and telecommunications sectors have a long history of state monopolies. This situation has changed in the context of the pursuit of a European internal market. In 1987, the European Commission published the Green paper on the development of the common market for telecommunications services and equipment.

The Act of 21 March 1991 on the reform of certain economic public companies gave the RTT more autonomy to prepare for the liberalisation process launched by Europe. The BIPT was created to assist

the public authorities in organising the opening up of the telecommunications market.

Over time, the BIPT has evolved into a parastatal body under the administrative supervision of the Minister, while remaining autonomous and having its own legal personality. In 2003, the status and the competences of the BIPT underwent a change. In addition to liberalisation, EU legislative initiatives have also introduced new regulation to prevent or correct market failures. The BIPT must also ensure the protection of user interests, the security of networks, etc.

In 2023, the BIPT celebrated its 30 years of existence. This anniversary was a good time to take stock, but also to reflect on the future role of the BIPT because, if there is something constant in the history of the BIPT, it is the permanent evolution of its missions. On 14 November, at Autoworld Brussels, the BIPT and its stakeholders gathered around the theme “Regulatory challenges in a new digital era”, to discuss how much has been achieved by the markets and the regulator, but also and especially to share their thoughts on the challenges that arise:

- Jan Eeckhout, Professor of Economics at Pompeu Fabra University in Barcelona, gave a powerful explanation of the importance of competition, which is at the heart of his book “De Winstparadox”. The way in which the growing market power of a handful of companies leads, among other things,

to stifling innovation and, in the long run, to declining economic and social growth was analysed in detail;

- Renate Nikolay, Deputy Director-General of DG Connect of the European Commission, took a critical look at the European Union’s position in the global digital race and called on regulators, as well as national and European authorities to work together to keep Europe on track;
- Artificial intelligence (AI) plays a central role in the digital future. Nathalie Smuha analyses the legal and ethical implications of AI at the KU Leuven and New York University. She provided some details on how AI will be regulated in Europe;
- Bruno Dumas, Professor at the Faculty of Computer Science at UNamur, gave an overview of the algorithms behind AI.

Presentations, video messages from the various speakers and some mood photos are available on [this site](#).

1.2. Our role

1.2.1. Our objectives

In its various fields of competence (electronic communications market, postal market, electromagnetic spectrum of radio frequencies and network security), the BIPT must accomplish a series of objectives which mainly stem directly from the European and Belgian regulatory frameworks.

To achieve them, the BIPT draws up a strategic plan every three years. With a Council in the process of reorganisation, the year 2023 fell under the continuity of the [2020-2022 strategic plan](#). This plan outlined the strategic axes and priority fields of activity of the BIPT, thus delineating the good administration of the Institute. Established after consultation with the stakeholders, this plan also reflects the experience of the BIPT and allows it to respond to the changes in its operating environment.

Missions. Electronic communications, postal services and media in the Brussels-Capital Region are the BIPT's main fields of activity. The BIPT's activities are guided by six missions:

- fostering healthy competition and maintaining market access;
- contributing to the development of a domestic market of efficient networks and services;
- protecting the users' interests while taking account of social inclusion, a high level of protection, clear information and transparency;



- managing scarce resources such as radio frequencies and numbering resources;
- ensuring network security;
- promoting connectivity with high-capacity networks and access to them.

Values. The BIPT fulfils its duties in accordance with the following values:

- **independence:** the BIPT adopts an objective, neutral and consistent attitude, without conflicts of interest, prejudice or improper influencing. The BIPT collaborates with the competent minister(s), the Federal Parliament, the companies in the sectors regulated by the Institute, and other public

bodies and stakeholders. These contacts are desirable and often necessary to ensure a functioning that is attuned to the developments in society and the regulated markets, on the one hand, and stable and predictable, on the other hand. The BIPT must therefore make sure to defend and preserve its independence. From that perspective, the specific status and the financial autonomy are the best guarantees;

- **reliability:** as a centre of expertise, the BIPT wishes, when adopting a position, to be a reliable and competent partner for all stakeholders. This reliability is supported internally by the professionalism, teamwork and agility of the BIPT;

1.2. Our role

- **transparency:** this is part of the monitoring of the BIPT's intervention. It is achieved via openness and visibility, both internally and externally, on the one hand, and dialogue and accessibility, on the other hand. Decisions are thus duly motivated and often subject to prior consultation.

Vision. In the text expressing its vision, the BIPT summarises as follows what it aspires to create and defend in the field of electronic communications, media and postal services: "A reliable and competitive communications environment for everyone".



1.2.2. Our competences

The BIPT has several duties. It is thus:

- **the regulator of the electronic communications market:** it carries out the tasks laid down by law and monitors compliance with the legislation on electronic communications;
- **the regulator of the postal market:** it carries out the tasks laid down by law and monitors compliance with the legislation on postal services;
- **the manager of the electromagnetic radio frequency spectrum:** the BIPT is responsible for the radio frequency spectrum and numbering space to ensure that they are used as efficiently as possible. The BIPT also fulfils the role of "police of the radio waves" to put a stop to any form of harmful interference;
- **the regulator of audiovisual media and video-sharing platform services in the bilingual Brussels-Capital Region:** the BIPT ensures that operators comply with the specific regulation on radio and television broadcasting, provided that the activities of the broadcasting company cannot be specifically related to the French Community or the Flemish Community.

The BIPT has been designated as the reference authority for the implementation of various European regulations in its fields of competence:

- The BIPT has been designated as **the sectoral authority for the electronic communications sector by the Act of 1 July 2011 on the security and protection of critical infrastructures**. This act transposes the Council Directive of 8 December 2008 on the identification and designation of European critical infrastructures and the assessment of the need to improve their protection. The role of the BIPT in this context will probably be extended in the act transposing the new Critical Entities Resilience (CER) Directive adopted at the end of 2022 and replacing the Directive of 8 December 2008.
- The BIPT is **the market surveillance authority for radio products subject to the RED (Radio Equipment Directive)** of 16 April 2014, including smartphones, mobile radio transceivers, etc. The Institute is responsible, on the one hand, for verifying the conformity of equipment marketed in Belgium or imported into the European Union via Belgium, and, on the other hand, for ensuring consumer safety.
- The BIPT was designated as the **sectoral authority and inspection service for the digital infrastructure sector** by the Act of 7 April 2019 laying down a framework for the security of networks and information systems of general interest for public safety, which transposes the **NIS ("Network & Information Security") Directive**. This directive of 6 July 2016 concerns measures for a high common

1.2. Our role

level of security of network and information systems across the European Union. The “NIS 2” Directive was subsequently adopted at the end of 2022, and will enter into force on 17 October 2024. The designation of the BIPT as the sectoral authority and sectoral inspection service for the digital infrastructure sector within the framework of NIS 2 is also being considered.

The BIPT is also intensely involved in the transposition or implementation of the new European digital regulation. It is preparing to assume responsibility for any new monitoring and advisory tasks that may be assigned to it in this field. At this stage, the BIPT has already been [designated as the competent authority for certain matters relating to the digital sector](#):

- The Act of 19 June 2022 transposing the European directive on copyright and related rights in the Digital Single Market¹ entrusted the BIPT with the competence [to settle disputes between press publishers and information society service providers](#). Therefore, the BIPT may determine the remuneration due to a publisher, provided that the parties have at least previously attempted to reach an agreement in good faith and have negotiated to this end for a minimum period of 4 months. However, there is uncertainty about the future of the BIPT’s competence in this matter following pending constitutional appeals that call into question its validity and scope.

- In December 2023, the BIPT was designated as [the competent Belgian authority for the implementation of the Terrorist Content Online Act](#), together with the Federal prosecutor’s office. Regulation (EU)2021/784 aims to combat the misuse of hosting services for the dissemination to the public of terrorist content online. It has been directly applicable in all Member States since 7 June 2022. The act entrusting this new mission to the BIPT came into force at the end of December 2023. The Federal prosecutor’s office is responsible for issuing orders for the removal of content and, if necessary, carrying out a thorough examination of cross-border removal orders (from order issuing authorities of other Member States). For its part, the BIPT is responsible for monitoring the specific measures to be implemented by hosting service providers and for sanctioning non-compliance with the obligations imposed on them by the Regulation (including the obligation to remove terrorist content or to block access to such content in all Member States following receipt of a removal order).

The BIPT is also expected to be appointed as the Digital Services Coordinator (DSC) under the European Digital Services Act (DSA). In taking on this role, BIPT will be responsible for coordinating, at national level, the monitoring by the various competent authorities responsible for the compliance with this regulation.

The BIPT is also a member of the “Conférence des régulateurs des médias et des télécommunications” (Conference of telecommunications and media regulators or CRC) which includes the CSA (“Conseil supérieur de l’Audiovisuel”), the Medienrat and the VRM (“Vlaamse Regulator voor de Media”) as well. Each draft decision of the BIPT on electronic communications networks is submitted to the other three authorities².

Means of action. In performing its duties, the BIPT may:

- take administrative decisions and impose administrative sanctions;
- issue opinions on its own initiative or at the request of the Minister or the Chamber of Representatives;
- conduct studies, gather all useful information or organise a public consultation;
- act as a conciliator in case of disputes.

1. Act of 19 June 2022 transposing Directive (UE) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC.

2. Cooperation Agreement of 17 November 2006 between the Federal State, the Flemish Community, the French Community and the German-speaking Community on the mutual consultation when the regulatory authorities in charge of telecommunications or radio and television broadcasting draw up legislation regarding electronic communications networks, exchange information and exercise powers regarding electronic communications networks.

1.3. Our organisation

1.3.1. Our status

Independent since the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors, the BIPT benefits from autonomous financial management and is financed by the contributions from the players of the regulated sectors.

The democratic monitoring of the BIPT's operation is, however, ensured and is exercised through the following instruments:

- Every three years, a Strategic Plan is drawn up and presented to the Chamber of Representatives. It is the backbone of the annual operational plans;
- Each year, the BIPT publishes a report on its activities and the developments in the postal service and telecommunications markets for the stakeholders;
- The Institute's draft budget and its accounts are approved by the Ministers of Budget and Finance. The draft budget is published and the budget is also submitted to the Chamber of Representatives.

The annual accounts are audited by the Belgian Court of Auditors;

- The decisions of the BIPT 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 the BIPT's decisions and annul them with retroactive effect.

1.3.2. Our structure

The BIPT is run by the Council, made up of a chairman and three members; the four of them are appointed by the King for a period of six years. In 2023, the Council was composed of Michel Van Bellinghen (Fr), Chairman of the Council, Axel Desmedt (NI), Luc Vanfleteren (NI) and Bernardo Herman (Fr), Members of the Council. A selection procedure for the Chairman and three members of the Council took place and resulted in the appointment of two new Dutch-speaking members.

The BIPT's organisational chart contains nine horizontal departments (the Registry, the Communications Department, the Budget and Finance Department, the Translation Department, the International Relations Department, the IT Department, the Legal Department, the Personnel Management Department and the Purchasing and Logistics Department) and six vertical departments (the Telecom Market & Media Department, the Monitoring Department, the NetSec Department, the Assignments Department, the Consumer Department and the Postal Market Department).



1.4. Our interventions

1.4.1. Our expertise

Based on its experience and its contacts with the telecommunications and postal markets, the BIPT is regularly involved in the preparation of strategic documents or decisions in these sectors. Examples of interventions in 2023 are detailed below.

Preparation of the electronic communications sector regulation³. A draft bill pertaining to various provisions on electronic communications was prepared and submitted for public consultation from 27 November to 27 December 2023. It intends to amend the following acts:

- The Act of 21 March 1991 to help the Office of the Ombudsman for Telecommunications fulfil its mission of helping victims of malicious calls, by allowing it to request data from operators;
- The Act of 17 January 2003 on appeals and the handling of disputes arising from the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors (formally adapted);
- The Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors, in order to clarify the competences of the BIPT and its internal organisation. Its purpose is to ensure the collaboration of top-level domain name registries or an entity providing

domain name registration services, and strengthen criminal law provisions. The purpose is also to protect staff members in the exercise of their duties and to supervise the sampling carried out by investigating officers using a fictitious identity (mystery shopping);

- The Act of 13 June 2005 on electronic communications, to ensure its application to undertakings providing or authorised to provide public electronic communications networks, to regulate the international coordination of space-based services, to re-establish the drafting of the legal basis for the creation of a database for the transmission of subscriber data to emergency services, providers of directories and directory enquiry services, then, to allow the introduction of an opt-out system for legal persons with regard to integrations in directories and directory enquiry services, and finally, to provide for a criminal sanction in the event of the registration of a fraudulent domain name, and for fraudulent electronic communications.

The BIPT also contributed to the reform of telecoms social tariffs. This project, led by the Minister of Telecommunications, consists in the adaptation of Annex 1 of the Act of 13 June 2005 on electronic communications, and the adoption of two royal decrees implementing the new legislative framework. The reform of social tariffs provides for the entry into force of a new regime on 1 March 2024. The latter

defines new categories of beneficiaries (largely similar to those of the “energy” social tariff), as well as a new principle of the social tariff: the social benefit will now consist in the provision of a fixed internet subscription and a package including at least fixed internet, with basic minimum characteristics and a capped price.

The BIPT also participated in the drafting of the Royal Decree of 10 September 2023 on the portability of e-mail addresses⁴.

The BIPT has also prepared the drafting of several (draft) royal decrees on the provision of electronic evidence to the authorities⁵.

Preparation of the digital sector regulation. The BIPT has been assigned new powers in the framework of the implementation of various legal instruments of the European Union in the field of digital services. In collaboration with the FPS Economy, the BIPT has drafted the texts necessary for their implementation in Belgium. An example in this regard is the [Act](#) of 5 November 2023 pertaining to various provisions regarding the economy (art. 89-90)⁶, designating the BIPT, together with the Federal prosecutor’s office, as one of the competent Belgian authorities within the meaning of Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on addressing the dissemination of terrorist content online. Also in 2023, Belgium focussed on the implementation of Regulation (EU) 2022/2065 of the

3. For a complete overview of the current and future legislative work in the electronic communications sector, we encourage readers to refer to the 2024 Operational Plan.

4. Royal Decree of 10 September 2023 implementing Article 121/1, § 2, subparagraph 2, of the Act of 13 June 2005 on electronic communications (Belgian Official Gazette of 2 October 2023).

5. A draft royal decree amends 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. A Royal Decree of 16 November 2023 implements Article 126/3, paragraph 2, of the Act of 13 June 2005 on electronic communications with a view to confirming the level of threat throughout the country. Finally, the BIPT is participating in the drafting of a royal decree to replace the Royal Decrees of [12 October 2010](#) determining the conditions of the legal collaboration obligation in case of requests on electronic communications by the intelligence and security services and of [9 January 2003](#) laying down the terms and conditions of the legal collaboration obligation in case of judicial requests regarding electronic communications.

1.4. Our interventions

European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act), best known to the general public by its acronym DSA. Here too, the BIPT and the FPS Economy worked together to prepare [the draft bill](#) implementing the European regulation on digital services, amending Book XII and Book XV of the Code of Economic Law and amending the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors. This text aims to designate the BIPT as the competent authority, within the meaning of the DSA, for matters under federal jurisdiction. To complete the implementation, a cooperation agreement between the Federal State and the Communities is necessary. During the negotiations in this regard at the end of 2023, it was agreed that the BIPT would be designated as the Belgian DSC (Digital Services Coordinator).

[Preparation of the cybersecurity regulation⁷](#). The BIPT participated in all working groups on the transposition of the [NIS2](#) Directive, which transfers the security provisions of the European Electronic Communications Code to the NIS2 framework. The discussions finally resulted in the bill laying down a framework for the cybersecurity of networks and information systems of general interest for public safety. In this bill, the BIPT is designated as the sectoral authority and sectoral inspection service responsible for the sectors of “digital infrastructure” and “postal and shipping services” and will thus have



to ensure, alongside the CCB, that the entities concerned in these sectors achieve a sufficiently high level of cybersecurity.

[Preparation of the regulation on the use of radio spectrum⁸](#). The BIPT contributed to the drafting of the amendment of the legislation concerning jamming systems, and more particularly systems intended to counter malicious drone attacks. A new Article 15/1 of the Act of 13 June 2005 on electronic communications, hereinafter “LCE”, now contains the legal framework for the use of any jamming system.

The BIPT has also contributed to the development of a new regulatory framework setting out the modalities for the control of broadcasting stations. The framework has been expanded to include other types of broadcasting than FM: digital television broadcasting (DVB-T...), or digital sound broadcasting (DAB, DAB+...) for example. This led to the drafting of the Royal Decree of 23 May 2023 laying down the modalities for the control of broadcasting stations.

[Preparation of the postal sector regulation⁹](#). The BIPT also contributed to drafts amending the postal regulatory framework. In 2023, these discussions mainly concerned environmental and social sustainability matters.

The social dimension was included in a bill amending the Act of 26 January 2018, introduced to the Federal Parliament on 11 July 2023, with a view to improving the working conditions of Belgian parcel deliverers.

On several occasions, the BIPT has been involved in sharing its expertise on the postal parcel delivery

6. Published in the Belgian Official Gazette on 11 December 2023.

7. For a complete overview of the current and future legislative work regarding cybersecurity, we encourage readers to refer to the 2024 Operational Plan.

8. For a complete overview of the current and future legislative work regarding the use of radio spectrum, we encourage readers to refer to the 2024 Operational Plan.

9. For a complete overview of the current and future legislative work in the postal sector, we encourage readers to refer to the 2024 Operational Plan.

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market. It delivered, on its own initiative, an [Opinion](#) on the economic aspects of this bill on 13 September 2023, raising a possible negative economic impact.

This bill amending the Postal Act became the [Act](#) of

17 December 2023 pertaining to various provisions in order to improve the working conditions of postal parcel deliverers, published in the Belgian Official Gazette on 28 December 2023.

This act and the royal decrees relating to it were drafted in collaboration with the various competent administrations. The BIPT, like the other competent administrations, drafted frequently asked questions for the website [BELparcel.be](https://belparcel.be).

The environmental aspect of parcel deliveries gave rise to a draft decree involving the implementation of new essential environmental information requirements, which was adopted in 2023 under the title of [Royal Decree](#) of 14 December 2023 amending the Royal Decree of 14 March 2022 on postal services¹⁰.

After a public survey conducted by the BIPT in 2022, the collaboration continued in 2023 during reflections on the implementation of these new environmental obligations and the role that the BIPT would play in this matter.

The Royal Decree provides that, next year, the BIPT will have to determine the methodology for measuring CO₂ emission data and appoint a competent and independent audit body to verify the accuracy of these data. The schedule for the following steps was prepared in 2023.

A [bill](#) adopted at first reading at the end of 2023 aims to limit the environmental impact of unsuccessful parcel deliveries, on the one hand, by generalising the obligation for postal service providers to distribute parcels in parcel boxes and, on the other hand, by

10. Published in the Belgian Official Gazette on 29 December 2023.

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promoting the development of parcel lockers. The BIPT was fully involved in the preparation of this project and in the follow-up of the comments of ad hoc entities.

This bill also provides for the legal basis for the regulation of parcel boxes prepared in collaboration with the BIPT, following on from the consultation of the sector regarding private letterboxes, carried out by the latter.

As provided for in Article 14, § 2, subparagraph 2, of the Postal Act, bpost can be appointed as the universal service provider for five years based on a management contract. On 7 July 2023, the Minister of Postal Services asked the BIPT by letter to issue an opinion on the draft "Second management contract concerning the universal postal service obligations (2024-2028)". This opinion was issued on 12 September 2023.

The [Royal Decree](#) approving the management contract was promulgated on 9 November 2023 and published in the Belgian Official Gazette of 20 December 2023.

At the request of the Minister of Postal Services, the BIPT organised from 5 January to 31 January 2023 a public consultation on a draft amendment to Article 8 of the Act of 26 January 2018 on postal services.

This consultation aimed to survey the sector on a possible extension of the regulatory fee to all postal service

providers with a turnover of more than €500 000, while Article 8, as currently drafted, only applies to holders of postal licences offering a letter post service falling within the scope of the universal service. Following this consultation, the BIPT drafted a summary of the observations made by the sector and sent it to the Minister.

With a view to the Belgian presidency of the European Union in the first half of 2024, the BIPT also contributed to discussions at national and European level in favour of the need to revise Postal Directive 97/67/EC. Within that framework, the BIPT organised many discussions with the European Commission, the Presidency of the EU Council and the Member States.



[Expertise for the Chamber of Representatives](#). At the request of the Chairman of the Committee for Economy, Consumer Protection and the Digital Agenda of the Chamber of Representatives, the BIPT delivered an [opinion](#) on 14 March 2023 on a [draft resolution](#) on the protection of young children from inappropriate online content. In this opinion, the BIPT supports the objective of protecting young children from inappropriate online content. As regards the imposition of obligations, the BIPT first calls for a review of the adopted and ongoing European initiatives concerning the protection of minors against inappropriate online content before integrating (different and/or additional) protection at terminal equipment level (obligations for manufacturers) and/or internet access service level (obligation for internet service providers (ISPs)). Furthermore, the BIPT recommends examining the successful implementation of the legislation in France (on which the draft resolution was largely based) before taking (national) initiatives imposing obligations on other players involved in the provision of online content than those provided for in the adopted and ongoing European initiatives. As regards additional (national) requirements that would be imposed on terminal equipment, the BIPT was in favour of harmonisation at European level, since this is not an exclusively Belgian issue. If we were also to introduce a system of protection at ISP level, then, according to the BIPT, it would be necessary to develop an accurate parental control system that integrates the protection of data and privacy of individuals and their security. In this

1.4. Our interventions

respect, the BIPT pointed out that the standardisation of such a system, particularly the part concerning adequate online age verification, is still being developed.

Analysis of telecommunications tariffs. The BIPT has 9 years of experience in carrying out national tariff comparisons. Each year, hundreds of tariff plans are analysed based on regularly updated consumption profiles, to better reflect changes in the market and the consumers' reality.

For the first time in 2023, the BIPT took two annual snapshots of the prices on the Belgian residential telecommunications market: one relating to [mobile services](#), and the other to [fixed and convergent services](#).

This exercise is intended to be pragmatic and takes as its starting point the real needs of consumers, which are illustrated using a dozen profiles that are sufficiently differentiated (30-year-old person, student, single parent, cord-cutter¹¹ profile, family with teenagers, elderly couple, etc.) to give a broad and varied perspective of the telecommunications market (standalone mobile, standalone internet, 2P mobile and Internet packs, multi-play packs, etc.).

The national benchmarking regarding mobile services is based on five consumer profiles, each one characterised by volume requirements in terms of mobile data and call minutes from low to very high

volumes. Regarding the number of residential customers, the latest BIPT statistics show that 66% of them choose mobile as a standalone product, whereas 34% include it in a bundle. For each profile, offers meeting at least their needs were taken into account. Despite inflation, the results show that, compared to the third quarter of 2022, offers in the third quarter of 2023 are more attractive for consumers in terms of choice and price.

Regarding fixed and convergent services, the focus was on profiles combining fixed and mobile elements which currently represent 64% of the bundles purchased by Belgian consumers. The idea is to guide consumers and give them all the "keys" they need to determine the minimum expenses to cover their telecoms needs. To that end, several solutions are analysed by comparing the results of commercial "turnkey" offers and those resulting from a "mix¹²" of plans.

Despite substantial inflation having an impact on telecommunications prices in 2022 and 2023, both studies have shown that by being agile and regularly comparing plans consumers could make significant savings, in particular by choosing products from secondary or alternative operators, playing on the increase in mobile data included in the packages (mobile and convergent profiles) or removing the mobile service(s) of the bundle. The telecoms market is changing at the pace of technology. It is thus important to compare on a regular basis. A summary

of the characteristics of the 12 profiles reviewed in these studies and of the cheapest results for each operator is directly available in just a few clicks on the BIPT website.

The BIPT's expertise in analysing telecommunications tariffs also extends internationally. As in previous years, the BIPT conducted a comparative international price study comparing the level of telecommunications tariffs on the Belgian market with those in neighbouring countries. This study is conducted internally by the BIPT and can be seen as complementary to the international benchmark carried out each year by the European Commission. The BIPT study was the subject of a [Communication of 18 December 2023](#) regarding the comparative study on the price level of telecommunications products in Belgium and in the neighbouring countries.

The tariffs chosen for comparison are those of the cheapest offers that meet at least the telecommunications needs that must be satisfied for a certain number of household profiles. Results were generated for the mobile market, the fixed internet market and bundles.

Analysis of a possible contribution obligation of online platforms regarding network costs. In 2023, the BIPT examined whether the roll-out of optical fibre and 5G required a contribution from online undertakings representing a large part of the traffic over the network. In May, the BIPT published a draft

11. Cord-cutters are consumers with new ways of consuming television, where channel programming is less and less important. These consumers do not pay for a classic digital television subscription anymore and prefer streaming services (Netflix, Amazon Prime Video, Apple TV+, Disney+...) or illegal IPTV.

12. A mix means the combination of two plans to meet the requirements of a given profile.

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communication submitted for consultation regarding its position in discussions on the fair share, to which over 20 parties responded. In its [Communication](#) of 8 November 2023, the BIPT states that the need for compulsory contributions has not been sufficiently demonstrated and warns of the side effects in terms of network neutrality and competitive dynamics on ancillary markets.

National, European and international cooperation. At national level, the BIPT cooperates with numerous institutional partners (such as the FPS Economy, the FPS Policy and Support but also the police, the judicial authorities and other regulators) to analyse, follow up and, if necessary, transpose a wide range of European legislative initiatives into national legislation. In this regard, examples include the work on the Gigabit Infrastructure Act, Data Act, Artificial Intelligence Act and Cyber Resilience Act. The BIPT also supports the Belgian Permanent Representation to the EU in the event of questions on these subjects or similar initiatives regarding the regulation of telecommunications and postal services markets, but also of new digital economies.

At European level, within the framework Belgium's presidency of the UE Council, as Belgium is assuming the rotating presidency of the latter during the first semester of 2024, the BIPT prepared itself in 2023 as the technical expert for issues related to electronic communications and postal services. In its contribution to the preparation and implementation of the Belgian



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presidency of the UE Council (EU2024BE), the BIPT demonstrated constant attention to the adequate balance between a positive investment climate and consumer interests, to sustainable regulation and networks, to efficient management and administrative simplification. This is what emerged in particular from the contributions to the Council's conclusions on the digital future of Europe, EU Telecommunications Council of June, October and December 2023, and from the EU2024BE programme for the configuration of the Transport, Telecommunications and Energy Council. Furthermore, the BIPT assumed at national level the role of pilot when drafting the European legislative proposal of the Gigabit Infrastructure Act (GIA). In this context, the Institute provided proactive support to the Belgian Permanent Representation to the EU regarding its work at Council level and trilogue negotiations with the European Parliament, the European Commission and the Council of the European Union (this activity will continue in the first half of 2024).

Within the Universal Postal Union (UPU), the BIPT continued to carry out its four-year mandate as a member of the Council of Administration (CA) on behalf of Belgium in 2023, as well as its mandate of vice-chair of the Council of Administration for the Western Europe region.

In September 2023, the BIPT participated in the Extraordinary Congress of plenipotentiaries of the UPU in Riyadh (Saudi Arabia). At the Extraordinary

Congress of the UPU, additional measures were taken regarding the opening-up of the UPU to wider postal sector players. Belgium actively participated in the preparation and also intervened during the UPU Congress regarding its opening-up and the associated proposals were adopted by near consensus. A concrete framework will now be drafted to determine the extent to which postal operators, other than the designated provider (bpost in Belgium), can participate in the work of the UPU, particularly regarding the new areas of e-commerce.

A resolution was adopted at that Congress at the

request of EU countries in order to include the climate actions of the postal sector in the UPU's field of work and to set individual objectives and roadmaps for the designated provider to reduce the greenhouse gas emissions of the postal sector.

Finally, the BIPT participated as head of the Belgian delegation in the World Radiocommunication Conference (WRC-23) of the International Telecommunication Union (ITU) in Dubai in 2023. At this conference, various subjects were discussed at international level, such as aeronautical and maritime services, mobile services, scientific services and satellite services.



1.4. Our interventions

1.4.2. Our interventions for the general public

Monitoring

As part of its remit, the BIPT has a specific mission to monitor the legal provisions, the compliance with which it monitors, which is put directly at the service of consumers.

In the field of [electronic communications](#), controls performed by the BIPT in 2023 specifically focused on compliance by mobile operators with their obligations relating to the identification of prepaid cards and their notification to the BIPT. Furthermore, after having observed in 2022 in a number of points of sales of an operator that incorrect information was provided concerning the Easy Switch procedure, which facilitates the change to another fixed internet service and/or television provider, the BIPT declared that this operator's points of sales would be checked again in 2023. This led in 2023 to [the imposition of a fine](#) of €1 million to Telenet, as the operator did not present Easy Switch in its points of sales as the standard procedure. The inspection services of the BIPT controlled about 90 Telenet points of sales in 2023 and found that a clear majority (61%) did not propose Easy Switch as the standard procedure.

The BIPT also [monitors](#) compliance with European Regulation 2015/2120 on [net neutrality](#). The purpose is to ensure that operators observe the rules regarding the neutrality of the internet.

The BIPT also checks the [conformity of equipment placed on the market](#). In 2023, the BIPT collaborated on a European campaign aiming at ensuring compliance of certain products such as tablets, mobile phones, connected headphones with radio equipment standards laid down at European level for an efficient use of the spectrum and to protect consumer health against thermal effects of radio waves. Following this campaign, several devices were submitted to compliance laboratory analyses.

As part of its monitoring activities, the BIPT also checks refurbished smartphones that are sold on the Belgian market. The refurbishing of smartphones that were initially compliant with the RED on the European market is generally not an issue, provided that the refurbishing process does not affect the compliance of the product. The refurbishing of smartphones coming from outside the European Union, such as the United States, is however subject to restrictions. These devices which have not undergone the verification procedures laid down in the RED cannot be placed on the European market, refurbished or not. Furthermore, most of them do not bear the required CE marking. In 2023, the BIPT was once again confronted with several cases of non-compliant imported or refurbished products put on the market, leading to the seizure of dozens of units.

Regarding the [postal sector](#), the BIPT is particularly tasked with monitoring compliance with the Act of 26 January 2018 on postal services. This also includes, in

accordance with Article 18, the important task of monitoring bpost's annual tariff increases for small users (for postal products intended for private individuals and small professional users who do not have a reduced tariff for bulk products). As already stated in its Opinion of 19 October 2017, the BIPT considers, however, that the new price cap formula of 2018, as set out in the Postal Act, is not appropriate to ensure effective control of the principle of cost orientation. Volume changes, which are the basis of the price cap formula, are only indirectly linked to costs. It is also questionable whether this formula can adequately check the affordability of tariffs, given the large gap between inflation and the tariff increase applied by bpost since 2018 and the increase requested for 2024. In this regard, the BIPT will continue to work towards harmonisation of the legislation on postal tariffs with the European legislation. Furthermore, the BIPT is responsible for collecting data on the postal market in accordance with Article 14 of the Act of 17 January 2003 on the status of the regulator, for example via its postal observatory, and ensuring the implementation of EU Regulation 2018/644 of 18 April 2018 on cross-border parcel delivery services.

The BIPT, therefore, published the results of the measurements carried out by bpost within the framework of the 6th management contract. The BIPT also prepared the content of an audit which will be conducted in 2024 on a sample of test (mail) items and real items (parcels and registered mail) used by

1.4. Our interventions

bpost to measure the quality of its items.

Moreover, the BIPT implemented Regulation EU 2018/644 which includes several points of action: on the one hand, the introduction of the tariffs by the operators was supervised and verified. On the other hand, cross-border statistics were also collected. Finally, bpost's considered tariffs were evaluated.

Informing

For several years, the BIPT has regularly developed animated videos to be posted on social media. These concern various topics of interest to users. In these videos, the BIPT family – the parents Iza and Benoît, and their children Pablo and Thalia – explains in an accessible manner how to look for certain information or solve a problem.



While topics such as finding a postal service point, keeping an e-mail address after changing operators, the bill shock mechanism, radio equipment disturbance and Wangiri fraud were already highlighted in previous years, 2023 was marked by a campaign on social networks (Facebook, Instagram and YouTube) with the following information videos:

- How can you know the quality of your fixed internet connection, the mobile coverage, the presence of optical fibre... via our [data portal](#);
- How to guarantee the quality of your radio communication links when applying for a private licence;
- How can you, as an SME/self-employed, find the most advantageous telecommunications tariff for your company with [besttariff](#);
- How can you compare tariffs for the sending of a parcel within the EU via [postalpoint.be](#).

All videos are available on the [BIPT's YouTube channel](#).

In addition to the production of videos, the BIPT also uses the social media to react to current events and give tips and tricks to postal and telecommunications service users, draw their attention to certain developments in the postal service and telecommunications sector or the BIPT's activities. To do so, the BIPT uses sponsored and unsponsored publications. In 2023, the BIPT used social media to provide consumers with information on various



subjects such as the possibility of call credit repayment, the feature of [besttariff](#) enabling users to make comparisons with several SIM cards and to look for tariffs for SMEs/self-employed, job vacancies, roaming/international tariffs, national tariff comparisons, network usage by MVNOs, the postal observatory, the 30th anniversary of the BIPT, the consumer survey...

1.4. Our interventions

To keep on supporting the dissemination of accurate information on the subject of 5G before and after the multi-band auction, the website [About5G](#) was regularly fed with objective and independent information throughout the year. Explanations were thus given on the frequencies and masts used for 5G, a press release was published on 5G pilot projects, a myth on the possible link between radio frequencies and the COVID-19 vaccine was dispelled, and a blog post regarding the impact of radio-frequency electromagnetic fields (RF-EMF) on melatonin synthesis as well as quarterly analyses of the available literature on the potential health effects of RF-EMF were also published.

Via its website, the BIPT also provides consumers with useful information regarding their rights, obligations and the existence of operators, for instance. Given that most of the consumers are customers of major operators, as shown in the [latest survey conducted among consumers](#), the BIPT published on its website lists of mobile¹³, fixed and convergent¹⁴ operators that are available on the residential market. The purpose is to inform consumers on the existence of major and alternative operators with easily accessible tools.

These pages also include questions and answers with information on the importance of measuring the quality of the mobile network and fixed access network at the address level with coverage maps from the BIPT, the status of fibre deployment, the quality of service of operators via the quality barometer, the tariff simulator [besttariff.be](#), etc.

In addition to providing information to the general public, the BIPT also runs targeted information campaigns and takes part in trade fairs and conferences in its areas of expertise. These initiatives include the distribution of information leaflets and the organisation of information sessions on the Radio Equipment Directive (RED) for economic operators and business associations. More generally, the BIPT regularly informs retailers and retailer associations on the regulation regarding radio equipment and refurbished equipment and, for instance, the declaration of conformity of the manufacturer and the CE marking on these devices. The aim of these initiatives is to raise awareness among players on the Belgian and European markets about the importance of abiding by compliance regulations when selling radio equipment, and thus ensure the safety of users.

In 2023, the BIPT also launched an assistance and information campaign for the police in Flanders and Charleroi to familiarise them with the BIPT, its competences and the European regulation on radio equipment.

Within the framework of the NISDUC project, the beneficiaries, i.e. the Luxembourg Institute of Science and Technology (LIST), the Luxembourg Regulatory Institute (ILR), the Belgian Institute for Postal Services and Telecommunications (BIPT) and the Computer Incident Response Center Luxembourg (CIRCL), with the support of Centre for Cybersecurity Belgium (CCB), organised a second NISDUC Conference in Brussels on 26 and 26 April 2023.

This two-day conference entitled “From NIS to NIS 2.0: a path to take” was accessible free of charge and open to the operators of essential services (OES), digital service providers (DSP), competent authorities, single points of contact, Computer Security Incident Response Teams (CSIRT), sector associations, cybersecurity institutions and relevant players.

The main objectives of this conference were the following:

- develop a community of practice around the NIS Directive;
- share knowledge and exchange practices;
- acquire experience during training sessions.

The programme was designed to present a wide range of themes around the NIS Directive, with different points of view (feedback from operators, feedback from regulatory authorities, future changes to the regulatory framework, academic work, etc.).

Over the two days, the conference gathered more than 240 participants from 24 countries, mainly from Belgium, Luxembourg, the Netherlands and Germany.

This conference paved the way for a third NISDUC conference in the Netherlands in 2024 and the establishment of an alternate organisation among the three Benelux member countries.

14. [List of mobile operators | BIPT](#)

15. [List of fixed and convergent operators | BIPT](#)

1.5. Our place on the European and international stage



1.5. Our place on the European and international stage

The national regulation of electronic communications and postal services is broadly determined by the beacons set out at European level. It is thus essential that the BIPT, being the national regulator, be actively involved in the European organisations concerned so that national circumstances are taken into account.

Cooperation regarding regulation is key to ensure the quality of regulation, both at national and international level. Communications regulators rely on informal and formal cooperation mechanisms to help them reach their objectives. It is vital for regulators to share their experiences and knowledge, coordinate their political choices to ensure legal certainty and cooperate on certain emerging issues such as mechanisms ensuring the promotion of competition and the protection of consumers. International cooperation on regulation includes numerous approaches mainly focused on strengthening the interoperability of the various regulatory frameworks. This includes exchanging information and participating in international forums. International cooperation on regulation is not limited to the regulatory design phase and includes downstream aspects in the area of implementation, application and ex post management. Digital transformation presents new challenges to the current roles of the national regulatory authorities (NRAs) to which regulators must adapt (technological and market developments, sustainability, cybersecurity).

1.5. Our place on the European and international stage

Furthermore, the BIPT also acts as a representative of the Belgian State at European and international levels in the fields of electronic communications and postal services.

1.5.1. The BIPT as a regulator

BEREC. The Body of European Regulators for Electronic Communications (or BEREC) was established by a European regulation¹⁵. BEREC contributes to the development and better functioning of the internal market for electronic communications networks and services, by aiming to ensure a consistent application of the EU regulatory framework.

BEREC is composed of electronic communications regulators from EU countries. It prepares opinions, guidelines, reports, recommendations, common positions and best practices on the regulation and development of electronic communications, and supports the implementation of the European regulatory framework. This contributes to a better functioning of the market for electronic communications networks and services. Furthermore, as regards the digital transformation of telecommunications networks and services, BEREC has also included in its work programme a number of emerging problematics going beyond the traditional scope of telecommunications regulation. BEREC performs its tasks in collaboration with the NRAs and the European Commission. It must improve cooperation among NRAs but also between the NRAs and the European Commission.

BEREC is competent to assist and advise the NRAs, the European Parliament, the Council and the Commission, and cooperate with the NRAs and the Commission, upon request or on its own initiative, on any technical matter regarding electronic communications within its competence. BEREC's activities are implemented within working groups.

In 2023, the BIPT contributed to the implementation of the BEREC Work Programme 2023 under the chairmanship of the [EETT](#), the Greek regulator. The priorities are consistent with the 2021-2025 strategy, meaning: promoting full connectivity, supporting sustainable and open digital markets, and empowering end-users. In 2023, BEREC focused in particular on the following topics: implementation of the European Electronic Communications Code, sustainability, roaming, open internet, digital markets, new technologies, 5G ecosystem and AI.

In 2023, BEREC actively provided a consultative contribution to the European legislative institutions, the Commission, the European Parliament and the Council. Subjects such as sustainability, towercos, cloudification, virtualisation and softwarisation, open internet, fair share, bridging the digital divide, the Digital Decade policy programme (DDPP), promotion of VHCN¹⁶, AI, DSA¹⁷ and DMA¹⁸, and 5G were thoroughly discussed in 2023. The same year, BEREC published about forty reports, opinions or guidelines. The twelve different BEREC working groups were closely followed up by BIPT experts.

BEREC's work also concerned the integration of third countries. Between 2001 and 2015, the EU signed association agreements with six of the Western Balkan countries. In a communication of 6 February, the European Commission recommended actions to develop the digital society and align the legislation of these countries with EU rules. One of these actions is to integrate the Western Balkan countries into BEREC. The judgement of the European Court of Justice of 17 January 2023 annulled a decision of the European Commission of 18 March 2019 detailing the working methods between BEREC and third countries for lack of jurisdiction. Following this judgement and other collaboration requests, BEREC adopted a standardised procedure.

15. Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office.

16. Very High Capacity Networks. These are very high-capacity electronic communications networks which are entirely made, at least up to the distribution point, of optical fibre elements or which are able to offer similar network performance under usual peak-time conditions.

17. The Digital Services Act (DSA) is a regulation of the European Parliament and of the Council which aims to better protect online consumers, oblige online platforms to act in the most responsible and transparent manner, and stimulate innovation, growth and competition.

18. The Digital Markets Act (DMA) is a regulation of the European Parliament and of the Council which aims to foster competition in the European digital markets and to prevent abuse of power by the very large platforms (gatekeepers).

1.5. Our place on the European and international stage

In 2023, several events were also organised by BEREC, such as a Stakeholder Forum and various workshops.



European Conference of Postal and Telecommunications Administrations
– 46 European countries cooperating to regulate posts, radio spectrum and communications networks



IRG. The Independent Regulators Group gathers 37 members (European telecoms regulators). The IRG acts as a facilitator for its members and provides flexible support to fulfil their role. They work on improved collaboration, mutual assistance and the sharing of information among regulators. The BIPT participated in several workshops and webinars organised by the IRG.

The ERGP. The ERGP (European Regulators Group for Postal Services) is a consultative and deliberative body gathering the postal regulators delivering opinions to the European Commission in the field of postal services.

The ERGP Work Programme 2023, drafted in 2022, was part of the ERGP Medium-Term Strategy 2023-2025, which was built on three pillars, namely:

- 1) Revisiting the postal sector and its regulatory framework in light of environmental sustainability and digitalisation
- 2) Promotion of a competitive single EU postal market in the context of rising e-commerce deliveries
- 3) Empowerment of end-users and ensuring a user oriented universal service

In 2023, the BIPT participated in two plenary meetings and the five following ERGP working groups: “Regulatory Framework”, “Sustainability”, “Access and Interoperability”, “Cross-border parcel delivery” and “Consumers and Market Indicators”.

The BIPT led two working groups. The first one, “Consumers and Market Indicators”, led in cooperation with the Maltese regulator, [MCA](#), issued two external ERGP reports: “ERGP Report on quality of service, consumer protection and consumer handling” and “ERGP Report on core indicators for monitoring the European postal market”. The second working group “Sustainability”, led by the BIPT in cooperation with the Hungarian regulator, [NMHH](#), issued an external report in 2023: “ERGP Report on practices for environmental sustainability in the postal sector”. Before the ERGP plenary meeting in Bucharest, this working group had also organised an external ERGP workshop on “users’ awareness of environmental sustainability”, and this in the context of the green transition of the postal sector. In 2024, the BIPT will continue to lead the ERGP working group on “Consumers and Market Indicators” as vice-chair.

CERP. The European Committee for Postal Regulation or CERP ensures a good coordination between its members and seeks to promote compliance with the “acquis communautaire”. The BIPT participates as the postal sector regulator in Belgium. In particular, the Institute participated in the plenary meeting in Denmark which focused on the CERP elections (including the election of the CERP Chairman) as well as the reflection on opening-up the Universal Postal Union to other postal stakeholders.

Furthermore, the BIPT actively participated in a UPU working group of CERP, the main task of which was

1.5. Our place on the European and international stage

the European preparation of the Extraordinary Congress of plenipotentiaries of the UPU in Riyadh (Saudi Arabia). This working group also prepares the biannual meetings of the UPU, within which the BIPT represents Belgium.

Fratel. The BIPT is a member of the French-speaking telecommunications regulator network, [Fratel](#). This network organises a seminar every year, as well as a yearly meeting. The 20th Fratel seminar, organised in Lausanne in May 2023, was devoted to the user/consumer. The main objective of this seminar was to enable the members of Fratel to exchange views on “Why and how to involve the user in regulation?”. Two panel discussions and one workshop were organised on that subject.

1.5.2. The BIPT as the representative of the Belgian State

Specialist organisations of the United Nations

ITU. The International Telecommunication Union (ITU) is the worldwide authority for information and communications technologies. The ITU is mainly active in three sectors: managing the radio-frequency spectrum and satellites (ITU-R), developing technical standards for telecommunications (ITU-T) and global ICT development efforts (ITU-D).

The ITU published its new ICT Develop Index 2023



(IDI) that was established based on a new methodology. The BIPT participates in the COM-ITU working group of the European Conference of Postal and Telecommunications Administrations (CEPT) to ensure the coordination at European level of the ITU activities.

The main ITU Conference in 2023 was the World Radiocommunication Conference (WRC-23). The latter takes decisions at global level on the allocation of radio-frequency bands. The BIPT participated as head of the Belgian delegation in the World

1.5. Our place on the European and international stage

Radiocommunication Conference organised in Dubai in 2023. The many items on the agenda of the WRC-23 concerned various topics such as aeronautical and maritime services, mobile services, scientific services and satellite services.

The EC is not a member of the ITU and has an observer status. However, certain agenda items could have an impact on the common EU rules or alter their scope. The Council of the European Union had adopted a decision establishing the positions to be taken on behalf of the Union during negotiations on these agenda items. CEPT (European Conference of Postal and Telecommunications Administrations) is responsible for the European coordination. It is also responsible for the coordinated European preparation of the Conference by submitting European common proposals and by drawing up an internal CEPT information document for the Conference. Belgium cosigned all European common proposals for the WRC-23. Two items were particularly important for the future of mobile services, i.e. the identification of 6G bands between 3 and 11.5 GHz and the 470-694 MHz band (possible third digital dividend). The objectives were met for both above-mentioned items.

More specifically, the 6425-7125 MHz band was identified during the WRC-23 for the international mobile telecommunications (IMT). The concept of IMT family includes several mobile technologies (such as

4G, 5G and 6G). In Europe, the 6425-7125 MHz band can meet the demand for additional spectrum in the mid-band for 5G/6G, given that it has propagation conditions similar to the ones of the 3400-3800 MHz band. In a way, it is the only realistic candidate for the median frequency band for IMTs in Europe.



UPU. The Universal Postal Union (UPU) supervises the international postal exchange. The Universal Postal Congress is the highest policy-making body of the UPU and is held every four years. It gathers the representatives of the 192 Member countries to

decide on the reform of the UPU, to adopt a new global postal strategy and establish the future rules applicable to the cross-border postal traffic. Between two Congresses, the Council of Administration (CA), made up of 41 Member countries, and the Postal Operations Council (POC), made up of 48 Member countries, continue the Union's work.

Within the Universal Postal Union (UPU), the BIPT continued to carry out its four-year mandate as a member of the Council of Administration (CA) on behalf of Belgium in 2023, as well as its mandate of vice-chair of the Council of Administration for the Western Europe region. As vice-chair, the BIPT, on behalf of Belgium, is a member of the Management Committee of the UPU Council of Administration, within which the Institute prepares the work of the Council of Administration.

In September 2023, the BIPT participated in the Extraordinary Congress of plenipotentiaries of the UPU in Riyadh (Saudi Arabia). At this UPU Congress, additional measures were taken regarding the opening-up of the UPU to wider postal sector players. Belgium actively participated in the preparation and also actively intervened during the UPU Congress regarding the opening-up of the UPU to wider postal sector players and the associated proposals were adopted by near consensus. A concrete framework will now be drafted to determine the extent to which postal operators, other than the designated provider

1.5. Our place on the European and international stage

(bpost in Belgium), can participate in the specific work of the UPU, particularly in the new areas of e-commerce.

A resolution was adopted at that Congress at the request of EU countries in order to include the climate actions of the postal sector in the UPU's field of work and to set individual objective and roadmaps for the designated provider to reduce the greenhouse gas emissions of the postal sector.

Finally, five concrete proposals were adopted by consensus in order to modernise, rationalise, clarify and simplify the product portfolio as defined in the Acts of the UPU. These adjustments should help to ensure that the universal international postal service is offered on a viable basis, thereby ensuring its sustainability.

The European Commission

COCOM. The Communications Committee assists the Commission in carrying out its executive powers and is composed of representatives of EU Member States. The BIPT participated as an expert in the activities of the COCOM, and particularly in two meetings.

PDC. The Postal Directive Committee is the postal counterpart of the COCOM. The BIPT closely follows the work of this committee and attended two meetings

last year. The BIPT gave a presentation on the work of the UPU in June and December, particularly on "Opening up the UPU to wider postal stakeholders". Furthermore, the BIPT gave a presentation on the "ERGP Report on practices for environmental sustainability in the postal sector" in December.

RSPG/RSC. The Radio Spectrum Policy Group or RSPG is a high-level advisory group assisting the European Commission in the development of the radio spectrum. The Radio Spectrum Committee or RSC is responsible for specific technical measures necessary to implement the radio spectrum policy. It is made up of representatives of the Member States and is chaired by the European Commission.

As the radio spectrum and the related matters by nature exceed the national borders and in view of the objective of a harmonised use of spectrum in Europe, the RSPG's and RSC's work within the European Commission's Directorate-General "Connect" is closely followed by the BIPT. Concerning the implications in Belgium of the activities of the RSC and RSPG, a consultation is held if necessary with the Communities (who are in charge of broadcasting). The RSC meets four times a year, and the RSPG three times.

In 2023, the focus was on the preparation of the World Radiocommunication Conference (WRC-23) of the International Telecommunication Union (ITU) in Dubai in 2023.

RE EG. The expert group on radio equipment is also chaired by the European Commission. In addition to representatives of the Member States, it includes representatives of stakeholders such as the industry, European standardisation organisations, consumer organisations, market surveillance organisations and notified bodies.

In 2023, the BIPT participated in two online meetings and one face-to-face meeting on various technical and legal topics such as the extension of the date of application of Delegated Regulation (EU) 2022/30 on cybersecurity regarding which an ad hoc online meeting was held. Other topics include legislative initiatives such as the Cyber Resilience Act (CRA), the Single Market Emergency Instrument (SMEI), the General Product Safety Regulation (GPSR), the follow-up of harmonised standards, refurbished products, interference on weather radars, etc.



2

CHAPTER 2

REALISATION OF OUR STRATEGIC
OBJECTIVES IN 2023

2.1. Competition

The BIPT's strategic objectives directly stem from the strategic axes, i.e. competition, users, scarce resources and efficient functioning. They serve as a guideline for the activities of the BIPT.

The strategic objectives are specified in a three-year strategic plan. As mentioned above, the BIPT followed in 2023 the [2020 - 2022 Strategic Plan](#) and, more concretely, saw the application of the [2023 Operational Plan](#), with goal cards precisely describing the concrete execution of the Strategic Plan for the year.

This chapter includes the concrete actions that were taken by the BIPT, in addition to its daily operations, to achieve its strategic objectives. It gives an overview of the execution of the 2023 Operational Plan.

2.1. Competition

Healthy competition for the provision of electronic communications networks and services and postal services undeniably benefits economic development. However, from a wider perspective, it is also essential to reach the objective of social well-being: it is vital that citizens benefit from an offer of electronic communications, media and postal services which is diversified, qualitative and available at competitive prices.

The BIPT monitors the development of competition

based on quality, price or innovation in the electronic communications, postal services and media sectors. Naturally, electronic communications networks are regulated in close cooperation with the media regulators of the Communities.

2.1.1. Market analyses

The purpose of a market analysis in the electronic communications sector is to define the relevant markets and assess if certain operators have significant market power. Upon defining the "relevant market" the products and services of that market are described and the geographical scope of the market is determined.

Operators with significant market power have an economic power enabling them, to a large extent, to act independently of competitors, customers and consumers on the market concerned. Specific obligations are imposed on SMP operators. The basic obligation is generally to open the network of these operators to competing operators. This obligation is often accompanied by additional obligations (transparency, non-discrimination, control of wholesale prices).

The BIPT essentially analyses wholesale markets, meaning that they concern services that telecommunications operators buy from each other. Wholesale markets are regulated with a view to making retail markets (services intended for

consumers and businesses) more competitive.

Review of the broadband and broadcasting wholesale markets. The year 2023 was devoted to the further preparation of the review of the broadband and broadcasting wholesale markets. The services that are traded in these markets are necessary to enable new entrants to compete with incumbent operators both on the broadband internet access segment and on the segment of bundles, including both internet access and broadcasting services ("multiple play packs"). Regarding these markets, 2023 was marked by the approval of two mergers by the European Commission: the takeover of VOO by Orange and the formation of a joint venture (Wyre) by Telenet and Fluvius. These developments and their consequences will be closely scrutinised within the framework of the new market analysis. The latter will also take account of the agreements to be concluded by the operators for the deployment of FTTH (see below).

Call termination (fixed and mobile). The end-to-end connectivity (i.e. the possibility for every user to reach other users and to be reached by them) is an essential principle of the regulatory framework for electronic communications. The provision of (fixed or mobile) call termination services is essential to ensure end-to-end connectivity. In 2023, the BIPT organised a public consultation on a draft decision regarding the analyses of the markets for fixed and mobile call termination. The BIPT proposes to deregulate these

2.1. Competition

markets given, on the one hand, the framework for termination rates that has been implemented at European level and, on the other hand, certain commitments proposed by the main operators.

2.1.2. Inspection and validation of the reference offers

The obligation of transparency consists in requiring SMP operators to publish certain accounting, technical or tariff information. When the regulator

The deployment of fibre has been facilitated by the creation of joint ventures between operators.

imposes this obligation¹⁹, SMP operators must establish a reference offer which will serve as a basis to grant other operators access to their infrastructure. This is particularly the case for wholesale access markets. The reference offer describes all the options for access and related services, the conditions for the provision of services, the rights and obligations of the provider and user, all of the processes and tools that

have been introduced, the tariffs for the rental of lines and the services the operator concerned must provide.

In the market analyses mentioned under point 2.1.1. above, new obligations have been imposed upon SMP operators. The BIPT monitors the proper and timely implementation of these obligations, including the necessary amendments to the reference offers.

In 2023, the BIPT examined a number of modifications to the **reference offers of Proximus** within the framework of addenda proposed by Proximus.

New FTTH (Fibre To The Home²⁰) reference offers.

In 2021, Proximus created two joint ventures (Fiberkaar and Unifiber) to develop a point-to-point FTTH network²¹. Fiberklaar plans to connect 1.5 million households and businesses in the northern part of the country, whereas Unifiber aims to connect 600 000 households and businesses in the southern part of the country. As subsidiaries of Proximus, both joint ventures are subject to the access, transparency and non-discrimination obligations imposed on Proximus in the CRC Decision of 29 June 2018 on the analysis of the broadband and broadcasting markets.

Fiberklaar and Unifiber submitted their draft reference offers to the BIPT in the spring of 2022. The BIPT analysed them and submitted two draft decisions for consultation on 8 December 2022. Based on the responses and its own complementary analysis, the

BIPT adopted two decisions on the analysis of the reference offer of [Unifiber](#) and [Fiberklaar](#) on 13 June 2023. In particular, this involved requiring the operators concerned to add certain aspects relating to the SLA or forecasts.

Reference offer of Wyre. In July 2023, Fluvius and Telenet regrouped their cable network within the infrastructure company they established under the name “Wyre”. The market for central access via cable network is subject to an ex-ante sector regulation, pursuant to the CRC Decision of 29 June 2018 on the analysis of the broadband and television broadcasting markets. Telenet was identified as an SMP operator in this market. Given that Wyre has now taken over the cable network, obligations in terms of access, transparency, non-discrimination and price control applicable to Telenet are also applicable to Wyre.

The transparency obligation lays down the drafting of a reference offer. Wyre submitted its draft reference offer to the BIPT in July 2023. The BIPT analysed it, compared it to the existing reference offer of Telenet and submitted it to the market within the framework of a prior consultation. Based on this analysis, the BIPT accepted the draft of Wyre.

19. Pursuant to Article 59 of the Act of 13 June 2005 on electronic communications.

20. FTTH or fibre-to-the-home: a network consisting of optical fibre up to the end-user.

21. In a point-to-point FTTH network all end-user have their own optical fibre, whereas in a point-to-multipoint network several end-users share the capacity of the same optical fibre.

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2.1.3. Rates in line with an efficient operator's costs

The tariff conditions of the reference offers encompass two major categories of tariffs:

- one-time fees pay for the specific technical services such as the activation of the service or the installation by a technician;
- monthly rental fees compensate the incumbent for the use of, for instance, the local loop.

The calculation method for these tariffs ensures that they reflect the operational and financial reality of an efficient operator.

Monthly fees for access to the point-to-point FTTH network of Proximus's joint ventures (Fiberklaar and Unifiber). As subsidiaries of Proximus, both joint ventures are subject to the price control obligation imposed on Proximus in the CRC Decision of 29 June 2018 on the analysis of the broadband and broadcasting markets. Controlling the prices of wholesale optical fibre services consists of an obligation to charge fair access tariffs: tariffs that can be higher than the costs while maintaining a link with the costs. To verify the "fairness" of wholesale prices, the BIPT had new bottom-up cost models developed to reflect the point-to-point FTTH network of an efficient operator. Furthermore, the existing point-to-multipoint FTTH model for Proximus' own network

was also updated based on the most recent deployment data of Proximus. These models were the subject of a consultation in 2023.

Monthly fees for Ethernet transport within the framework of Proximus' wholesale offers. Bitstream active access services consist, on the one hand, of the access service and, on the other hand, of the Ethernet transport services. The activities of the BIPT include a review of the pricing of Ethernet transport (previously determined by the Decision of 13 January 2015). The complete pricing of Ethernet transport was analysed within the framework of this review (regarding the services on Proximus' copper network and on its optical fibre network). A cost model, which was the subject of a [consultation](#) from the end of June to September 2022, was developed, along with a pricing module converting the calculated costs into a tariff structure. Delayed in 2023, the activities will continue in 2024 to result in a consultation on a draft tariff decision.

The BIPT ensures that operators with significant market power do not apply margin-squeeze practices. There is a margin squeeze when retail revenues do not sufficiently cover certain costs (wholesale, network and retail costs). In principle, these margin squeeze tests are first carried out on a broad portfolio of products, so that the regulated operator can retain a degree of flexibility in its pricing policy. Portfolio tests can also consider individual products. At that level, only costs considered as

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incremental are taken into account. In addition to tests on the portfolio and products on the residential and small business markets, the BIPT also conducted a margin-squeeze test on selected individual contracts of Proximus on the large business market in 2023. The BIPT will publish the general conclusions of this test as well as the results of the test on the mass market mentioned above in a communication in 2024.

2.1.4. Other measures to foster competition

Fostering competition does not rely solely on measures resulting from market analyses and consequently imposed on operators with significant market power. Other measures imposed on all operators are also aimed at stimulating competition.

Free choice of network terminal equipment for broadband and TV services. The BIPT is also responsible for monitoring and enforcing the regulations on terminal equipment, pursuant to Articles 32, 36 and 38 of the ECA. On 3 October 2022, the BIPT published a [draft decision](#) regarding the identification of the network termination point for broadband services and TV services. By means of this draft decision, the BIPT wishes to provide greater clarity as to the way in which it interprets the regulations on terminal equipment, in accordance with BEREC's guidelines. The BIPT also addresses the publication of the technical specifications needed to ensure that freedom of choice of modem is implemented in the best possible way. On 26

September 2023, the BIPT published its [final decision](#) confirming free choice of modem, excluding set-top boxes and business services.

Users will soon be free to use the modem of their choice.

Access to the drop cable of fixed networks. On 6 October 2022, the BIPT published a first consultation on access to the first concentration point on Belgian fixed networks. The cable connecting the end-user to the operator's network (drop cable) is an important part of the fixed infrastructure. Pursuant to Article 28 of the ECA, another operator wishing to deploy its own new telecommunications network may request access to this cable based on a reasonable request. In this document, the BIPT examines how an operator could gain access to the drop cable on optical fibre networks and on coaxial cable networks (Telenet and VOO). The BIPT published the final version of this communication on 13 July 2023. It describes additional deployment scenarios which did not appear in the draft communication.

2.1.5. Informing to support innovation

In 2021, the BIPT launched the [Infofibre website](#), which was complemented in 2022 by a [map of optical fibre](#) showing the status and evolution of the FTTH deployment in Belgium. This map complements the [fixed Atlas map](#) (published on the data portal of the BIPT) which shows in detail the coverage of all fixed broadband networks in Belgium. With the FTTH map, the BIPT especially intends to highlight the development of optical fibre in Belgium with quarterly updates. The map also shows where optical fibre will be deployed in the short term, and the operators offering their services on the optical fibre network. Both maps are updated on a regular basis.

The call for projects of the FPS Economy concerning 5G pilot projects aimed at drawing the public's attention to the possibilities and advantages of the 5G technology. To that end, 5G testing environments falling within the competence of federal authorities were supported. This call for projects is part of a wider programme entitled "Telecom to the next level - towards sustainable and innovative solutions". For this call for projects, the BIPT provided experts who participated in the selection committee to support the FPS Economy.

Following a first call for projects in 2022, 20 projects were selected for a total subsidy amount of approximately €19 million. A second call for projects in 2023 aimed at distributing the remaining amount

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of the initial budget (€24 million), i.e. €5 million. The total amount was granted.

The projects had to fall under the categories “experimental development” and “research infrastructure” as defined in Regulation (EU) No 651/2014.

2.1.6. Promoting connectivity

Promoting connectivity and access to very high capacity networks is one of the BIPT's goals. It is becoming increasingly evident that connectivity to efficient fixed and mobile networks is a driving force of social and economic life. The BIPT's objective in terms of connectivity, i.e. the generalisation of access to very high capacity networks, and the uptake of such networks, for all Belgian citizens and undertakings, was set in accordance with the European Code which introduced that objective.

Connectivity Toolbox Recommendation. Within the context of the European Recommendation of 18 September 2020 (Connectivity Toolbox Recommendation), the Commission asked Member States to urgently define a common Union toolbox based on best practices to increase the deployment speed of networks. Within this framework, best practices for net cost reduction, on the one hand, and for 5G spectrum access, on the other hand, were defined. The work on the Connectivity Toolbox is also part of the 2030 Digital Compass exercise. Concerning



5G, the BIPT coordinates the implementation of best practices in Belgium. The 5G best practices have been largely accomplished.

2.1.7. Market monitoring in the electronic communications sector

To carry out its missions in the electronic communications sector, the BIPT must have a perfect insight into the market situation. Market surveillance also allows to measure the impact of regulation a posteriori. Surveillance is thus a core activity of the BIPT.

Telecommunications prices. In October 2023, the BIPT published a [national benchmarking of mobile service tariffs](#) based on the results of the “five household profiles” which were analysed during the third quarter of 2023. A second [analysis - on fixed and convergent services](#) focusing on seven profiles based on tariffs of the fourth quarter - was published in November 2023.

In both cases the methodology is based on the consumers' needs, illustrated by a dozen different households to give a broad and varied perspective on the market. It is based on the follow-up of the minimal expenses of an informed consumer to cover their telecommunications needs while specifying the different types of solutions available on the Belgian residential market. The telecommunications solutions which were taken into account²² to meet the needs of each profile may include: a standalone service

22. All the plans included in the tariff simulator www.besttariff.be (consumer part) were taken into consideration to meet these different profiles. Add-ons and/or out-of-bundle consumptions were sometimes activated to meet these profiles. 22. Depreciation is calculated over a period of three years. However, promotions were not taken into account.

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(internet only or mobile postpaid), a bundle (2P, 3P, 4P) or a “mixed” solution (for instance a mobile postpaid service of an operator coupled with a bundle of the same operator A or of an operator B). For each of these 12 profiles, a ranking lists the cheapest tariff plans of operators or service providers, allowing at least to meet the specific needs.²³

This has several objectives: firstly, to provide visibility for all operators active on the Belgian residential market and, secondly, to show consumers the possible alternatives to ‘turnkey’ solutions in terms of offerings, possibly using mixed solutions, and in terms of the types of solutions possible, by comparing the solutions provided by operators with their own access network with those of secondary and alternative operators.

The Belgian electronic communications market in an international perspective. In 2023, the BIPT compared once again the prices of residential telecommunications services in Belgium with those in our neighbouring countries (France, Germany, Luxembourg, the Netherlands and the United Kingdom). The study is based on the prices applicable in October 2023.

Regarding mobile services, it appears that for consumer profiles requiring 1 000 call minutes and a small data allowance up to 5 GB per month, Belgian consumers pay a significantly higher tariff than their neighbours. As regards average needs between

20 and 70 GB, Belgium maintains its intermediate position compared with 2022, and is in the cheapest half of the six countries studied for certain usage profiles. However, consumers wishing 100 GB or

more pay the highest tariff in Belgium. In the UK and France, offers for all mobile profiles examined are significantly cheaper than in Belgium.



23. Please note that certain operators are not included in this ranking because their offers cost more than the exclusion value above which a rational consumer would not buy these offers for that specific consumption profile.

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According to the analysis of fixed and bundled services, the price for fixed internet as a standalone service or as an item of a bundle including mobile services in Belgium is close to the ones applied in Luxembourg and Germany. Belgium remains, however, in the most expensive half of the ranking. The sole profile for which Belgium performs well is the one with a bundle including fixed telephony, at least 30 TV channels and the internet with a modest minimum speed of 50 Mbps, for which one operator proposes a product at a competitive price. However, as also revealed by the study of last year, our country becomes significantly more expensive as bundles increase. Belgium is thus by far the most expensive country for popular 4P bundles including the internet, digital television, mobile telephony and fixed telephony. The United Kingdom and France are also cheaper than Belgium for all profiles examined regarding the fixed internet and bundles.

Until 2022, Belgium's competitiveness in terms of information technology was measured by the DESI (Digital Economy and Society Index), which was updated by the European Commission each year. In accordance with the Decision establishing the Digital Decade Policy Programme 2030, the European Commission includes from now on DESI statistics in the report on the progress of the Digital Decade in order to monitor the progress made by the Member States in achieving their digital objectives. Although countries can be compared with each other and the European average, there is no longer a ranking proposed in the publications and tools.

Regarding the two main digital infrastructure indicators, i.e. the coverage of fixed networks with a speed of 1 Gbps and the availability of 5G, Belgium achieved results above and below the European average respectively: 78% versus 73% and 30% versus 81%²⁴. The European Commission points out in its report that despite the improvements over previous years, our country is still lagging behind regarding optical fibre coverage (17% versus a 56% average). Regarding 5G coverage, the European Commission stated that our country made considerable progress. The coverage of populated areas indeed went from 4% in 2021 to 30% in 2022. The significant delay compared with the European average is largely due to the late completion of the 5G spectrum auction (for the 700 MHz and 3.6 GHz bands), but the catch-up process has begun in the meantime.

Quality of fixed and mobile broadband networks in Belgium. On 21 February 2023, the BIPT published the second edition of its qualitative study on fixed and mobile broadband networks in Belgium, the first version was published on 23 December 2021. This biennial [report](#) complements the price studies which highlight the economic aspect of the telecommunications market. It focuses more specifically on the technical quality of the networks, and in particular on the coverage.

The new study confirms the conclusions of the previous one: the fixed and mobile network coverage in Belgium is good to very good. However, it should be noted that Belgium is lagging behind its neighbours

in terms of higher fixed speeds (>1 Gbps) and 5G coverage. At the time of the study, a speed of 1 Gbps on a fixed network was rarely available in the southern part of the country. This situation, however, changed significantly over the course of 2023 as a result of continued investment in optical fibre and the most advanced cable technologies. The delay in 5G coverage should be made up in the future, as planned investments are implemented.

Furthermore, the new study focuses on themes which were not or barely covered by the first edition, such as sustainability, the phasing-out of the copper network and the planned decommissioning of 2G and 3G.

Universal telecommunications service. In its [Communication](#) of 19 December 2023 regarding the monitoring of the universal telecommunications service, the BIPT concluded that there is no need at this stage to designate a universal service provider to ensure the availability, quality and affordability of this service as currently defined (i.e. with a minimum speed set at 1 Mbps and 10 Mbps since the entry into force of the Royal Decree of 10 September 2023).

The regulatory framework on the geographic element was amended by the Royal Decree of 10 September 2023 on the determination of the speed of adequate broadband internet access within the framework of the provision of the geographical element of the universal service for electronic communications. This to enable as a minimum the provision of the services

24. Source: DESI 2023 dashboard of the Digital Decade, <https://digital-decade-desi.digital-strategy.ec.europa.eu/datasets/desi/charts>.

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listed in Annex V of the European Electronic Communications Code (“Code”) and take account of the work of the Body of European Regulators for Electronic Communications (“BEREC”). This Royal Decree sets the minimum download speed of adequate access to 10 Mbps with a planned increase to 30 Mbps from 1 January 2027. However, real access to that speed can only be ensured by the possible designated universal service provider(s) pursuant to Article 71 of the ECA. Projects aiming at improving connectivity are currently ongoing, meaning that the identification of areas where the minimal speed is not available will only be possible once these projects are completed.

This communication also mentions that the BIPT will continue to closely follow up the development of connectivity in Belgium, review the quality parameters and monitor the development of fixed service offers as well as alternative services to fixed networks, including their prices.

Furthermore, the BIPT also continued to work with the bodies involved in the social tariff reform project, in order to prepare for the entry into force of a new system on 1 March 2024. The BIPT shared its expertise within the framework of the adoption of the Act of 30 August 2023 amending the Act of 13 June 2005 on electronic communications and on the

reform of the social tariffs. The BIPT also worked with the FPS Economy and the operators for the operational implementation of the reform of social tariffs.

Phasing-out of Proximus’ copper network. Proximus strives to deploy optical fibre, either through its own resources, or via the joint ventures Fiberklaar and Unifiber. The copper network has become redundant where optical fibre is deployed, and Proximus indicated that it wished to decommission it. The first decommissioning operations already started at the end of 2022. The decommissioning of the copper network (also called “phasing-out of copper” or “copper switch-off”) has consequences for alternative operators currently using the copper network. Decommissioning must then be carried out in accordance with Article 59 of the ECA, which deals with migration from the incumbent infrastructure, and also with the corresponding provision in the current analysis of the broadband and television broadcasting market.

In 2023, the BIPT published a [communication](#) to facilitate the decommissioning process by mapping the current copper switch-off approach. A survey of alternative operators and Proximus provided an opportunity to sound out experiences and potential problems. This communication then presents the main points of the decommissioning process, the alternative wholesale services, the communication towards alternative operators and end-customers, and the various migration costs. The phasing-out of

2.1. Competition

the copper network and its impact were thus established in a coherent manner, for alternative operators and their end-users.

Antenna site sharing. The site-sharing regime introduced in Belgium aims to reconcile the needs of competition with environmental, public health, public safety and town and country planning objectives. The healthy competition objective is even more important when new operators enter the market. The site-sharing regime must facilitate the deployment of a new player such as Citymesh which, with its partner Digi (group hereafter called “Digi-Citymesh”), was granted in 2022 the spectrum required to develop on the Belgian residential and professional market. In addition to the sharing of antenna sites provided by law, Digi-Citymesh entered an agreement with Proximus regarding wholesale services and mobile infrastructure. With this agreement, Digi-Citymesh could acquire up to 400 mobile sites which will be decommissioned as part of the consolidation of Proximus’ and Orange’s networks. The BIPT monitors relations between the various market players, operators and infrastructure companies (“towercos”) through regular contact with stakeholders.

Mergers and acquisitions. The BIPT closely follows mergers within the postal service and telecommunications sectors. When such operations occur, the BIPT stands ready to answer the questions which may be asked by the competition authorities. In 2023, the BIPT worked with the European



Commission on the Orange/VOO and Telenet/Fluvius mergers, and with the Belgian Competition Authority on the takeover of edpnet’s activities by Proximus (which then sold them to Citymesh).

Sustainability of FTTH infrastructure competition in Belgium. In the course of 2023, the BIPT commissioned a consultant to develop a model to objectify the definition of areas where infrastructure-based competition between FTTH operators could

be economically viable and areas where one or other form of cooperation between operators could be expected. The preliminary results of this study (which will be completed in 2024) show the big impact of population density on the profitability of FTTH investments. The BIPT published on 10 October 2023 a [communication](#) clarifying the conditions that should be met by any agreements between operators in order to guarantee effective and sustainable competition for the benefit of end-users.

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Control of the valuation of assets transferred by Fluvius to Wyre In 2023, Telenet and Fluvius created the infrastructure company Wyre which will be responsible for the management of the existing networks of Telenet and Fluvius, but also for the deployment of optical fibre in Flanders. In this context, Fluvius transferred several assets to Wyre. Article 66 of the ECA provides a framework for the transfer of resources from activities benefiting from exclusive or special rights to activities relating to public electronic communications networks or services. In collaboration with the VREG, the BIPT initiated an evaluation of the compliance with this provision. This analysis will continue in 2024.

Sustainability of the Belgian telecommunications networks. Digital transition is one of the main pillars of ecological transition as it enables other sectors to improve their sustainability more quickly and in greater depth. The increase in data consumption resulting from this transition could lead to continued growth in the ecological impact of digital infrastructures. In 2023, the BIPT published an [update](#) of its study on the sustainability of telecommunications networks in Belgium. It looks more specifically at changes in energy consumption, CO₂ emissions and waste treatment over the last five years.

This study reveals that sustainability is already an important theme for the three telecoms operators interviewed and that they have already developed a number of initiatives and set targets. Between 2018

and 2022 their energy consumption decreased by 9% and their CO₂ emissions by 19%. Operators continue their efforts to further reduce consumption and CO₂ emissions. Moreover, operators are also focusing on the reuse and recycling of set-top boxes and modems, in particular, to reduce the amount of waste. Furthermore, it appears that the electricity consumption of modems and set-top boxes at the end-user's premises is roughly the same as the combined consumption of the operators surveyed, and therefore has a significant impact.

Net neutrality. The [annual report](#) on the monitoring of net neutrality was published for the seventh time. This report is part of the monitoring of compliance with Regulation (EU) 2015/2120. It covers the period from 1 May 2022 to 30 April 2023.

The BIPT notably found that its [guidelines](#) for the provision of unlimited internet were properly observed²⁵. In 2023, the BIPT also ensured that all ISPs put an end to the zero rating of their tariff plans which were not in line with the judgements of the Court of Justice of 2 September 2021. This happened in accordance with the timetable deemed acceptable or imposed by the BIPT. The BIPT also ensured the correct application of the authorisation to block traffic in the event of virus attacks and consulted the sector and BEREC to coordinate the blocking of websites of broadcasters belonging to the Russian regime sanctioned by the EU. Finally, the BIPT also initiated the monitoring of compliance with its [Decision of 2](#)

[May 2017](#) regarding the communication of the speed of a fixed or mobile broadband connection in particular by correcting (or having corrected) the presentation of the speeds of the new products of an ISP, which entered the market for broadband internet access provided at a fixed location.

2.1.8. Market monitoring in the postal service sector

The **postal observatory** was created to broaden market knowledge and to follow the developments in the postal sector by means of [diagrams](#). It represents the postal sector by means of economic data such as market shares, data regarding employment and investments, volumes, revenue, network development... The information dates back to 2010 and documents the market developments by means of reliable data (see 3.2.1.). [The observatory regarding the 2022 postal activity market](#) was published on 21 November 2023.

25. This was based on the monitoring of the market, complaints received and specific cases handled.

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2.1.9. Supporting an innovative postal service

Regulation on cross-border parcel delivery services.

Regulation (EU) 2018/644 of the European Parliament and the Council of 18 April 2018 on cross-border parcel delivery services aims to further support intra-Union e-commerce by increasing transparency in the tariffs for certain cross-border parcel delivery services and their assessment. The BIPT plays an essential role in achieving the objectives of the Regulation: its main task is to obtain from parcel delivery service providers the information set out in the Regulation.

In addition, based on the Regulation, the BIPT analyses the tariffs of the universal service provider (bpost) in order to identify possible unreasonably high tariffs. In 2023, the BIPT conducted a more thorough study of bpost's cost analysis, enabling it to form a definitive opinion on postal parcels. The BIPT is still not able to take a position on letter post as bpost did not provide the requested information.

E-commerce from a postal perspective. The BIPT published a new study on the postal aspects of e-commerce, with particular emphasis on the sustainability of the last-mile delivery and a deeper review of the subsegments of the parcel market.

Product qualification and analytical accounting.

Whether or not a service falls within the universal service obligations of bpost is a question that matters for, among other things, the calculation of the universal

service net cost. The list of products and services of the universal postal service provider has to be submitted for approval by the BIPT each year and per category (universal service, public service or commercial product/service). The BIPT then informs the auditor of the universal service provider of its approval. The analysis conducted in 2023 regarding the listing and classification of products and services provided by the universal service provider for the year 2022 was finalised in the [Decision](#) of 4 July 2023.

On 28 March 2023, the work on bpost's analytical accounting for the year 2021 was also concluded by a [Decision](#).

Net cost for the provision of the universal postal service.

In the event of a request for compensation of the net cost of the universal service, the BIPT verifies the assumptions used in the counterfactual scenario as well as the calculation of the net cost of bpost's universal service obligations, in accordance with Article 23 of the Postal Act of 26 January 2018. The BIPT is developing a method to verify the net cost of the universal service (comparison between the factual and counterfactual scenarios), should bpost submit a request for a state contribution to offset net costs. In this context, the BIPT also prepared a method to assess the possible intangible benefits associated with the provision of the universal service. Since the entry into force of the Postal Act of 26 January 2018, bpost has not submitted any compensation request for a possible net cost of the universal service.



2.2. Users



Protecting the users' interests is an important mission of the BIPT. The need for them to have access to high quality postal and electronic communications services at a competitive price is well established. Ensuring social inclusion also remains a key objective. However, the BIPT must also make sure that users can access the innovative technologies and services available on all networks. To that end, the Institute must face the corresponding challenges, such as the protection of privacy or the conformity of equipment placed on the market.

2.2.1. The informed consumer can compare and choose

To ensure that users can really take advantage of a wide range of postal and electronic communications services, and determine which one meets their specific needs and requirements in terms of quality and price, it is crucial to provide them with reliable information. By providing them with several tools, the BIPT ensures that they are provided with transparent information. The purpose is to ensure a reliable environment to guarantee user confidence.

By comparing telecom tariffs on [besttariff.be](https://www.besttariff.be), households can make substantial savings.

Transparency on the electronic communications market

Besttariff.be. This site contains all tariff plans of electronic communications operators active on the Belgian residential market. It compares in an objective manner the tariffs of the offers for mobile and fixed telephony, the internet and bundles. This

way, the consumer can find the most advantageous tariff plan corresponding to his or her consumption or needs. The tariff simulator offers a manual and an automated calculation option, whereby the consumption data available in the operator's customer area are automatically fed into the various fields of the tariff simulator. The BIPT constantly checks the accuracy of the data concerning the operators' tariff plans and the algorithms supporting the various functionalities.

Initially aimed at the residential market, the tariff simulator was extended in 2022 to include micro-businesses and the self-employed (manual calculation option only), to provide them with an easy way of finding an affordable telecoms subscription tailored to each business' individual needs.

Data portal. In 2023 the BIPT updated its data portal www.bipt-data.be/en. This portal includes data on network coverage and quality of service. These data can be useful for users when choosing an operator. This portal particularly contains detailed maps showing the coverage of fixed and mobile networks, statistical indicators assessing the quality of experience on mobile networks, or a scoreboard giving an overview of the performance of different providers regarding their reliability, responsiveness in the event of a problem and the efficiency of their customer service.

In 2023, the BIPT changed the portal interface to improve user experience. The portal now has two

2.2. Users

sections (atlas and data). In the “Atlas” section, users can now browse through fixed and mobile maps without having to re-enter location parameters. The BIPT also updated its fixed coverage maps. Information, such as the technology via which the service is provided, as well as maximum download and upload speeds, is made available to users in order to provide them with information on the connectivity available at their addresses. The BIPT also launched an update of the mobile maps to include a 5G map in the short term.

As it has done every year since 2018, the BIPT led a campaign to measure the quality of experience on mobile networks. This campaign complements the analysis of the coverage rates in the atlas. It focuses on the quality experienced by users when calling, downloading a file or viewing a website. It is an objective comparison of the network quality from the user point of view, based on 21 indicators. This annual “beauty contest” encourages operators to improve, highlighting the relative strengths and weaknesses of the different networks.

The study measures the experience of consumers using their smartphones inside their homes, near main roads, and in urban, semi-urban and rural areas. Since 2022, the BIPT has also carried out tests on the 15 main railway lines in Belgium to measure the experience of consumers using their smartphones inside trains. In 2023, the BIPT ensured that it could display results for each of these 15 lines individually.

To collect more statistics on networks, the BIPT has been working with the BEP²⁶ of Namur since 2022 within the framework of the “sentinel trucks” project, which consists in installing sensors on trucks used for waste collection rounds. The measurements started in 2023 and the BIPT launched a measurement campaign at the same time to be able to validate them.

Transparency on the postal services market

Comparisons of postal service points/tariffs. The BIPT's website postalpoint.be contains an overview of all staffed points, letterboxes and parcel lockers in Belgium. The tool also allows to closely monitor the development of the network (see 3.2.3.). In collaboration with the postal operators subject to the Cross-Border Regulation²⁷, the BIPT has developed a method to enrich the European Commission's existing information on tariffs for national and cross-border postal items and to present it to the consumer. In 2022 and 2023, efforts were made to further integrate this tool digitally, which was still using an Excel pivot table, to make it even more user-friendly and easy to access. In 2023, this tool was definitively imbedded in www.postalpoint.be, where users can click in the upper left corner to see the map with postal service points or basic European tariffs for parcels (for a 2 kg item).

2.2.2. Ensuring a reliable environment

Society is becoming increasingly dependent on electronic communications. However, even if the “softwarisation” and virtualisation offer more and more possibilities, they involve a higher level of complexity. It is therefore important to ensure that networks are reliably secured and managed. This applies especially to critical telecommunications infrastructure and the essential services that are provided on it and must remain available, for they constitute the backbone of our digital society.

The reliability of electronic communications services must be guaranteed for users, including in terms of privacy. The BIPT also verifies the reliability of the information provided by the operators to users.

Telecommunications networks are of crucial importance for public security and, as national critical infrastructure, require a high level of security. As part of the renewal of the national critical infrastructure identification process, the BIPT has taken decisions to renew the list of national critical infrastructures. Operators of critical infrastructure must take security and protection measures to prevent or limit any event likely to cause damage to the infrastructure or part of it.

Mobile network security. Given the highest importance of being able to rely on secure and reliable infrastructure, work was undertaken at the EU level with regard to securing 5G. A 5G toolbox²⁸ was thus

26. “Bureau économique de la Province” (Economic Office of the Province of Namur).

27. Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services.

28. CG Publication 01/2020: Cybersecurity of 5G networks EU Toolbox of risk mitigating measures.

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published in early 2020. Its purpose is to propose solutions concerning potential risks linked to the cybersecurity of fifth-generation networks. Pursuant to it, the Federal Parliament adopted the Act of 17 February 2022 introducing additional security measures for the provision of mobile 5G services. The BIPT contributed to the draft Royal Decrees on the application for a ministerial authorisation and certain

location requirements adopted in April 2023. On its website, the BIPT published the application procedure for a ministerial authorisation and the first applications were submitted in the summer of 2023. However, the time limits were immediately suspended for all files due to the lack of information and there was still not a single duly completed file by the end of 2023.

Risk analysis. Operators must conduct risk analyses for the purpose of network security and, based on that, take appropriate measures to limit the risks²⁹. In cooperation with the Luxembourg regulator (the ILR or “Institut luxembourgeois de régulation”), an online [platform](#) where operators can carry out their risk analyses has been made available. In order to define the context for the risk analyses, a collaboration with the operators took place and a common risk analysis model was created. This year, operators could use this platform to conduct their risk analyses. This information gives the BIPT an overall view of the risks of telecommunications networks and improves our capacity to inform the various players in the sector.

Critical infrastructure inspection. In 2023, the BIPT conducted the annual inspection of critical infrastructure operators within the framework of the Act on the security and protection of critical infrastructures. The purpose was to analyse the security management of these operators in several domains (different each year): human resource security, incident management, physical security and facility security. The results of these inspections are shared with the operators concerned to establish a plan to rectify these failings and improve their infrastructure security. This ongoing security improvement process is then followed by the BIPT.

Security incidents. Telecommunications operators inform the BIPT of security incidents with a considerable impact on their networks and services.



29. This obligation arises from the provisions of Articles 114, § 1, subparagraph 1, of the Act of 13 June 2005 on electronic communications and 20 of the Act of 7 April 2019 laying down a framework for the security of networks and information systems of general interest for public safety.

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At the beginning of the year, the Institute sent the annual report of these incidents to the European Commission and ENISA (European Union Agency for Cybersecurity).

The BIPT handles security incidents via its duty team which is available 24/7. For major threats or incidents, the BIPT actively collaborates with the operators and security services, including the National Crisis Centre (NCCN) and the CCB (Centre for Cyber Security Belgium).

Regarding major incidents, the BIPT requested additional information from operators to ensure that the necessary measures are taken to avoid this kind of incident to occur again.

Combating fraud. Within the anti-fraud working group, operators share information and experiences on a voluntary basis. Since 2016, the working group has been meeting regularly under the leadership of the BIPT, seeking collaboration at operational level (information sharing concerning types of fraud, notification of cases of fraud...) as well as at structural level (legislative and regulatory measures).

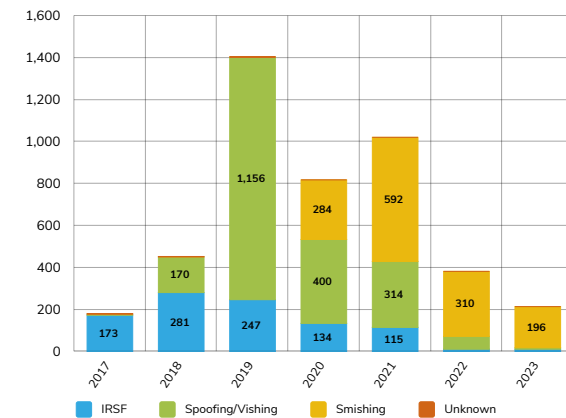
In the context of subsidies granted within the framework of the National Recovery and Resilience Plan, three sets of specifications were established,

each including a call for candidates to respectively fight against smishing³⁰, phishing by e-mail and fraud via voice/signalling. A number of projects were selected and the deployment of systems to detect and block smishing thanks to IA-based algorithms were followed up³¹.

A Royal Decree with a series of technical measures to be implemented by electronic communications service operators to significantly reduce the spoofing³² of telephone numbers associated with calls from abroad was drafted and submitted for public consultation.

The chart on the right shows the quantity of numbers used to commit fraud and blocked by operators to prevent further damage. A distinction was made according to the type of fraud, namely smishing, spoofing/vishing³³, IRSF (International Revenue Share Fraud³⁴) and a residual category. The total number of reported numbers has significantly decreased since 2021, mainly due to the drop in IRSF and smishing cases. These drops are due to the increasing use of the notice and takedown procedure whereby an operator notifies a specific fraud case to the BIPT and, after validation by the BIPT, informs all operators who will then block or deactivate the numbers concerned.

Number of numbers blocked according to the type of fraud from 2017 to 2023



Operationalisation of the process for subjecting certain members of the operators' staff to security checks. Since May 2022, operators with critical infrastructures have been obliged to seek security advice for their staff working in these infrastructures. The BIPT carries out the administrative management of these files and cooperates with the authorities responsible for security checks. Since the procedure was initiated, more than 2 000 cases have been handled, further enhancing the security of these

30. Smishing is phishing by SMS, a form of fraud where the perpetrator tries to obtain information from the victim by means of a text message containing misleading information.

31. The project management was carried out by the Centre for Cyber Security Belgium.

32. Spoofing consists in calling citizens with a false CLI (Calling Line Identification): e.g. an unassigned telephone number or even a telephone number assigned to another citizen or a company to win the callee's trust. Spoofing often facilitates phishing because, by using the falsified CLI, the calling party can pretend to be an employee of a bank or tax office, for example, in order to obtain information based on the trust bond established. During the final stage, the information obtained is misused, for example for bank fraud purposes. This type of fraud, in which CLI spoofing plays a facilitating role, occurs frequently.

33. Vishing is VoIP (voice over IP) phishing, where the perpetrator scams the victim over the phone in order to obtain personal and/or financial information.

34. The International Revenue Share Fraud is a type of fraud artificially generating telephone calls to international number series without the intention of paying for them. The perpetrator receives a portion of the revenue coming from the termination charges that the number series holder receives for incoming traffic to the number series.

2.2. Users

critical infrastructures for the operation of electronic communications networks. Security checks, initially performed under the responsibility of the National Security Authority (NSA), are now transferred to the federal police. This transfer requires a review of the procedures usually followed to adapt to the mechanisms of the federal police.

Risk of electricity shortage. As every year, the National Crisis Centre (NCCN) requested an update on the risks associated with a possible electricity switch-off. Analyses were carried out to ensure continued accessibility to centres 101 and 112. Given the limited risk of electricity switch-off during the winter of 2023-2024, no measures were imposed on the sector. Furthermore, the BIPT launched a public tender to simplify the location of elements of Belgian mobile telecommunications networks on Belgian energy distribution networks. The implementation of these proposals should eventually improve data accuracy.



2.2. Users

2.2.3. Follow-up of consumer needs and behaviour

The BIPT's mission to protect the users' interests involves an in-depth and daily updated knowledge of the demand on the markets concerned. It is therefore important that the BIPT closely follows the developments of the consumers' needs and behaviours, by regularly carrying out several studies, surveys and comparisons.

Follow-up on the electronic communications market

Consumer study. In 2023, the BIPT continued examining the functioning of the electronic communications market and published the results of its annual survey on the users' perception of the Belgian electronic communications market. The [results](#) were based on more than 5 000 questionnaires assessing their behaviour and were published on 2 October 2023.

The 2023 annual survey highlighted the inertia of consumers, showing that following a change in their tariff plan initiated by their operator, only 2% of the respondents switched to another telecom operator. Among the respondents whose tariff plan was modified on the initiative of the operator: 74% did nothing, 24% changed tariff plans without changing operators and only 2% chose another operator while a growing number of respondents reported experiencing a problem with tariff increases of their operators

(16% of respondents felt they had been misinformed in 2023 versus 11 to 12% in 2018-2022). This inertia may be explained by the difficulty experienced to be able to easily compare the prices and services proposed by operators. The ease of comparison is rated higher for mobile (2.8 to 2.9/5) than for fixed telephony and bundles (2.6 to 2.7/5). Regardless of the service observed (fixed or mobile), only 9 to 10% of respondents have changed operators in the last 12 months.

Follow-up on the postal services market

Customer satisfaction survey. In its [Opinion](#) of 8 November 2023 on the 2021 and 2022 action plan of bpost following the customer satisfaction survey for the year 2021, the BIPT notes that the general satisfaction decreased by two percentage points to 71% among private individuals and rose by one percentage point to 66% among small companies in 2021. The BIPT highlights the bad results concerning the opening hours of post offices and the observance of deadlines regarding the national delivery of letters, and advises bpost to develop adequate initiatives to improve these services. The BIPT also encourages bpost to develop targeted actions to improve customer satisfaction following the analysis of the causes of the dwindling results.

2.2.4. Safe radio equipment and telecommunications terminal equipment

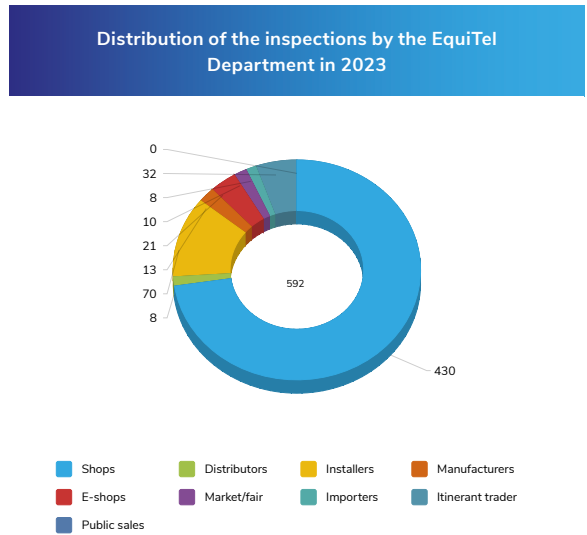
All equipment capable of broadcasting or receiving through radio waves is subject to the Radio Equipment Directive or "RED"³⁵. This directive ensures that the equipment complies with the essential health and safety requirements and does not cause harmful interference. In order to increase the compliance of radio equipment commercialised on the Belgian market, the BIPT performs regular inspections of Belgian and foreign economic operators. It also carries out border controls on imported products in collaboration with customs.



35. 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.

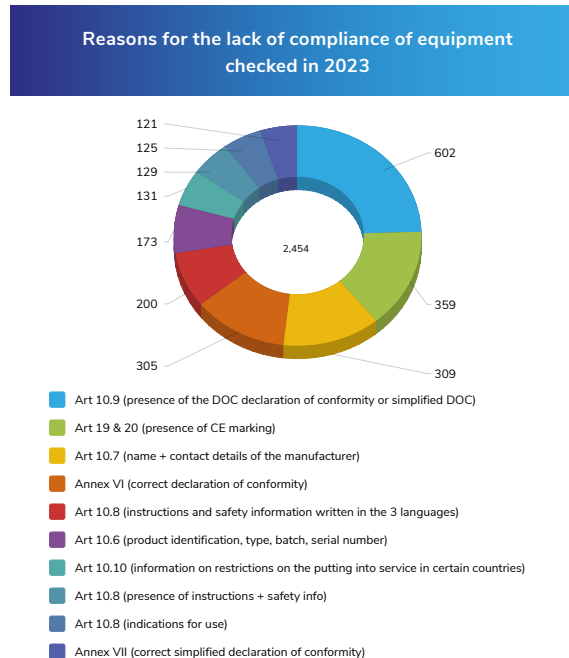
2.2. Users

In 2023, 568 points of sales of various distribution channels were inspected, as shown in the following chart:



A total of 1 208 devices were controlled in points of sale. Among them, 478 were compliant with the RED and 730 were not.

The following chart shows the main reasons for the lack of compliance.



The BIPT has criminal investigation officers who, under the authority of the public prosecutor, can perform all sorts of investigative actions as well as searches. Goods may also be seized as a result. In 2023, these actions resulted in 56 reports, for a total of 911 different types of products seized³⁶.

In 2023, the BIPT was commissioned by the examining magistrate within the framework of a VAT fraud

investigation to check the compliance of equipment stored on dozens of pallets in a warehouse located in Bierset airport. These products were mainly intended for online sales platforms such as Amazon. A total of 25 389 pieces of equipment were subject to an inspection during which the compliance of 10 347 items covered by the RED directive was checked. In the end, 7 927 items were not compliant.

In cooperation with the customs authorities, the BIPT also checks radio equipment at border entry points. The BIPT was asked to check 434 containers/pallets and 46 parcels for private individuals in 2023.

The majority of devices checked in the containers/pallets were sent by plane, and a smaller number by boat. A total of 145 264 items were checked, among which:

- 139 969 were blocked at the border for non-compliance;
- 4 758 were released as they were compliant.

Among the 46 parcels intended for private individuals and intercepted at the airport, 40 were seized.

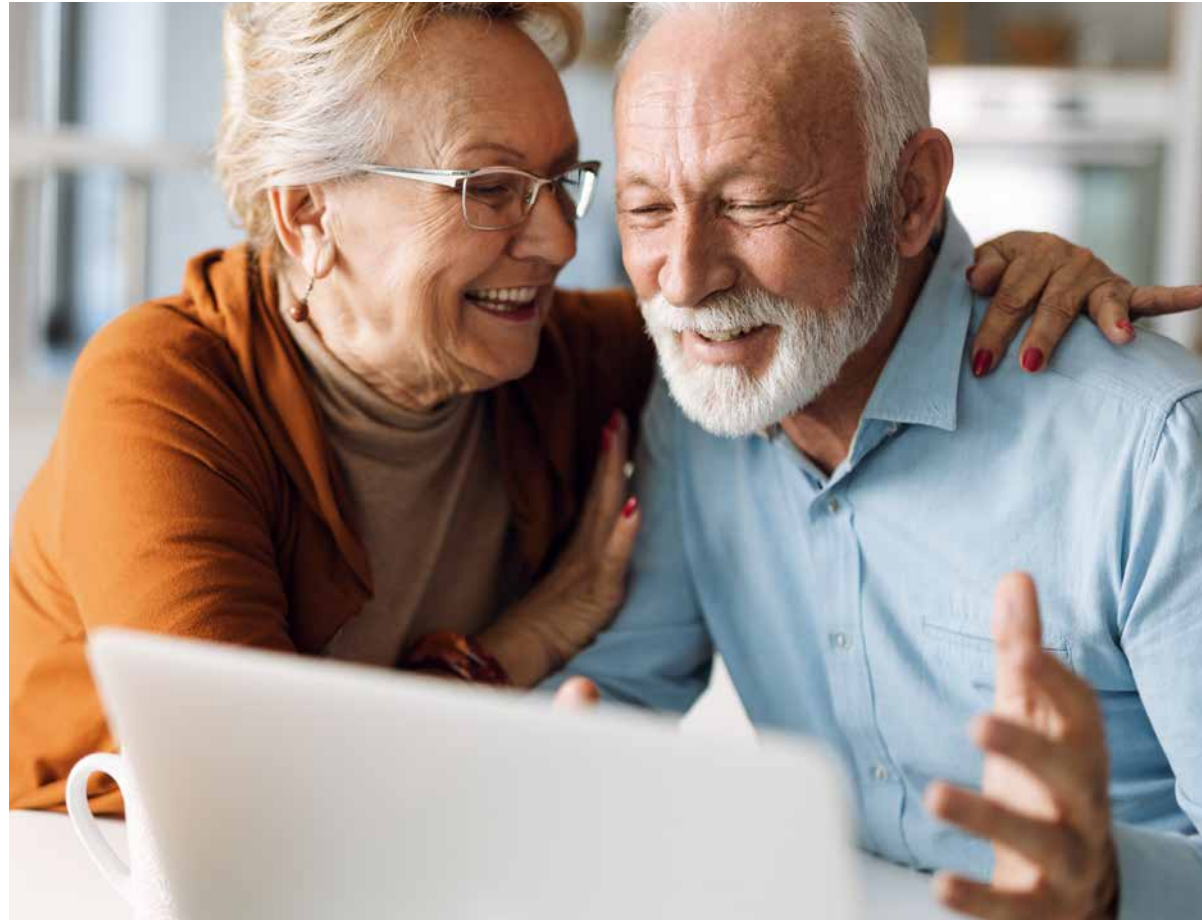
36. Most of the products seized were Bluetooth earbuds (30%), followed by Bluetooth amplifiers, smartphones, computers and wireless headphones.

2.2. Users

2.2.5. Monitoring compliance with obligations by operators in the electronic communications sector

The regulator is in charge of monitoring the observance of the regulatory framework regarding the protection of users on the electronic communications, media and postal service markets. This monitoring is essential to ensure a reliable communications environment for users.

Fixed telephony, fixed internet and/or television - Switching operators. The Easy Switch³⁷ procedure facilitates the change of fixed internet and/or television provider, as well as the change of bundle provider: the new operator organises the change of provider, unless the user explicitly indicates that he or she does not wish this. On 1 October 2023, new obligations and amended obligations regarding Easy Switch³⁸ came into force³⁹. After that, the BIPT checked if the web pages mentioned by the operators met its expectations in terms of transparency, based on the new Article 18, § 1/1, of the Easy Switch RD, requiring operators to publish certain information on their websites⁴⁰. This proved to be the case for all operators except one, which the BIPT asked to make changes to ensure that the information presented was clearer and more easily accessible. Once the changes had been verified, this phase of the Easy Switch control was completed⁴¹. Furthermore, the



37. Established by the Royal Decree of 6 September 2016 regarding the migration of fixed line services and bundles in the electronic communications sector (hereafter the "Easy Switch RD").

38. These obligations were introduced by the Royal Decree of 31 August 2022 amending the Royal Decree of 6 September 2016 regarding the migration of fixed line services and bundles in the electronic communications sector. End 2022/early 2023, the BIPT and the operators met to review the new Easy Switch obligations, identify projects requiring (technical) cooperation among operators (and to launch them) and remove potential ambiguities. Following this, within the framework of the extension of Easy Switch to professional customers who took out a standard tariff plan with their donor operator, an explanatory document "BIPT Explanations and expectations on Easy Switch for B2B" was drafted.

39. These new obligations are described in detail on the BIPT website (section [consumers](#), section [operators](#) and FAQ "[What is Easy Switch?](#)")

40. This Article requires operators to publish on their websites "transparent, adequate, easily accessible and comprehensible information" on "all standard tariff plans for companies or non-profit organisations, for which [Easy Switch] is the standard migration procedure". The BIPT explanatory document also indicates that donor operators are required to publish the list of their standard B2B tariff plans, which can be terminated via the Easy Switch procedure, on a dedicated web page. Furthermore, the BIPT also expects receiving operators to show the necessary transparency regarding B2B tariff plans falling under the Easy Switch procedure. To reach that objective, several options were identified such as links to a dedicated web page that BIPT has undertaken to create. This page is available at the following address: <https://www.bipt.be/consumers/indicative-list-of-professional-tariff-plans-which-easy-switch-applies-to>. This web page mainly contains links to the above-mentioned web pages of the donor operators.

2.2. Users

BIPT checked (again) one of the basic obligations arising from the initial Easy Switch RD of 2016⁴². The basic obligation concerned provides that the new operator must spontaneously present Easy Switch as

the standard procedure to subscribers wishing to change operators for fixed Internet, TV or bundles. The control was aimed at practices in the operators' points of sale. Controls revealed that Telenet did not

propose the Easy Switch procedure as the standard process in a clear majority of points of sale (61%). For that reason, the BIPT imposed a €1 000 000 fine on Telenet⁴³.



41. This is Phase I of section "Transparency and control of Easy Switch" of card G/2/2023/11 of the 2023 Operational Plan. Phase II will be implemented in 2024.

42. This was also announced in the 2022 annual report (section 2.2.5) of the BIPT.

43. See the [Decision of 12 December 2023 imposing an administrative fine on Telenet SA for non-compliance with Article 3 of the Royal Decree of 6 September 2016 regarding the migration of fixed line services and bundles in the electronic communications sector](#)

2.2. Users

Compliance monitoring is essential to ensure a reliable communication environment.

2.2.6. Monitoring compliance with obligations by operators in the postal service sector

Compliance with the postal regulatory framework. Pursuant to the postal regulatory framework, the BIPT carries out each year a number of inspection missions, mainly involving the universal service.

Delivery times. Each year the BIPT verifies the delivery times. These verifications are then submitted to the Council for a decision. The BIPT's draft decision on the monitoring of the observance of delivery times for the year 2022 was sent to bpost for consultation. Preparatory work was carried out for an audit of the quality measurement system of the universal postal service provider.

Bpost prices. The price of the universal postal service must be affordable, cost-oriented, non-discriminatory and transparent. The tariff increase of the services

belonging to the small user basket⁴⁴ is approved by the BIPT beforehand. As regards the 2024 tariff increases for these services, the [BIPT Decision of 26 September 2023](#) concluded that the 2024 tariff changes comply with current legislation. However, the BIPT notes that the new postal legislation has made it impossible since 2018 to ensure an effective assessment of the cost orientation principle.

Therefore, the BIPT could only acknowledge the fact that the average tariff increase of maximum 7.24% requested by bpost (in addition to previous price increases, such as the +14,96% average in 2023) complies with the legal provision concerned, that allows increases up to 25% on average, without being able to assess the cost orientation separately.



44. The small user basket includes services that are frequently used by private persons and SMEs and to which single-piece rates apply (prices are not influenced by the number of items deposited or by the postal preparation thereof), namely: domestic standard letter post and standard outgoing cross-border mail weighing 2 kg or less; outgoing domestic and cross-border postal parcels up until 10 kg, registered items and outgoing domestic and cross-border items with declared value.

2.3. Scarce resources

Frequencies and numbers are only available in a limited quantity. An efficient use of these scarce resources is crucial to ensure fair competition and allow innovation. International coordination is crucial in this area as well. The BIPT actively takes part in international expert groups striving after the rational use of frequencies and numbers (ITU, RSPGRSC, CEPT...) in the context of new applications and new technologies.

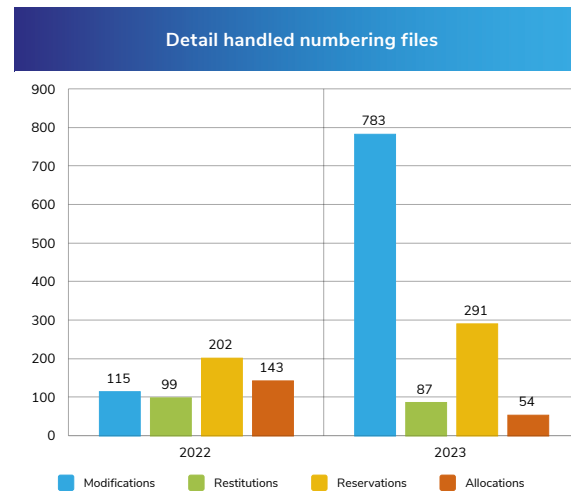
2.3.1. Numbering plan management

The BIPT is tasked with managing the national numbering plan and the granting and withdrawal of rights to use those numbers. To that effect, the BIPT works together with all the other regulatory bodies in Europe to have the policy approaches regarding numbering in Europe converge as much as possible.

Effective management. As the authority managing the numbering plan, the BIPT ensures that this scarce resource is used as efficiently as possible. Therefore, the numbering plan is regularly adapted to allow for new services and to preserve the numbering space if necessary. A solution for authorising terminal equipment via E.212 identifiers for private broadband radio local area networks was developed by amending Article 75 of the Royal Decree of 27 April 2007 on managing the national numbering space and the grant and withdrawal of number user rights. Other implementing measures were made concrete via the Decision of 19 December 2023 concerning local

private networks in the 3800-4200 MHz band and the assignment of E.212 mobile network codes.

Operational management. In 2023, the BIPT processed 1 215 numbering requests. As shown in the chart below, requests for modification and allocation are on the increase, respectively due to the transfer of Telenet's assets to another entity of the group and of Brut el e's to VOO, and to major reservation requests from various operators of short SMS numbers.



2.3.2. Optimal use of radio spectrum

The BIPT assigns frequency bands to operators in order to distribute the radio spectrum in an optimal fashion. Operators thus obtain rights of use to provide mobile products to the end-user.

Allocation of rights of use and multi-band auction.

During the multi-band auction in 2022, most available rights of use were granted for a period of about 20 years. The rights for the 1400 MHz band came into effect on 1 July 2023, while the starting date for the 900 MHz, 1800 MHz and 2100 MHz bands was set on 1 January 2023.

Following this auction, operators continued the deployment of 5G networks in Belgium. Only a 20 MHz band remained available in the 3.6 GHz band (3410-3430 MHz) (with the exception of the 26 GHz band).

The 3410-3430 MHz band. The Royal Decree of 28 November 2021 on radio access in the 3400-3800 MHz frequency band sets the conditions to grant rights of use in the 3400-3800 MHz band. On 30 October 2023, the BIPT decided to publish a call for candidates for the 3410-3430 MHz band. Given the 100 MHz spectrum cap (Article 4, § 3, subparagraph 1, of the Royal Decree 3600 MHz), Orange Belgium, Proximus and Telenet Group could not participate in the allocation procedure. The BIPT has not received any applications. The Royal Decree 3600 MHz (Article 4, § 3, last subparagraph) provides that, in that case,

2.3. Scarce resources

a new call for candidates must be published pursuant to Article 14, as a relevant group may hold up to 120 MHz in the frequency band between 3410 MHz and 3800 MHz in relation to a 3.6 GHz operator. Therefore, Orange Belgium, Proximus and Telenet Group will also be able to participate in this new call for candidates. The rights to use this band are still granted to Digi-Citymesh until 6 May 2025. The BIPT will thus consider publishing a new call at the beginning of 2024.

26 GHz. The 2019 consultation did not reveal any market demand for the 26 GHz band. Following the 2022 multi-band auction, which brought legal

certainty to operators for the next 20 years in all important mobile bands, the BIPT organised a new public consultation during the fourth quarter of 2023. The consultation revealed that the 26 GHz ecosystem is not fully developed, but the need for this band is expected to become more important in 2025-2030, when operators expect to see localised market requirements emerge for FWA, eMMB-overlays and low-latency industrial applications. This result will be taken into consideration and an adequate regulatory response will be drafted in 2024.

Fourth mobile operator. The fourth mobile operator (Digi-Citymesh) to acquire frequencies as part of the

multi-band auction announced that it would not become commercially active until mid-2024. Meanwhile, the operator strengthened its frequency portfolio in 2023. In its Decision of 10 January 2023, the BIPT accepted the transfer of rights of use for the 2520-2535/2640-2655 MHz frequency bands from Citymesh SA to Citymesh Mobile SA. On the other hand, in the Decision of 29 June 2023 on granting exclusive frequency bands for the use of radio relay links, an exclusive band was designated in the 70/80 GHz band, for both Citymesh Mobile SA and NRB. These radio relay links can be used as feed links to 5G base stations.

Transmission installations in Belgium's exclusive economic zone in the North Sea. The Decision of 16 November 2021 on the granting of spectrum at 700 MHz and 800 MHz for the establishment and operation of a transmission installation in the Belgian exclusive economic zone in the North Sea provided for a deadline for the commissioning of the installation. In 2023, Tampnet and Isea informed the BIPT that they tried several times to commission the frequencies, to no avail. This would not be possible in the short term.

However the networks of eBo-Enterprises, Citymesh and Telenet in the North Sea are still operational.

Rescue and security services. ASTRID has been granted an authorisation in the 380-400 MHz band. With the arrival of 5G and the ever-increasing



2.3. Scarce resources

demand for bandwidth, a new approach has been defined. To this end, ASTRID will be able to benefit from national roaming on the networks of public operators. Moreover, ASRID will be able to develop its own network in the 700 MHz band. In its Decision of 13 June 2023, the BIPT decided to grant ASTRID an authorisation to operate a trunk network for the 698-703 MHz, 733-736 MHz, 753-758 MHz and 788-791 MHz frequency bands for a period of 20 years.

5G networks in the 3800-4200 MHz band. The Royal Decree of 4 June 2023 on private broadband radio local area networks enables the BIPT to assign frequencies in the 3800-4200 MHz band to private local area networks using the 4G or 5G technology. These frequencies are not reserved to public mobile operators in Europe. The BIPT will also be able to grant authorisations for private local 5G networks. These authorisations cover private radio communications and are only intended for persons with a connection to the area where the authorisation is requested. The spectrum cap is set to 40 MHz per relevant group.

The technical conditions to use these frequency bands were defined in the Decision of 19 December 2023 concerning local private networks in the 3800-4200 MHz band and the assignment of E.212 mobile network codes. In this context, the European Commission issued to CEPT a mandate on 16 December 2021 ("Mandate to CEPT on technical conditions regarding the shared use of the 3.8-4.2 GHz frequency band for terrestrial wireless broadband

systems providing local-area network connectivity in the Union").

The purpose of this mandate is to study the viability of the use of the 3.8-4.2 GHz (3800-4200 MHz) frequency band by terrestrial broadband systems. The conditions arising from it must be suitable for 5G technology and protect incumbent spectrum users in the band and in adjacent bands.

However, CEPT's final report is only expected by the end of 2024. The technical conditions of the BIPT's Decision of 19 December 2023 will be adapted accordingly.

5G pilot projects. The BIPT significantly contributed to the granting of subsidies within the framework of the 5G and 5G Rail pilot projects, both in terms of preparing the calls for projects and evaluating the projects submitted.

The BIPT represented Belgium at the World Radiocommunication Conference WRC 2023

WRC 2023. The BIPT participated as head of the Belgian delegation in the World Radiocommunication Conference, WRC 2023 (Dubai, 20 November 2023 - 15 December 2023). At the WRC, the 6425-7125 MHz band was identified for IMTs.

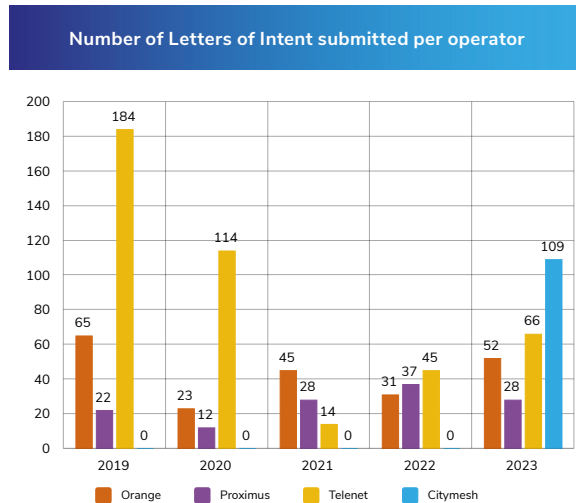
The concept of IMT family includes several mobile technologies (such as 4G, 5G and 6G). In Europe, the 6425-7125 MHz band can meet the demand for additional spectrum in the mid-band for 5G/6G, given that it has propagation conditions similar to the ones of the 3400 - 3800 MHz band. In a way, it is the only realistic candidate for the mid-band spectrum for IMTs. As the 26 GHz band is not a priority today for operators, the mobile telephony sector chose this band.

On the other hand, an agreement has been reached on a new secondary assignment to the mobile service, with the exception of the aeronautical mobile service, for implementation via a footnote listing the countries, in the 470-694 MHz frequency band.

Antenna site sharing. Operators have to mount their installations on existing supports as much as possible and make the masts they own available for use by the other operators.

This is the reason why, before introducing a request for an urban development permit, an operator has to sound out whether the other operators show interest in site sharing. He needs to send a "Letter of Intent" ("LoI") thereto.

2.3. Scarce resources



As shown in this chart, there is an increase in the number of Letters of Intent in 2023, mainly due to the entry of Digi-Citymesh. Indeed, the “4th mobile operator”, as nicknamed by the press, is actively deploying its network for the purposes of its marketing. As a consequence, the operator sent more than a hundred Lols in 2023. Operators also accelerated the deployment of their 5G networks.

This is only the tip of the iceberg. Operators, indeed, do not necessarily submit an Lol when they wish to join an existing antenna site. If the project does not require the operator to obtain a town planning permit,

the latter directly addresses a PSR (Pylon Sharing Request) to the operator who owns the support structure.

The non-profit organisation RISS (Radio Infrastructure Site Sharing) ensures coordination between the operators involved. This organisation is supervised by the BIPT and supports the implementation of site sharing among operators.

2.3.3. Avoid and remedy harmful interferences

The radio spectrum is used as a support for communications: it represents a natural scarce resource which must be rationally and efficiently managed to be usefully operated. The BIPT assigns a part of it to each category of equipment using spectrum in order to limit the risk of interference to a minimum. Should interferences still occur in spite of everything, the BIPT may act as a “police of the radio waves” to put a stop to any form of harmful interference.

Defining the technical requirements

Radio equipment. The BIPT is in charge of defining technical regulations for the use of radio communications equipment.

In this context it has published the following decisions:

- [Decision of 14 March 2023](#) on radio interfaces related to WAS/RLAN (Wi-Fi). These interfaces concern Wi-Fi in the 5 GHz band and clarify the conditions of use.
- [Decision of 19 December 2023](#) on radio interfaces related to wireless microphones, outside broadcast links, DECT equipment, satellite earth stations and remote controls of professional drones.

These interfaces concern various types of equipment:

- Wireless microphones, outside broadcast links: change in the authorised frequency bands following the grant of 5G licences;
- DECT equipment: update of the interface;
- Satellite earth stations: extension of the receiving band, extension of certain interfaces to non-geostationary satellites and licenced use of high-power earth stations;
- Professional drones: identification of a specific frequency band to improve flight safety of these drones.

2.3. Scarce resources



These [radio interfaces](#) lay down the technical requirements the equipment has to meet. They enable the efficient use of the frequency bands and avoid harmful interferences. They include the technical characteristics the equipment has to meet and the frequency bands for different types of equipment.

Within the framework of [technology neutrality](#), a number of decisions have been taken to use different technologies in parallel on certain frequency bands:

- [Decision of 10 January 2023](#) on the technical and operational conditions for the avoidance of harmful interference in the 800 MHz band;
- [Decision of 19 December 2023](#) concerning local private networks in the 3800-4200 MHz band and the assignment of E.212 mobile network codes.

These decisions also allow the introduction of 5G and private 5G systems in a number of specific frequency bands.

Putting an end to harmful interference

These monitoring actions in the field are carried out by the BIPT's technical teams located in the regional centres of Liège, Anderlecht, Ghent and Antwerp.

To carry out this monitoring, the BIPT uses state-of-the-art equipment. Depending on the type of measurements, use will be made of portable equipment,

2.3. Scarce resources

a measurement vehicle or the monitoring stations in the BIPT regional technical centres.

The BIPT continued the modernisation of its monitoring resources, both fixed and mobile. Seven fixed stations have thus been deployed on the territory. In 2023, the station in Ophain was modernised and a new 60-meter mast was installed to replace the previous ageing one. The monitoring network was complemented with a station in Zeebrugge for a better surveillance of maritime spectrum. Interconnected and usable remotely, they allow a better visualisation of the spectral occupancy, to record the spectrum for several days, to detect undesirable transmissions and to carry out an initial localisation of the transmission zone.

Preventive monitoring. The BIPT systematically and by way of prevention monitors the private radio communications networks when a new licence is issued (permanently or temporarily) or when the structure of an existing network is changed. In this context it is verified whether the characteristics of the network installed correspond to what is specified on the licence (see 3.1.4.). The objective is twofold: avoid interference and ensure that the network operator receives a correct invoice.

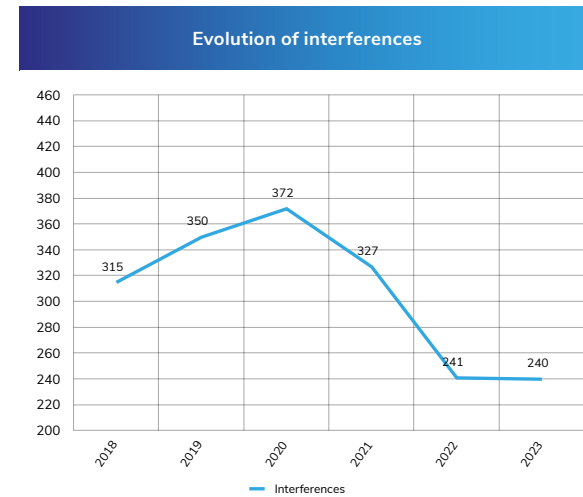
985 controls were carried out in 2023, versus 694 in 2022.

In order to be able to take measures immediately when the radio legislation is breached, the BIPT

technicians have the power to act as criminal investigation officers. In 2023, 107 official reports were drafted in the context of the spectrum monitoring and 27 interfering transmitters were seized.

Monitoring during major events. The BIPT ensures that the networks used are licensed and that the licensing terms are complied with. This guarantees an immediate solution should interferences arise. In 2023, the inspection of events was resumed and the BIPT was present at 26 major events⁴⁵.

Resolving interferences. Governed from its headquarters in Brussels, the BIPT has four regional centres resolving interferences across the entire national territory. The total number of interference cases in 2023 amounted to 240 versus 241 in 2022.



45. Cavalcade de Herve, Lotto Park (football match), E3 Saxo Classic (cycle race), Kronos 8 Hours of Mettet (VW Fun Cup), The Friends Experience – Paleis 4, Toervaren (maritime gathering in Nieuwpoort), Artebis (shooting of the movie "Bolero"), La Flèche Wallonne (cycle race), Liège-Bastogne-Liège (cycle race), National Congress of the UBA, 12 Hours of Spa, K'S Choice concert, Les Ardentes Festival, Maanrock, Rammstein concert...

2.3. Scarce resources

The victims and sources of interference are divided as follows:

Sources \ Victims	Sources														Totals	
	Not identified yet	Aeronautical	Broadcasting	Defence systems	Fixed connections	Land mobile	Maritime	Meteorology	Radio astronomy	Satellite systems (civil)	Short-range devices	Non-radio	Other	Vanished		Unknown
Not identified yet																0
Aeronautical		2	4											1		7
Broadcasting			3									3	1	2	2	11
Defence systems																0
Fixed connections														1	1	2
Land mobile	1		5			43					5	2	1	8	10	75
Maritime	1						20							3	2	26
Meteorology	1						2				6			1	2	12
Short-range devices			1		1						30	6	8	14	9	69
Radio astronomy																0
Satellite systems (civil)											1					1
Non-radio													1			1
Other	1		1								2	18	1	6	7	36
Vanished																
Totals	4	2	14	0	1	43	22	0	0	1	43	29	12	36	33	240



Over 30% (75) of interference victims belong to the category “Land mobile”⁴⁶, within which a large majority of the interferences (60%) are caused by the use of repeaters active in the frequency bands used by the mobile operators. As a reminder, this type of repeaters may only be used by mobile operators, or with their authorisation. Next come the short-range devices (29%), maritime services (11%) and broadcasting (5%). Aeronautical interference makes up 2.92% (7) of the total interferences.

46. Including among others the networks of mobile operators, trunk networks and PMR devices.

2.4. Efficient functioning

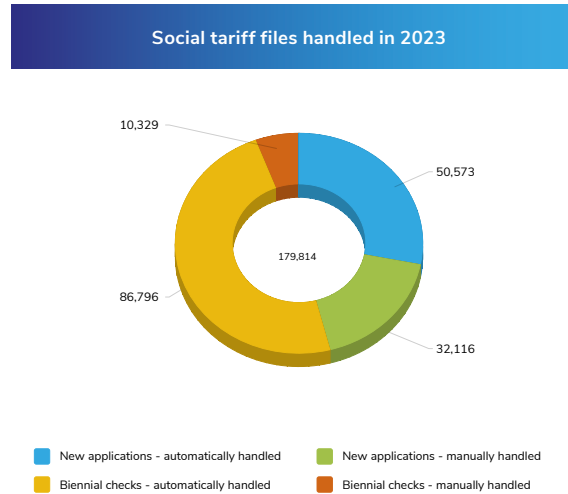
The BIPT wishes to be an accessible regulator who, as an attractive employer, draws capable personnel. That is why it is pursuing its efforts to create a modern and efficient work environment by taking action regarding digitisation, organisation management and internal monitoring. In the context of its activities, the BIPT also takes into account sustainability factors and the impact on its environment.

2.4.1. An accessible regulator

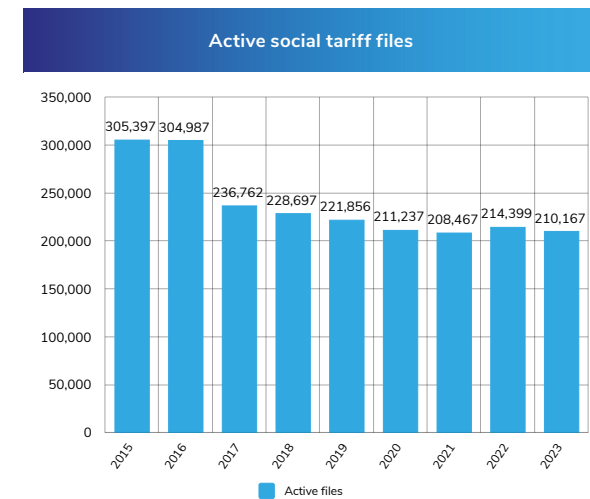
Simplified administrative file handling

Social tariffs. As regards the monitoring of the granting conditions for the electronic communications social tariff, the BIPT uses a beneficiary database called "STTS", which enables an automated (partial) check of the granting conditions. The BIPT does not only carry out this verification upon the request with the operator but can also verify whether the applicant in question still meets the conditions two years after the allocation.

In 2023, about 83 000 new requests and about 100 000 two-yearly verifications were processed in this manner. This was mostly done automatically.



In 2017, the verification automation project was completed. This explains why the number of active files has been constantly decreasing over the past few years. By the end of 2023, a total of 210 167 persons benefited from the social tariff. The limits for the automatic verification have hereby been reached, considering the complexity of the current granting conditions. Moreover, the security of the STTS platform has been attuned to the requirements of the General Data Protection Regulation.



2.4. Efficient functioning

Handling of complaints regarding the functioning of the BIPT

The BIPT attaches great importance to the quality of its service, based on its values (independence, reliability, transparency). The complaints manager can rely on all operational departments to provide an appropriate and rapid response to messages received on the dedicated e-mail address. Analysing these contacts helps to sort out dissatisfactions and admissible complaints, locate the source of gaps, failures or shortcomings in the documents, processes or resources deployed, and draw lessons from the editorial, procedural or organisational aspects.

In 2023, the complaint manager appraised and monitored 13 admissible complaints, over a total of 86 messages received. The number of admissible complaints remains rather low, particularly when compared with the large volume of interactions (e-mails, letters, telephone calls, visits, etc.) between the BIPT and its “customers”. The BIPT staff members are pleased with this low figure, which reflects their daily commitment to a quality approach. Each of the messages or admissible complaints received a detailed response tailored to the specific interests of the senders.

Pursuant to a cooperation agreement between the BIPT and the Federal Ombudsman (who may be called upon to examine a case under a cooperation agreement), the ombudsman closed two cases in 2023 (1 as inadmissible, 1 for lack of information).

2.4.2. Competent staff

Personnel. By the end of 2023, the BIPT had 254 staff members: 240 statutory agents and 14 contractual agents. This is detailed in the annex. This figure represents 247 full-time equivalents. Among them, 13 staff members (13 FTEs) were put at the disposal of the Office of the Ombudsman for the Postal Sector and 15 staff members (14.86 FTEs) were put at the disposal of the Office of the Ombudsman for Telecommunications. Their duty is to assist the ombudsmen in handling complaints of consumers in their respective sector.

In 2023, the BIPT hired 18 new staff members at different levels and with various profiles: 2 engineers-advisors, 9 advisors, 3 administrative employees (of which 1 for the Office of the Ombudsman for Telecommunications) and 3 technical employees. Within the BIPT, four administrative employees were promoted to the rank of administrative head of department.

At the end of the year, an extension of the BIPT’s staff was also prepared in order to be able to carry out the additional tasks that the BIPT will have to perform from 2024 onwards pursuant to the Act pertaining to various provisions relating to the working conditions of postal parcel deliverers (“Soplafi Act”), on the one hand, and the Royal Decree amending the Royal Decree of 14 March 2022 on postal services (“Royal Decree on sustainability indicators”), on the other hand. This file must still go through a number of stages

before the Royal Decree can be published in 2024.

Training. Continuous staff training is an integral part of the BIPT’s policy.

In 2023, two major changes were supported by training sessions for all staff members, making it easier to implement them: the PersoPoint onboarding (switch to a new system for managing all staff data) and the switch to a new electronic document management system.

The preparation for the Belgian presidency of the Council of the European Union in 2024 was also accompanied by a training course for the persons concerned: a workshop organised within the BIPT and training sessions at BOSA.

Technological developments were also followed up: several training courses were organised, in particular for the technicians of the Surveillance Department and the IT Department.

Furthermore, the Training Department continued its activities, which are now well established at the BIPT: encouraging people to master the second national language through the language plan, organising training courses based on our legal obligations (such as first aid), organising internal workshops, analysing training needs for specific profiles (such as new advisors and engineers-advisors), analysing individual training needs, attending conferences, etc.

2.4. Efficient functioning

Taking all types of training together, the average number of training days attended per full-time equivalent was 3.8 in 2023.

Well-being. To implement our welfare policy, we work closely with our in-house prevention advisor and our external partner Cohezio, on both individual and general issues. In autumn for instance, the prevention consultants of Cohezio specialised in psychosocial aspects organised a workshop to raise awareness among staff members regarding inappropriate behaviours.

PersoPoint Onboarding. On 1 May 2023, the organisation was integrated in PersoPoint, a section of the FPS Policy and Support. Since then, PersoPoint does not only handle payroll administration, but also more generally the management of personnel files. This entails a new way of working for all staff members. The latter were informed in advance through internal workshops, either in their role as staff members or line managers

Integrity. As was the case in the previous years, the 2023 internal operational plan includes a chapter dedicated to awareness-raising of the BIPT staff as regards integrity and the accompanying risks. Integrity risks for the different functions were assessed on a dozen levels. An internal communication entitled “contact or collaboration offers: we must remain vigilant” was launched to warn staff members about fraud risks in this context. The Council was

presented with a report on integrity data (number of complaints, consultations of the confidential advisors, disciplinary procedures) for the past year. Regarding the new Whistleblower Act, the AFI (Internal Federal Audit) was chosen as the internal reporting channel.

Moreover, the implementation of 13 action points regarding the 2021-2023 integrity policy was pursued and was also reported on to the Council. These points were completed. The drafting of the 2024-2026 integrity policy also started with a round-table discussion of the players involved in integrity.





3

CHAPTER 3

2023 IN NUMBERS

3.1. Electronic communications

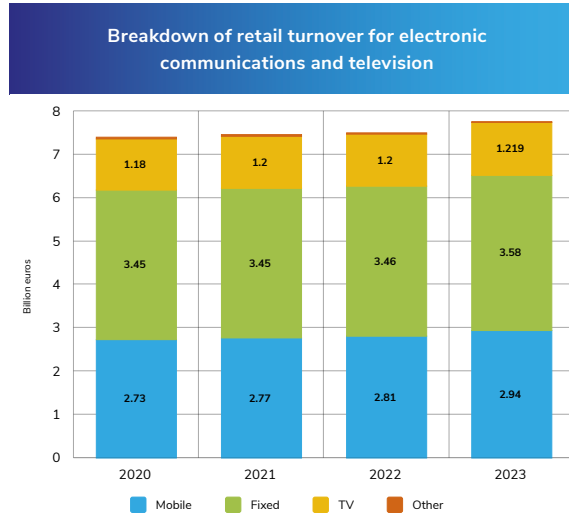
3.1.1. Indicators of the electronic communications market

Each year, by the end of June at the latest, the BIPT publishes the electronic communications sector's statistical report. This part discusses the main trends observed in this sector in 2023.

Turnover and investments

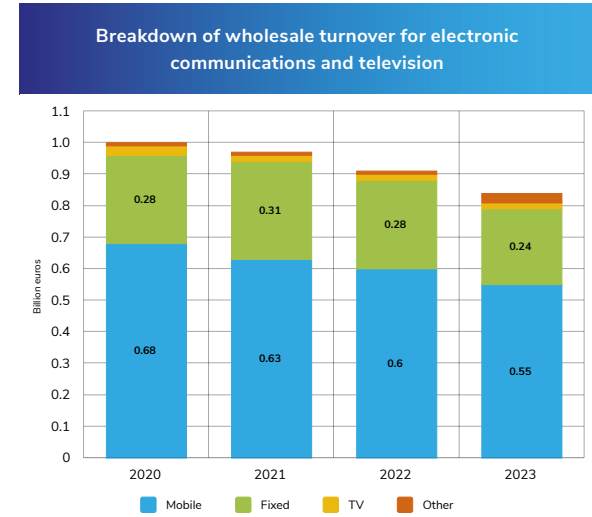
In 2023, the electronic communications and TV market yielded a net turnover of €8.61 billion, or a €177 million increase (+2.1%) compared to 2022.

The turnover on the retail market increased by 3.4% to €7.77 billion. The fixed-line segment achieved an increase in turnover of €123.12 million (+4.4% to €3.58 billion), while the mobile segment saw an increase of €123.79 million (+3.6% to €2.94 billion). Both segments similarly contributed to the total turnover growth. Television services made a smaller contribution to this growth with a smaller increase (+€16.14 million to €1.22 billion).



The turnover on the wholesale market dropped by more than 8.3% to €0.84 billion due to the loss of turnover on the mobile (-9.1%) and fixed (-13.1%) markets.

The deployment of optical fibre is driving up investment in the fixed segment.

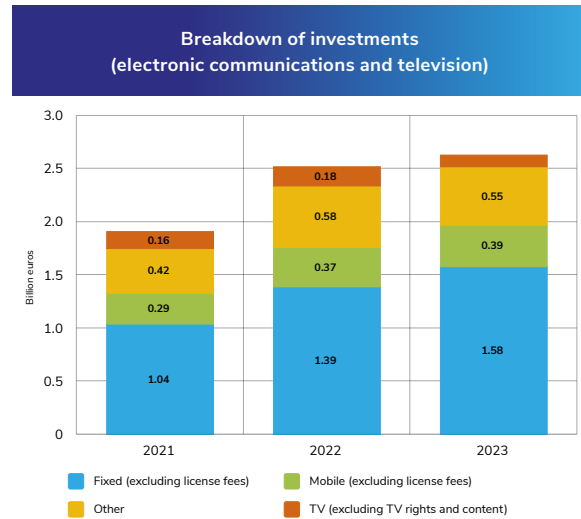


On an annual basis, investment in the telecommunications and television sector (excluding licence fees and broadcasting rights) rose by €99.4 million to €2.63 billion (+3.9%), which is considerably less than the €605.1 million increase reached in the previous year.

Investment in the fixed segment is strongly influenced by the development of optical fibre, which leads to a significant increase of €182.6 million to a total of €1.58 billion. Investment in the mobile segment remains practically unchanged, with a slight increase of €13.32 million to a total of €0.39 billion.

3.1. Electronic communications

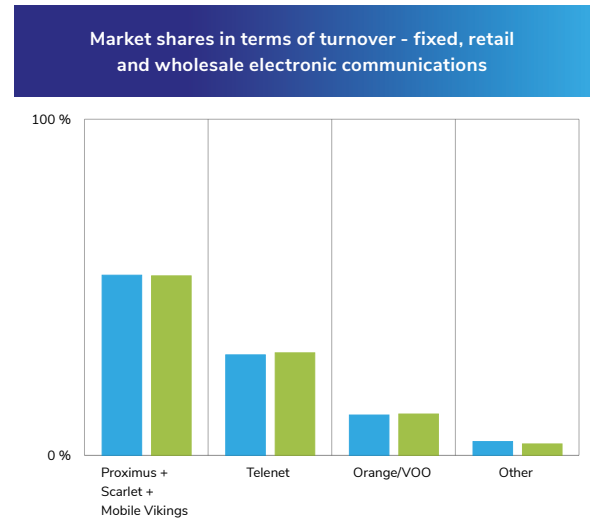
In the television segment, we see for the first time a decrease in investments, of €70.71 million to €0.11 billion.



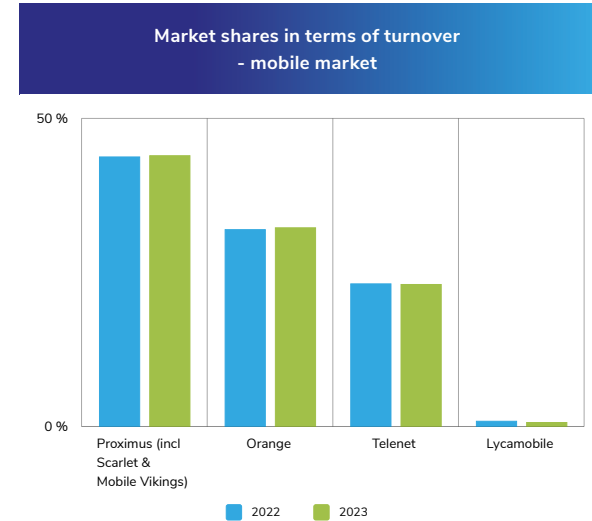
Market players

The takeover of VOO by Orange in June 2023 has no influence on the ranking of telecommunications operators on the basis of their national market share of fixed electronic communications turnover. Proximus (including Scarlet and Mobile Vikings) keeps its position of first national player in the fixed segment with a market share above 50%. Telenet comes second with a market share between 30% and

40%. Orange/VOO ranks third with a market share between [10-20]%. Lycamobile



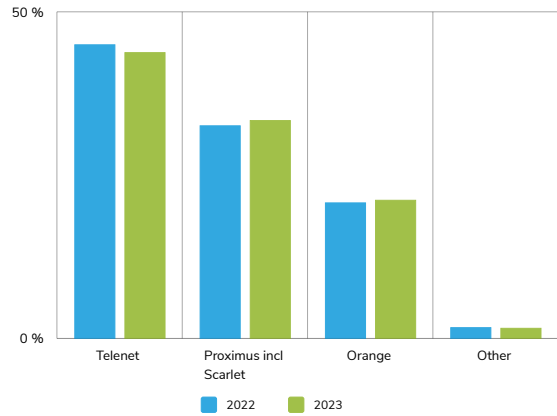
The ranking based on market shares does not change either on the mobile market side. In the same way, Proximus strengthens its position as a market leader with 0.1 percentage point to [40-50]%. In second position, Orange/VOO gains 0.3 percentage point and maintains its market share between [30-40]%. Losing 0.3 percentage point, Telenet ranks third on the mobile market, with a market share between 20% and 30%.



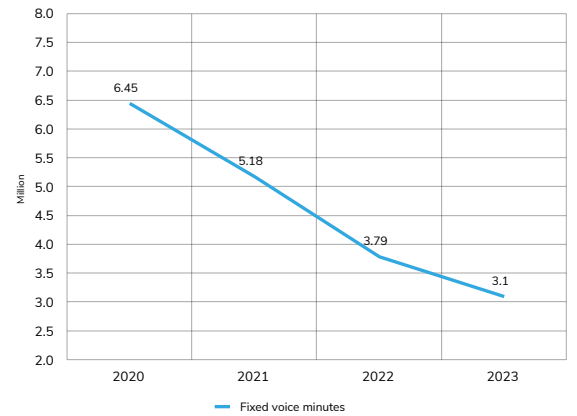
On the national television market, the market share of Telenet (market leader) in terms of turnover fell by a similar 1.2 pp, but remains above 40%. The lost market share was seized by Proximus (+0.8 pp for a total of [30-40]%) and Orange/VOO (+0.4 pp for a total of [20-10]%).

3.1. Electronic communications

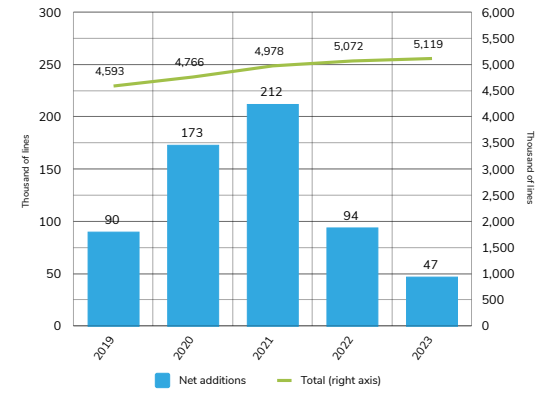
Market shares in terms of turnover - television



Call minutes over fixed networks



Annual net additions of fixed broadband lines in 2019-2023 and number of fixed broadband lines in 2023



Fixed services (voice - broadband)

The use of fixed telephony services continues to decline. In 2023, access to the fixed telephony network dropped by 10.1% to 2.98 million. At the same time, fixed voice telephony traffic dropped by 18.2% to a total of 3.10 billion minutes.

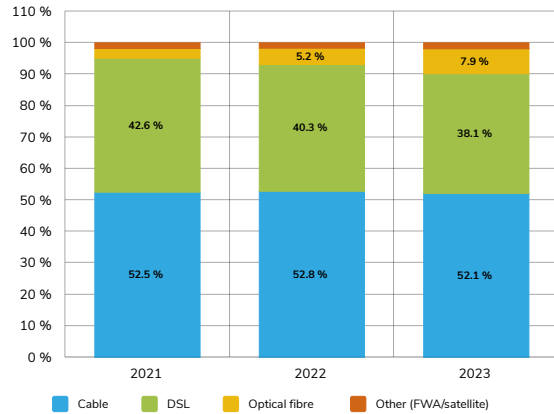
In 2023, the number of broadband connections grew further in Belgium, rising by 1.9% to 5.12 million. However, compared to 2022, net growth halved to 47 000 lines on an annual basis.

In 2023, the growth of fixed broadband was mainly driven by the rise in the number of fixed broadband connections on optical fibre networks, with national coverage increasing from 14.5% in August 2022 to 20.93% in June 2023⁴⁷. The coverage extension led to an increase in the share of fixed broadband connections over optical fibre networks from 5.2% to 7.9% in the total number of connections. Both the share of fixed broadband connections on the copper network and the share of fixed broadband connections on the coaxial cable network decreased. The share of copper dropped by 2.2 percentage points to 38.1%, whereas cable lost 0.7 percentage point to 52.1% but remains the main technology.

47. Source: BIPT fixed atlas.

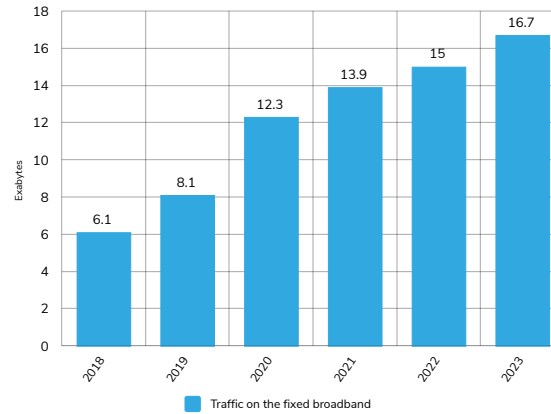
3.1. Electronic communications

Fixed broadband lines per technology, end of 2023



In 2023, fixed broadband traffic grew by 11% to reach 16.7 exabytes. On average, 278 GB were consumed per fixed broadband line per month, i.e. 17 GB more than in 2022.

Fixed broadband traffic in exabytes⁴⁸



Mobile services

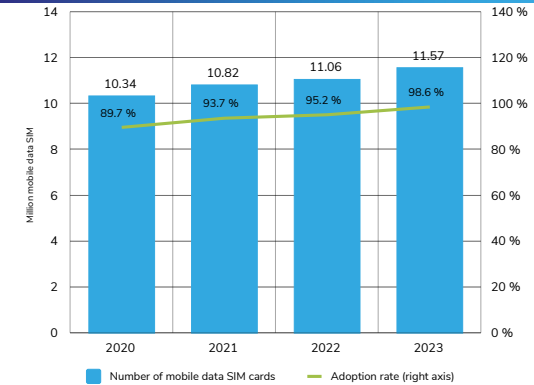
The number of active SIM cards on the mobile market, excluding M2M cards, reached 12.69 units, i.e. a 2.5% increase compared to the end of 2022.

The popularity of the Internet of Things (IoT) has led to an increase in the number of connected devices and sensors to exchange data. At the end of 2023, 7.76 million IoT objects were connected, i.e. a 15% increase.

In 2023, there were 98.6 active data SIM cards per 100 inhabitants in Belgium, i.e. a total of 11.57 million cards (+4.6%). Due to the extension of 5G coverage to 65% of the territory in January 2024⁴⁹, an increasing

number of data SIM cards use 5G connectivity. The share of 5G in the total number of active SIM cards rose from 12.8% to 17.3% in one year.

Number of mobile data SIM cards and take-up rate by the population



For the first time, the number of mobile call minutes dropped, i.e. -3.7% to a total of 20.86 billion minutes. The number of text messages sent also dropped in 2023, i.e. -13.5% to a total number of 9.89 billion messages. In contrast, mobile data consumption increased by 30% to 983 petabytes⁵⁰. The average monthly usage volume per active data SIM card increased from 6.1 to 7.5 GB.

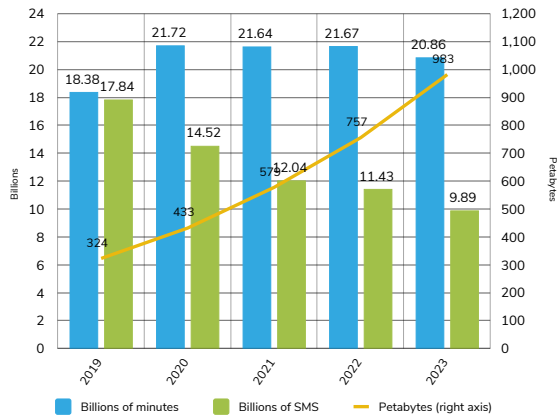
48. One exabyte equals 1 billion gigabytes (GB).

49. Source: the BIPT.

50. One petabyte (PB) equals one million gigabytes (GB).

3.1. Electronic communications

Evolution of traffic over mobile networks

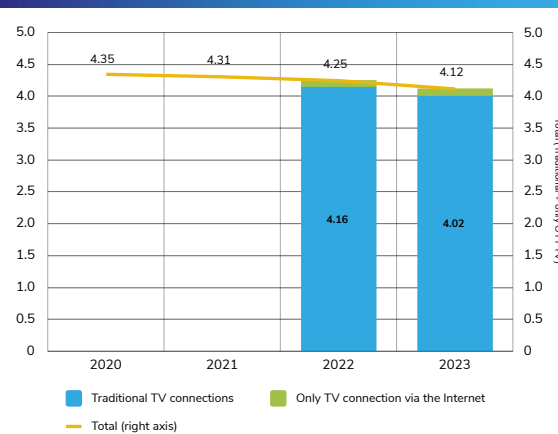


Television

The decrease in the total number of TV connections is accelerating: -128 625 for a total of 4,12 million connections in 2023 compared to -61 000 in 2022 and -36 000 in 2021.

Although the number of TV connections for customers of telecommunications operators who watch television solely via the internet increased (from 91 000 to 104 309), this did not offset the fall in the number of traditional television connections (-141 373).

Number of TV subscriptions and breakdown traditional TV connection/TV connection solely via an app

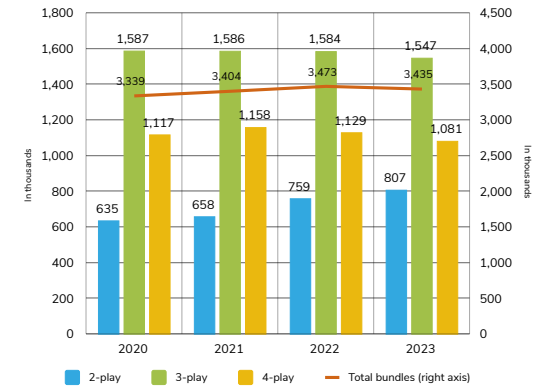


Bundles

Multiple-play or taking out multiple services in one subscription decreased for the first time on the residential market in 2023. The number of residential customer relationships concerning bundles decreased by 38 000 units to 3.43 million units.

Only double play made a positive contribution (+19 000) to the growth of multiple play.

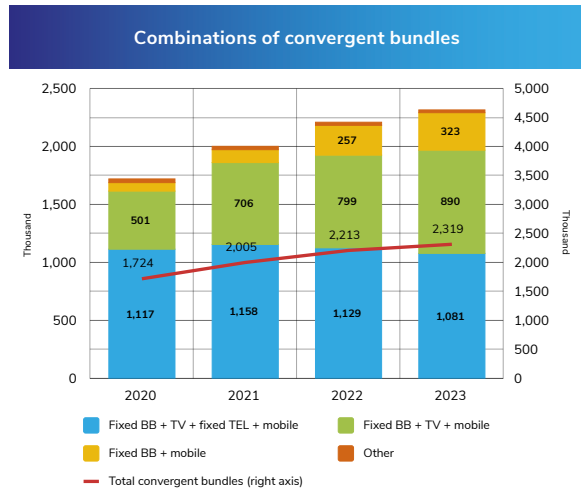
Distribution of fixed residential bundles



Convergent bundles including fixed and mobile services continue to grow, increasing by 106 000 units to 2.32 million units. These bundles account for a market share of 67.5%, i.e. an increase by 3.8 percentage points compared to the previous year.

Despite the loss of 48 000 customers, quadruple play remains the main combination of convergent bundles, i.e. 31% of the total number of bundles. The convergent triple-play offer combining fixed broadband, television and mobile telephony and the convergent double-play offer combining fixed broadband and mobile telephony increased notably in 2023 by respectively +91 000 and +66 000. This trend was also noticeable in 2022.

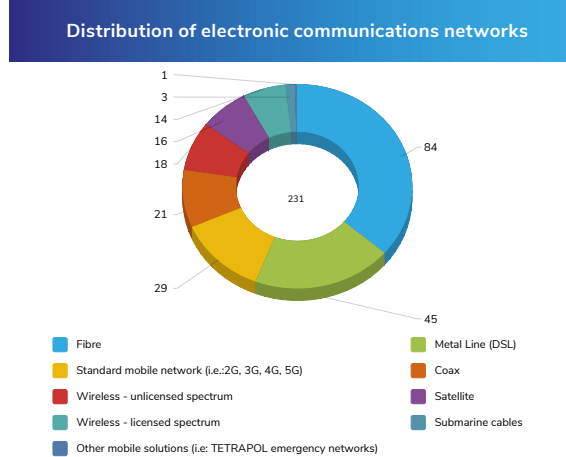
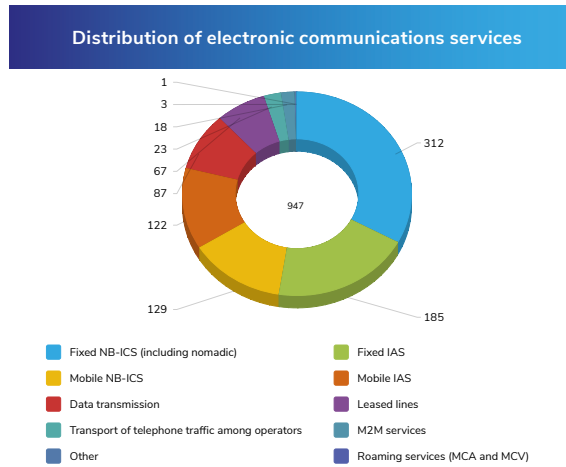
3.1. Electronic communications



3.1.2. Notifications

Access to the electronic communications market is free. A newcomer on the market can start its activities following a simple notification to the BIPT. A vade mecum published on the BIPT website facilitates their entry onto the market.

At the end of 2023, there were 499 operators and their notifications concerned the following services and networks⁵¹:



3.1.3. Networks

Fixed. Because of the density of their infrastructure, Proximus, Telenet and Brut el /VOO (taken over by Orange) are the operators with the largest national coverage in terms of fixed networks. They provide their services to the general public and undertakings. Their tariff plans for the residential market and small companies can be compared in the besttariff.be simulator.

Operators with a more limited network coverage can use the infrastructure of bigger operators to provide their services to their own customers, both private and non residential. This is “wholesale” access. Examples are Orange, which uses Telenet’s cable to launch its own fixed internet/digital TV tariff plans on the residential market in Flanders and Brussels; and Destiny, which has access to Proximus’ fibre network to provide cloud communication solutions to residential and business customers. The BIPT plays a crucial role in such wholesale access.

Mobile. As regards the mobile network operators, Proximus, Telenet Group and Orange have deployed their own networks. They are the Mobile Network Operators or MNOs. A new operator (Digi-Citymesh) is currently developing its new radio access network.

MVNOs (Mobile Virtual Network Operators) are mobile service providers who do not have their own mobile network. The most advanced MVNOs (known

51. Bundles are commercial offers including at least two of the following services: (1) fixed broadband, (2) fixed telephony, (3) mobile services (voice and/or broadband) and (4) television. Bundles are:

- a. Pure bundles, consisting of services which are not available individually;
- b. Combinations of linking and linked services consisting in a service the sale of which is conditional on the purchase of another service. The first product is called the “linking product” and the second one the “linked product”.
- c. Mixed bundles, which combine services that are available separately, but the joint purchase is encouraged by the granting of permanent advantageous conditions which cannot be obtained when the services are purchased separately. These conditions may include discounts or non-monetary benefits (such as more data consumption). Temporary promotions and gifts must not be taken into account.

3.1. Electronic communications

as Full MVNOs) do have their own fixed network assets, but not their own radio access network. There are a few full MVNOs on the Belgian market, the main ones being Lycamobile and VOO. There are also light MVNOs which operate their own customer management and billing system. Examples in this category are Youfone and Neibo.

3.1.4. Licences, examinations and certificates

The BIPT is responsible for the management and monitoring of the radio spectrum in Belgium. The BIPT assigns frequencies and issues licences for the “radio users”, i.e. the “operators” who have obtained rights of use for public radio communications, or the required authorisations for private radio communications.

As regards the use of private radio communications stations, the BIPT’s activities include the granting of licences and the organisation of examinations.

Licence granting

The BIPT issues licences for the use of private radio networks and individual radio stations. Based on those licences it is possible to verify whether the network is appropriately licensed upon inspection.

Licensed radio stations and networks are subdivided into categories, depending on their destination and the manner in which they operate⁵²:

1st category:

private mobile radio communications networks, except for those falling under category 3. These include private mobile radio communications networks mostly used for professional ends, for instance by taxi companies, factories, etc. (permanent licence) or at construction sites, events, etc. (temporary licence);

2nd category:

private fixed radio communications networks. These refer to radio relay links⁵³;

3rd category:

mobile radio networks set up by governmental bodies, companies active in transportation by railways and public transport companies, hospitals and bodies for medical or social help for strictly humanitarian and non-profit purposes. This category covers the same use as category 1 licences, only the licence holder has a different capacity;

4th category:

licences for maritime radio stations;

5th category:

private radio stations used by radio amateurs;

6th category:

licences for air navigation radio stations;

7th category:

general holder’s licences or individual holder’s licences.

These licences have to be obtained in order to keep radio equipment without actually using it. Manufacturers, importers and distributors therefore have a general holder’s licence for the radio equipment in question;

8th category:

category: this category actually regards operators’ public radio communications. It refers to networks set up:

- a) by operators of point-to-point networks or point-to-multipoint networks;
- b) by operators of shared resource networks. This regards the so-called trunked networks using multiple radio channels, shared with other companies;

9th category:

licences for private radio networks or stations:

- a) used for trials or testing - such as 5G test licences;
- b) using devices referred to in Article 33, § 2, of the Act of 13 June 2005 on electronic communications. In principle, these jammers are prohibited but there are a number of exceptions to the rule, for instance jammers in prisons;
- c) using radars not belonging to other categories, for instance weather radars, speed radars...;
- d) not belonging to any other category.

52. Subdivision laid down in the Royal Decree of 14 December 2018 amending the annexes to the Royal Decree of 18 December 2009 on private radio communications and user rights for fixed networks and shared resource networks.

53. Radio-relay links or radio communications are used instead of a telephone line or fibre to connect two sites.

3.1. Electronic communications

In addition, the BIPT also issues licences for the use of satellite stations, for instance for broadcasting vehicles for TV broadcasts through SNG or “Satellite-News-Gathering”.

Licences issued in 2023 are detailed in Annex E.

Examinations to obtain operator certificates to use certain stations

Under normal circumstances, the BIPT organises maritime radio and radio amateur examinations each month. Compared with previous years, the number of candidates was very high, so that at least one examination session was organised every week. The BIPT also organised examination sessions in other places than its premises. For the radio amateur exam two sessions were organised at the Euro Space Center in Redu, as part of an internship for young people. There was also elaborate collaboration with maritime partners to organise on-site examinations, including the navigation police, De Vlaamse Waterweg and Defence.

The examination for access to the operator certificate for stations on board vessels is necessary for each user of a radio station in the radio maritime frequency bands. Depending on the user, there are 4 types of examinations (and certificates), divided according to the level of difficulty:

- Restricted radiotelephone operator certificate:

the basic certificate allowing the use of a VHF marine radio on the inland waterways and for pleasure sailing at sea;

- SRC (“Short Range Certificate”): for pleasure sailing at sea;
- ROC (“Restricted operating certificate): mainly intended for professional use for coastal navigation;
- GOC (“Global Operating Certificate”): mainly intended for professional use at sea.

For radio amateurs, three types of examinations are organised:

Examination C :

examination for the basic licence. This examination is simple and, when passed, gives access to the use of a limited number of radio amateur bands with limited transmitting power.

Examination B :

the novice examination, which in terms of difficulty is between examination C and A. Passing this examination gives access to the use of most amateur radio bands with medium power.

Examination A :

extensive examination giving access, when passed, to all radio amateur bands with high transmitting power. It is better known as the “HAREC exam”.

The exams organised in 2023 are detailed in Annex E.

The Directorate-General for Air Transport of the FPS Mobility and Transport organises the examination for the certificate of aircraft station radio operator. The certificate is, however, issued to the successful candidates by the BIPT.

The number of operator certificates issued in 2023 following a successful examination was significantly higher than in 2022. However, it should be noted that the chances of succeeding an examination to obtain a maritime operator certificate were way higher than for a radio amateur operator certificate.

The certificates issued by the BIPT are detailed in Annexe F.

3.2 Postal services

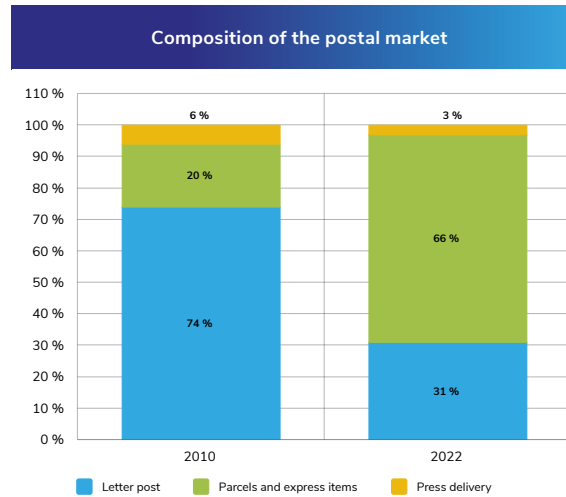
3.2.1. Postal market indicators

In addition to bpost and the four postal licence holders, about 700 companies are also active on the Belgian postal market. To follow the developments on the market, each year the BIPT conducts a survey among the major postal operators. In 2023, the data of 24 companies were processed for the year 2022. Their cumulated turnover amounts to over 90% of the postal sector's total turnover, creating an accurate image of the general trends on the Belgian postal market. All indicators and their evolution can be consulted on the [BIPT website](#). In the second semester of 2024, the data shall be completed with the 2023 figures. This is the [rapport](#) describing the main trends observed between 2010 and 2022.

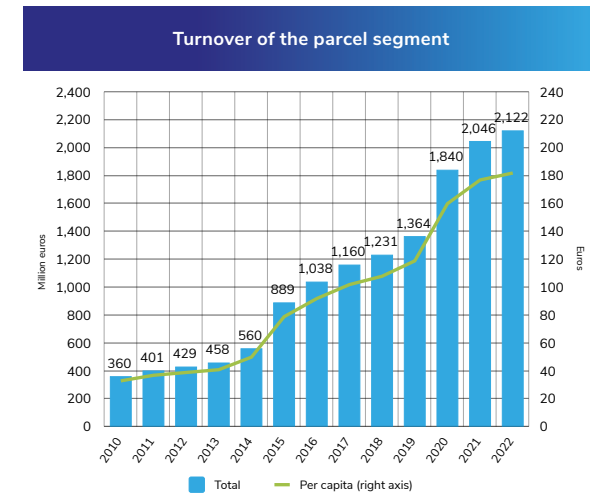
Services

After two years of exceptional double-digit annual growth in turnover (16.2% in 2020 and 10.5% in 2021), the postal sector is coming to a halt (0.6% annual growth in 2022). We came back to growth levels that are close to those seen in the middle of the previous decade. The total revenue from the postal sector amounted thus to €3.481 billion in 2022. However, there are two opposing underlying trends:

- 1) On the one hand, parcels and express mail are becoming increasingly important in the postal market (in relation to turnover below).



However, the parcel segment showed a more limited annual increase in turnover in 2022 (+3.7%) compared with the two previous years (11.2% and 35% respectively).

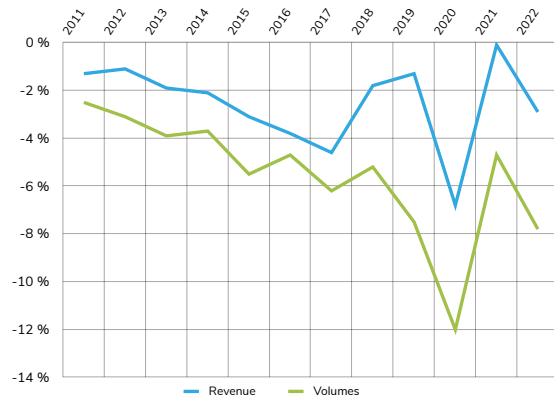


The number of letter post items per capita per year is now below 100 items.

- 2) On the other hand, the letter post segment is undergoing an annual decrease in terms of volumes and turnover. Volumes fell by the second largest amount since 2011 (-7.8%), but this was offset by a smaller fall in turnover (-2.9%).

3.2 Postal services

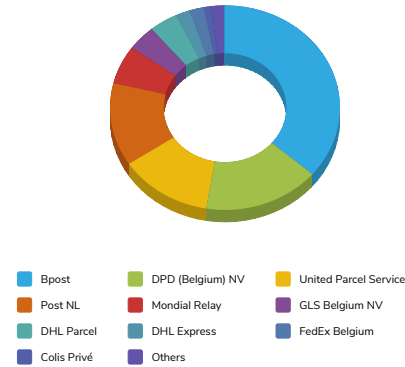
Volumes and revenues from items of correspondence



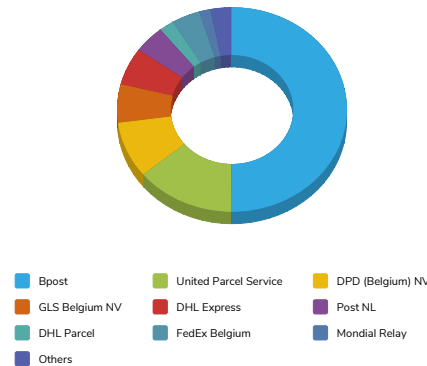
Market players

As shown in the two following charts, bpost largely retains its dominant position on the letter post market and is the leader on the parcel and express market.

Market share based on the parcel and express volume in 2022



Market share based on the overall turnover in 2022



3.2.2. Universal postal service providers

Any person wishing to provide a letter post service, registered or not, and falling within the scope of the universal service (up to 2 kg), must apply for a licence from the BIPT.

Since Dimitri Ornelis⁵⁴ was granted a licence in April 2023, there are **five** universal service providers: Net Express, for the whole territory, SPAN Diffusion in the 19 municipalities of the Brussels-Capital Region, bpost, which has been designated to provide the whole of the universal service across the entire territory, Glejor BVBA which wants to deliver letter post services (the registered items included) in the 3650 and 3680 postal code areas, and Dimitri Ornelis which provides services in the municipalities of Deinze, Zulte, Aalter and Waregem⁵⁵.



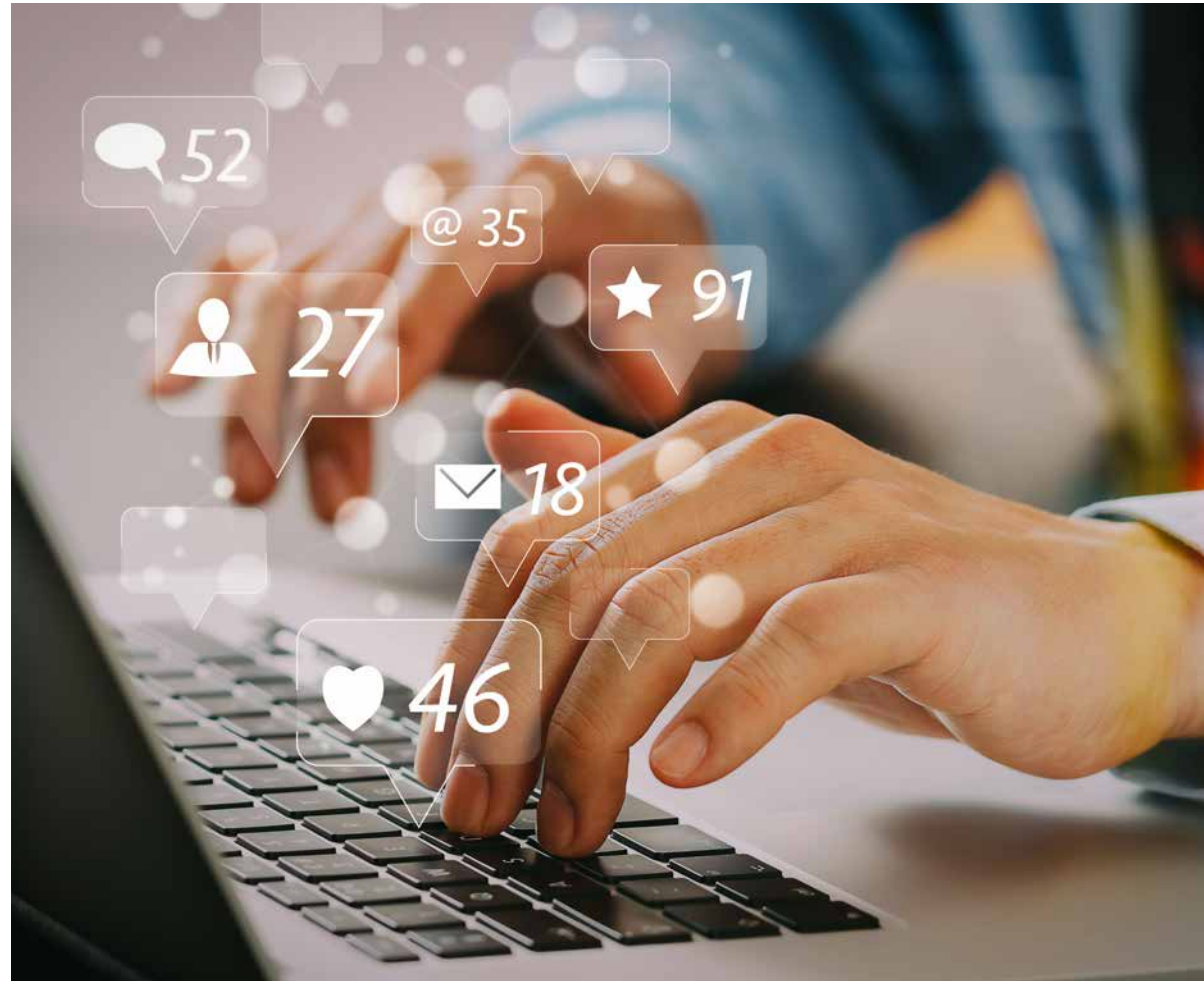
54. Dimitri Ornelis is operating under the trade name "ViaVelo".
55. SPRL Net Express, which operates under the trade name "TBC-Post".

3.3 Media

On the territory of the bilingual Brussels-Capital Region the BIPT is responsible for the regulation of the network operators and of the radio and television broadcasting companies, barring the operators and broadcasting bodies that broadcast/make exclusively Dutch-speaking or exclusively French-speaking programmes.

The providers of audiovisual media services and video-sharing platform services in the bilingual Brussels-Capital Region have to register with the BIPT for each service they intend to provide.

In 2023 no new service provider was registered. Three audiovisual media service providers have been acknowledged by the BIPT in the bilingual Brussels-Capital Region⁵⁶.



⁵⁶. Maghreb TV, Canal Maroc 1 and DAZN/Eleven Sports Network.



4

CHAPTER 4
ANNEXES

A. Financial report and annual accounts of the funds

Article 34, third subparagraph of the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors stipulates that the annual report should comprise, among other things, a financial report and the annual accounts of the universal service funds for the postal and telecommunications services respectively.

Below you will find the BIPT accounts as well as those of the Office of the Ombudsman for the Postal Sector and the Office of the Ombudsman for Telecommunications. These are independent bodies, created to handle the complaints from customers against the operators from the sectors in question. The role of the BIPT is limited to making available personnel and providing logistical support for purchases, accounting and budget.

Accounting of the BIPT - 2023

REVENUES	EUR	EXPENDITURE	EUR
		Personnel costs	
Repayments	18 123	Payroll	15 258 338
		Allowances, grants and indemnities	5 727 516
Services performed for third parties	14 128	Social security contributions and pensions	9 858 789
		Benefits and employer obligations	894 585
Licence and monitoring fees - private radio communications	20 414 534		
		Operational resources	
		Maintenance work	747 676
Public licence fees	53 536 111	Vehicle maintenance	97 334
		Insurance	102 050
Post	3 214 350	Small technical equipment	143 872
		Expenditure on information processing	855 187
AOB	36 653	Work by third parties	3 556 678
		Training	129 817
Refund FPS Economy	4 671 922	Assignments in other countries	182 308
		Telephone - mail - transport	376 370
		Rental (buildings and car parks)	1 833 363
		Taxes	673 919
		Umbrella organisations	1 155 724
		Discounts and losses	64 946
		Investment expenditure	
		Vehicles	281 415
		Office equipment	52 792
		IT equipment	1 093 173
		Technical equipment	846 155
		Other expenditure	
		Treasury	32 656 712
		CF/RT	1 011 469
		Compensation RTBF	4 253 758
TOTAL	81 905 820	TOTAL	81 853 946

A. Financial report and annual accounts of the funds

Accounting of the Office of the Ombudsman for the Postal Sector - 2023

REVENUES	EUR	EXPENDITURE	EUR
		Personnel costs	
Repayments		Payroll	1 091 683
		Allowances, grants and indemnities	335 790
Services on behalf of third parties (sector contribution)	2 492 774	Social security contributions and pensions	715 872
		Benefits and employer obligations	65 468
		Operational resources	
		Maintenance work	0
		Vehicle maintenance	9 852
		Insurance	5 219
		Expenditure on information processing	58 020
		Work by third parties	61 599
		Training	2 602
		Assignments in other countries	0
		Telephone - mail - transport	15 445
		Rental (buildings and car parks)	0
		Taxes	571
		Umbrella organisations	600
		Contribution to the Consumer Mediation Service	84 543
		Investment expenditure	
		Vehicles	0
		Office equipment	0
		IT equipment	0
		Technical equipment	0
TOTAL	2 492 774	TOTAL	2 447 265

Accounting of the Office of the Ombudsman for Telecommunications - 2023

REVENUES	EUR	EXPENDITURE	EUR
		Personnel costs	
Repayments	194	Payroll	1 119 597
		Allowances, grants and indemnities	360 783
Services on behalf of third parties (sector contribution)	2 670 267	Social security contributions and pensions	711 915
		Benefits and employer obligations	80 172
		Operational resources	
		Maintenance work	0
		Vehicle maintenance	9 076
		Insurance	7 262
		Expenditure on information processing	29 156
		Work by third parties	106 231
		Training	6 565
		Assignments in other countries	0
		Telephone - mail - transport	23 318
		Rental (buildings and car parks)	0
		Taxes	812
		Umbrella organisations	600
		Contribution to the Consumer Mediation Service	144 931
		Investment expenditure	
		Vehicles	37 739
		Office equipment	0
		IT equipment	46 712
		Technical equipment	0
TOTAL	2 670 461	TOTAL	2 684 869

In 2023, no universal service funds were activated.

B. Staff of the BIPT on 31 December 2023

The BIPT	
Staff members	Full-time equivalent (FTE)
254	247
Level A	
102	100,2
Level B	
40	39,3
Level C	
110	105,5
Level D	
2	2

BIPT regulator	
Staff members	Full-time equivalent (FTE)
226	219,2
Level A	
96	94,4
Level B	
34	33,3
Level C	
94	89,5
Level D	
2	2

Office of the Ombudsman for the Postal Sector	
Staff members made available	Full-time equivalent (FTE)
13	13
Level A	
2	2
Level B	
6	6
Level C	
5	5
Level D	
0	0

Office of the Ombudsman for Telecommunications	
Staff members made available	Full-time equivalent (FTE)
15	14,8
Niveau A	
4	3,8
Niveau B	
0	0
Niveau C	
11	11
Niveau D	
0	0



C. Report on infringement procedures



Article 34, third subparagraph, of the Act of 17 January 2003 on the status of the regulator of the Belgian postal and telecommunications sectors requires that the annual report also contains a report on the monitoring referred to in Article 21.

Article 21 of that Act lays down the different aspects of the proceedings that can be initiated by the Council when it suspects a violation of the legislation or regulation the compliance with which is monitored by the BIPT.

On 4 July 2023, the BIPT Council adopted a decision setting the amount of the fine imposed on SEWAN for non-compliance with certain rules relating to the register of premium-rate numbers. This decision follows on from the BIPT Council Decision of 24 May 2022 and the judgement of the Market Court of 8 March 2023, which confirmed the infringement but asked the BIPT to give a new ruling on that amount. This second decision has been challenged before the Market Court.

On 5 September 2023, Lycamobile brought an action before the Market Court against the Decision of the BIPT of 4 July 2023 imposing a €1 385 000 fine for failure to connect to the central number database used by the emergency services.

Article 106/2 of the ECA requires all operators providing public telephone services to create a central number database keeping subscriber data, as well as the

name of the operator that has the contractual relationship with the subscriber, up to date in a centralised manner. The Royal Decree on the central number database lays down the modalities for implementing Article 106/2 of the ECA and, in particular, Article 3 requires operators providing public telephone services to enter subscriber data updated on a daily basis into the central number database.

The BIPT found that Lycamobile failed to comply with the obligation to connect to the central number database.

On 12 December 2023, the BIPT imposed a €1 000 000 [fine](#) on Telenet for non-compliance with Article 3 of the Royal Decree of 6 September 2016 regarding the migration of fixed line services and bundles in the electronic communications sector. This Article provides that operators must spontaneously present Easy Switch as the standard procedure to subscribers wishing to change operators for fixed internet, TV or bundles. The fine was imposed because the BIPT found through mystery shopping that the Easy Switch procedure was not offered as the standard procedure in a clear majority of Telenet's physical points of sale (61%).

D. Dispute coordination

The BIPT is responsible for the coordination of legal appeals mainly concerning the decisions it has adopted. The BIPT is also regularly asked to follow disputes involving the Belgian State and concerning telecommunications or postal services. Depending on the procedures, exchanges can also take place between the BIPT and other state, federal or European authorities.

The BIPT followed new appeals, all of which were lodged in 2023; on some appeals lodged in 2022 a decision was given in 2023.

Follow-up of the appeals lodged in 2023

1. In appeals lodged with the Constitutional Court in January and February 2023, the *Ordre des barreaux francophones et germanophone* (French- and German-speaking Bars) and a number of ASBLs are seeking the annulment of the Act of 20 July 2022 on the collection and retention of identification data and metadata in the electronic communications sector and the provision of such data to the authorities. According to the applicants, this act is in conflict with the right to privacy and professional secrecy of certain professions.
2. On 5 September 2023, Lycamobile brought an action before the Market Court against the Decision of the BIPT of 4 July 2023 imposing a €1 385 000 fine for failure to connect to the central number database used by the emergency services.

Article 106/2 of the ECA requires all operators providing public telephone services to create a central number database keeping subscriber data, as well as the name of the operator that has the contractual relationship with the subscriber, up to date in a centralised manner. The Royal Decree on the central number database lays down the terms for implementing article 106/2 of the ECA and, in particular, Article 3 requires operators providing public telephone services to enter subscriber data updated on a daily basis into the central number database.

The BIPT found that Lycamobile failed to comply with the obligation to connect to the central number database.

3. On 14 September 2023, by means of an action before the Market Court, Sewan sought the annulment of the BIPT Council Decision of 4 July 2023 setting the fine imposed on Sewan for non-compliance with certain rules relating to the register of premium-rate numbers. This decision follows on from the Decision of 24 May 2022 and the judgement of the Market Court of 8 March 2023, which confirmed the infringement but asked the BIPT to give a new ruling on that amount (see below).
4. On 7 December 2023, by means of an action before the Market Court, Orange Belgium sought the annulment of the Decision of 26 September

2023 regarding the identification of the network termination point for broadband services.

In order to promote the freedom of choice of terminal equipment, the BIPT is providing, by means of this decision, clarity regarding the way in which it interprets the regulations relating to terminal equipment.

Pursuant to the BEREC Guidelines, the BIPT lays down in this Decision the position of NTPs and analyses the concrete consequences.

The BIPT also addresses the publication of the technical specifications needed to ensure that freedom of choice of modem is implemented in the best possible way.

5. On 1 March 2023, the BIPT participated in a judicial reorganisation procedure of edpnet before the Company Court of Ghent (section Dendermonde). In that context, the BIPT expressed concerns regarding a possible acquisition by Proximus. In particular, the BIPT pointed out the negative impact of such acquisition on competition in general and its possible effects on competition law. On 21 March 2023, the Company Court ruled that the competition law objections raised by the BIPT and Citymesh, among others, did not stand in the way of authorising the transfer to Proximus. Later, the BIPT also participated in an appeal procedure lodged by Citymesh before the Ghent

D. Dispute coordination

Court of Appeal against the judgement of the Company Court. It did not reach a decision because, thanks to the persistent objections of the BIPT and the BCA, Proximus reached an agreement with Citymesh on the transfer of edpnet.

Follow-up of the appeals lodged in 2022 for which a decision was issued in 2023

1. In February 2022, in an appeal against the Belgian State, Telenet Group asked the Council of State to annul Articles 25 to 37 of the Royal Decree of 28 November 2021 on radio access in the 900 MHz, 1800 MHz and 2 GHz frequency bands, as well as Article 24 of the Royal Decree of 28 November 2021 on radio access in the 700 MHz frequency band. Those articles define the terms and conditions regarding frequency assignment to a new entrant. In a judgement of 8 June 2023, the Council of State declared the appeal inadmissible.
2. On 17 July 2022, Sewan submitted an appeal to the Market Court, to annul the BIPT Decision of 24 May 2022 on Sewan's non-compliance with Article 116/1, § 1, of the Act of 13 June 2005 on electronic communications and the Ministerial Order of 15 January 2019. That decision imposed an €85 000 fine on Sewan for non-compliance with that Article 116/1 ECA. In a judgement of 8 March 2023, the Market Court confirmed the infringement but partially cancels the Decision of 24 May 2022 insofar as it imposes on Sewan a



fine for which insufficient reasons are given for determining the amount, and refers the case back to the BIPT for a new ruling on that amount.

- 3. On 24 October 2022, Telenet lodged an appeal against the BIPT Decision imposing a €190 000 fine on it for not having sufficiently secured a site of its network, which Telenet denies. In its

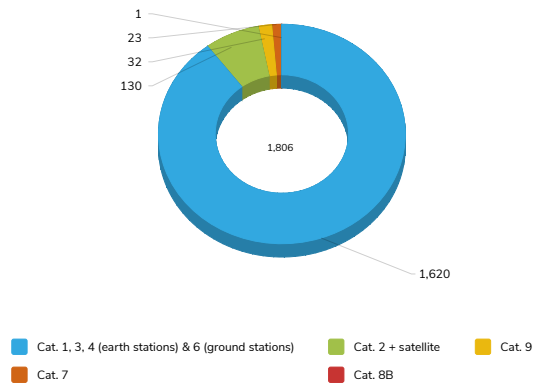
judgement of 10 May 2023, the Market Court confirmed the BIPT's mission to ensure that the security of the operators' electronic communications networks and services remains effectively guaranteed. In that context, the BIPT can require a defaulting operator to take appropriate measures and impose fines.

E. Licences, examinations and certificates issued in 2023

Licence granting

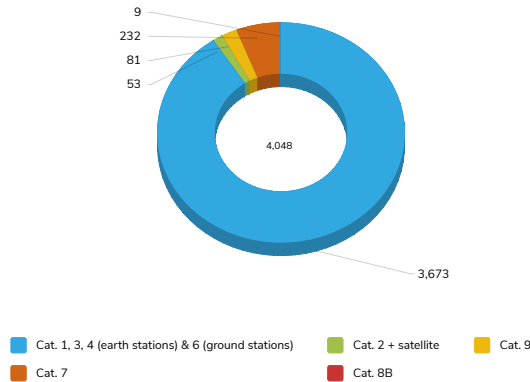
In 2023, 1 806 new licences were issued, 4 048 were modified and 299 were cancelled. A total of 6 153 files were processed in 2023.

Licences issued in 2023

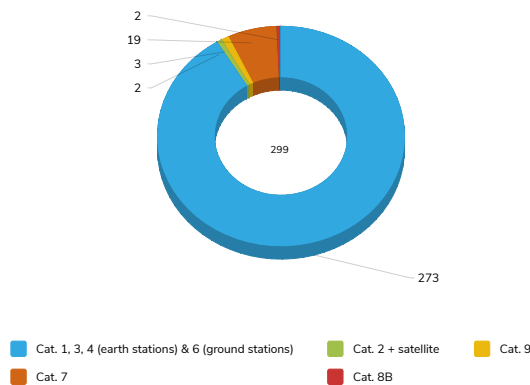


The chart “Licences issued in 2023” gives an overview of the changes made in previously granted licences. The adaptations are diverse, e.g. adding/removing radio stations or frequencies, changes in addresses, changes in the contact person’s details, etc.

Licences modified in 2023



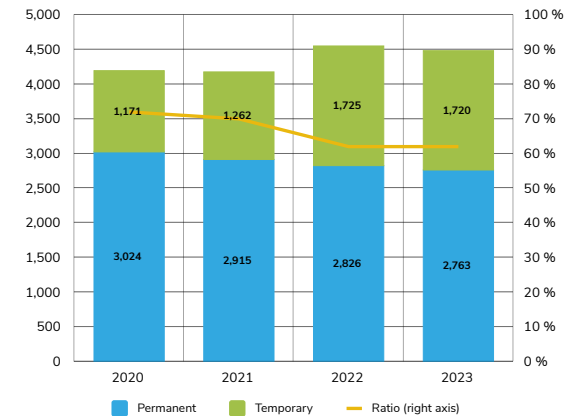
Licences cancelled in 2023



Licences of the 1st and 3rd category can also be represented over time.

The chart below gives an overview of the evolution of the temporary and permanent licences of both categories throughout the years.

Evolution of temporary and permanent licences of categories 1 and 3



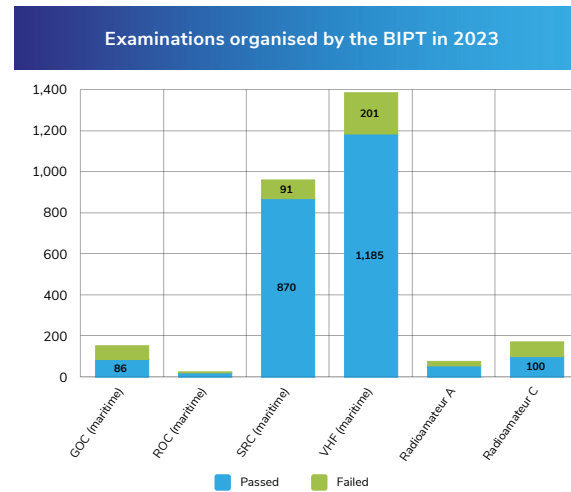
E. Licences, examinations and certificates issued in 2023

The details of the active licences (or having been activated in case of temporary ones) in 2023 are as follows:

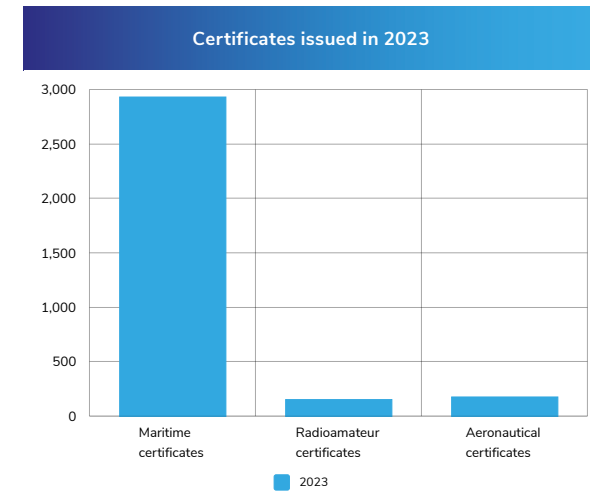
	Permanent licences	Temporary licences
Category 1	2 221	1 692
Category 2 + satellite	132	17
Category 3	542	28
Category 4	73	0
Category 6	76	5
Category 7	423	0
Category 8A	5	0
Category 8B	4	3
Category 9A	24	40
Category 9B	0	0
Category 9C	15	4

Examinations to obtain operator certificates to use certain stations

The various examinations organised by the BIPT in 2023 are detailed in the following chart:



The chart below illustrates the distribution according to the type of certificate.



F. Situation of the 2023 Operational Plan

Strategic axis “Competition” - Promoting sustainable competition and investments

C/1/2023/01 Situation of the electronic communications and television markets	Objective accomplished
C/1/2023/02 Publication of a 2023 postal observatory	Objective accomplished
C/1/2023/03 Report on the monitoring of net neutrality in Belgium	Objective accomplished
C/1/2023/04 Drafting of a tariff decision on the Ethernet transport (fibre and VDSL)	Objective postponed to 2024
C/1/2023/05 Joint ventures FTTH: adoption of a decision on the reference offers	Objective accomplished
C/1/2023/06 Joint ventures FTTH: Drafting of a tariff decision on the point-to-point and point-to-multipoint FTTH	Objective postponed to 2024
C/1/2023/07 Surveillance of certain aspects of the joint venture between Telenet and Fluvius	Objective accomplished
C/1/2023/08 Performance of a margin squeeze test for the residential and small business market	In progress
C/1/2023/09 Preparation of a draft decision on the broadband and broadcasting markets	Objective postponed to 2024
C/1/2023/10 Performance of a margin squeeze test on selected individual contracts of Proximus on the large companies market	In progress
C/1/2023/11 Adoption of a decision on fixed and mobile call termination rates (MTR et FTR)	Objective postponed to 2024
C/1/2023/12 Continuation of the study on access to the drop cable	Objective accomplished
C/1/2023/13 Identification of the network termination point for broadband services and TV services	Objective accomplished
C/1/2023/14 Assessment of the sustainability of FTTH infrastructure competition in Belgium	In progress

Strategic axis “Competition” - Spurring innovation

C/2/2023/01 Expansion of the website on optical fibre with a section on deployment in towns and municipalities	Project cancelled
C/2/2023/02 Follow-up of the study on telecommunications and sustainability in Belgium and recommendations	Objective accomplished
C/2/2023/03 Facilitation and follow-up of the copper switch-off	In progress
C/2/2023/04 Extend the identification process for platforms providing postal services	Objective accomplished

Strategic axis “Users” - Contributing to providing transparent information to consumers and promoting social inclusion

G/1/2023/01 National price comparison of electronic communications services	Objective accomplished
G/1/2023/02 Performance of an international price benchmarking study of the electronic communications services in the residential market	Objective accomplished
G 1/2023/03 Qualitative study on broadband and mobile telephony	Objective accomplished
G/1/2023/04 Transparency regarding the quality of mobile networks	Objective accomplished
G/1/2023/05 Update of the maps of the fixed line Atlas, showing more detailed information	Objective accomplished
G/1/2023/06 Mapping and measuring the internet quality of socioeconomic drivers	Objective postponed to 2024
G/1/2023/07 Quality barometer of the electronic communications services	Objective accomplished
G/1/2023/08 Survey on the perception of consumers on the functioning of the market	Objective accomplished
G/1/2023/09 Comparative study of postal tariffs in a European context	Objective accomplished
G/1/2023/10 Implementation of Regulation 2018/644 on cross-border parcel delivery services	In progress
G/1/2023/11 Planned controls on the observance of acts and decrees monitored by the BIPT	Objective accomplished
G/1/2023/12 Compliance with legislation on the marketing of radio equipment - Control of Belgian distributors-installers	Objective accomplished
G/1/2023/13 Audit of bpost's internal and external measurement systems regarding delivery times	Objective postponed to 2024
G/1/2023/14 Monitoring of the observance of delivery times	Objective accomplished
G/1/2023/15 Monitoring of the accounting separation of the analytical accounts of bpost	Objective accomplished
G/1/2023/16 Monitoring of the universal service for electronic communications services	Objective accomplished
G/1/2023/17 Monitoring of the price of products included in the universal postal service	Objective accomplished
C/1/2023/18 Verification of the calculation of the net cost of the universal service obligations submitted by bpost	Not applicable in the absence of a request from bpost

F. Situation of the 2023 Operational Plan

Strategic axis “Users” - Ensuring a reliable environment

G/2/2023/01 Inspection of critical infrastructures	Objective accomplished
G/2/2023/02 NIS identification process	Objective accomplished
G/2/2023/03 Risk assessment & reporting	Objective accomplished
G/2/2023/04 Implementation of the procedure for prior authorisation	Objective accomplished
G/2/2023/05 Protection against DDoS attacks	Objective accomplished
G/2/2023/06 Resistance of telecommunications against a power outage	Objective accomplished
G/2/2023/07 NISDUC Conference	Objective accomplished

Strategic axis “Scarce resources” - Managing scarce resources

S/1/2023/01 Adaptation of the numbering plan to the long-term changes in the market	Objective accomplished
S/1/2023/02 Authorisation of the local private networks using 5G technology in the 3800-4200 MHz frequency band	Objective accomplished
S/1/2023/03 5G knowledge and learning platform	Objective accomplished
S/1/2023/04 Monitoring of the radiation safety of portable radio equipment	Objective accomplished
S/1/2023/05 Deployment of the fixed and mobile radio monitoring network - monitoring of the port of Antwerp	Objective accomplished

Strategic axis “Efficient functioning” - Ensuring an accessible functioning

E/1/2023/01 Social media campaign on consumer protection	Objective accomplished
E/1/2023/02 Participation in national and international consultation bodies	Objective accomplished
E/1/2023/03 Participation in national and international consultation bodies concerning postal services	Objective accomplished

Strategic axis “Efficient functioning” - Being an attractive employer

E/2/2023/01 Internal operational plan	Objective accomplished
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G. List of documents published in 2023

Decisions	
11/01/2023	Decision of 10 January 2023 on the request for transfer of user rights for the 2520-2535/2640-2655 MHz frequency band from Citymesh SA to Citymesh Mobile SA
12/01/2023	Decision of 10 January 2023 on the technical and operational conditions for the avoidance of harmful interference in the 800 MHz band
03/02/2023	Decision of 31 January 2023 concerning the granting to Citymesh of user rights for the operation of a public radio communications network
15/02/2023	Decision of 7 February 2023 on the composition of the board referred to in the Royal Decree of 5 May 2006 regarding a conciliation procedure before the BIPT for the year 2023
16/03/2023	Decision on radio interfaces related to WAS/RLAN (Wi-Fi).
03/04/2023	Decision of 28 March 2023 on the granting of exclusive frequency bands for the use of radio relay links in the 70/80 GHz band
05/04/2023	Decision of 28 March 2023 on the declaration of conformity of bpost's cost accounting system for the year 2021
20/06/2023	Decision of 13 June 2023 regarding the analysis of the reference offer for the unbundled fibre local loop of Unifiber
20/06/2023	Decision of 13 June 2023 regarding the analysis of the reference offer for the unbundled fibre local loop of Fiberklaar
20/06/2023	Decision of 13 June 2023 on the granting of an authorisation to ASTRID for the operation of a trunk network in the 700 MHz band
20/06/2023	Decision of 13 June 2023 on the technical and operational conditions regarding the mobile communication services on aircraft
29/06/2023	Decision of 18 April 2023 on the monitoring of mail delivery times for the year 2021
30/06/2023	Decision of 29 June 2023 on granting exclusive frequency bands for the use of radio relay links
12/07/2023	Decision of 4 July 2023 regarding the listing and classification of products and services provided by the universal service provider for the year 2022
27/07/2023	Decision of 4 July 2023 setting the fine imposed on SEWAN for non-compliance with certain rules relating to the register of premium-rate numbers - Non-confidential version
11/08/2023	Decision of 8 August 2023 on the restitution by Tampnet of spectrum at 700 MHz for the establishment and operation of a transmission installation in the Belgian exclusive economic zone in the North Sea

Decisions	
31/08/2023	Decision of 29 August 2023 concerning the granting to Entropia Investments BV of user rights for the operation of a public radio communications network
01/09/2023	Decision of 29 August 2023 regarding the allocation of the 40 660 MHz – 40 690 MHz spectrum to private radio stations for individual training, technical exchange of messages and studies, used by radio amateurs
15/09/2023	Decision of 4 July 2023 addressed to Lycamobile for not having made a connection with the central number database
27/09/2023	Decision of 26 September 2023 regarding the request for the lease of rights of use for the 3600 MHz band by NRB to e-BO
06/10/2023	Decision of 26 September 2023 regarding the analysis of tariff increases for bpost's single-piece rates for the year 2024
11/10/2023	Decision of 26 September 2023 regarding the identification of the network termination point for broadband services
16/11/2023	Decision of 14 November 2023 on the withdrawal of spectrum granted to iSea at 700 MHz for the establishment and operation of a transmission installation in the Belgian exclusive economic zone in the North Sea
20/12/2023	Decision of 19 December 2023 on radio interfaces related to wireless microphones, outside broadcast links, DECT equipment, satellite earth stations and remote controls of professional drones
21/12/2023	Decision of 12 December 2023 imposing an administrative fine on Telenet SA for non-compliance with Article 3 of the Royal Decree of 6 September 2016 regarding the migration of fixed line services and bundles in the electronic communications sector
22/12/2023	Decision of 19 December 2023 concerning local private networks in the 3800-4200 MHz band and the assignment of E.212 mobile network codes

G. List of documents published in 2023

Consultations	
05/01/2023	Consultation concerning a draft revision of Article 8 of the Act of 26 January 2018 on postal services
12/01/2023	Consultation regarding the draft decision on the granting of exclusive frequency bands for the use of radio relay links in the 70/80 GHz band (2023)
26/01/2023	Consultation on the draft decision on radio interfaces related to WAS/RLAN (Wi-Fi)
01/02/2023	Consultation on a draft Royal Decree implementing Article 121/1, § 2, subsection two, of the Act of 13 June 2005 on electronic communications as regards the retention of access to an email address upon switching operators
22/02/2023	Consultation concerning a draft royal decree relating to the granting of rights of use for the establishment and operation of transmitting installations located in the exclusive economic zone of Belgium in the North Sea
30/03/2023	Consultation on the technical and operational conditions regarding the mobile communication services on aircraft
06/04/2023	Consultation on the granting of an authorisation to ASTRID for the operation of a trunk network in the 700 MHz band
13/04/2023	Consultation on the fees for exclusive bands for radio-relay links
27/04/2023	Consultation regarding the list of white areas in the context of the national broadband plan
02/05/2023	Consultation regarding the draft decision on granting exclusive frequency bands for the use of radio relay links
26/05/2023	Draft communication regarding the request to impose mandatory contributions by internet platforms to telecom operators for the use of their networks in Belgium
31/05/2023	Consultation regarding the amendment of Article 113/2 of the ECA with regard to the compensation in case of service failure
07/06/2023	Consultation on the allocation of the 40.660 MHz- 40.690 MHz spectrum to private radio stations for individual training, technical exchange of messages and studies, used by radio amateurs
23/06/2023	Consultation on the cost model for access to the FTTH networks of Proximus, Fiberklaar and Unifiber
17/07/2023	Consultation regarding the draft bill amending Articles 2, 11/1°, 28/3 and 28/4 of the Act of 13 June 2005 on electronic communications (hereafter "ECA")
19/07/2023	Preliminary consultation on Wyre's reference offer for wholesale central access and wholesale access to and sale of television services

Consultations	
20/07/2023	Consultation on the draft bill amending Article 19/1, § 2, of the Act of 13 June 2005 on electronic communications and the draft Royal Decree on spectrum sharing agreements at the initiative of operators
28/07/2023	Consultation on the draft decision regarding local private networks in the 3800-4200 MHz band
18/08/2023	Consultation on the data to be provided for the geographical studies regarding broadband services
01/09/2023	Consultation on the use of the 26 GHz band for 5G
01/09/2023	Consultation regarding the draft decision on radio interfaces related to wireless microphones, outside broadcast links, DECT equipment, satellite earth stations and remote controls of professional drones
13/10/2023	Consultation at the request of the Minister of Telecommunications regarding a draft Royal Decree determining the deadlines for answering written questions and complaints from end-users
18/10/2023	Consultation at the request of the Minister of Telecommunications regarding a draft Royal Decree determining the deadlines for answering written questions and complaints from end-users - erratum
19/10/2023	Consultation regarding a draft Royal Decree on the obligation of redundant conveyance of emergency calls
08/11/2023	Consultation on a draft royal decree to combat international voice calls with spoofed Belgian telephone numbers
21/11/2023	Consultation on draft decision regarding call termination on fixed and mobile telephony networks
27/11/2023	Consultation regarding the preliminary draft act pertaining to various provisions on electronic communications
22/12/2023	Consultation on the draft of the operational plan 2024
22/12/2023	Consultation on a draft bill regarding the implementation of a redundancy system for emergency calls

G. List of documents published in 2023

Communications	
02/01/2023	Communication regarding the monitoring of the universal telecommunications service in 2022
03/03/2023	Communication of 3 March 2023 on the temporary use of SMS short code 1212 to support humanitarian assistance to Syria and Turkey
15/03/2023	Communication regarding the qualitative study on the fixed and mobile broadband networks in Belgium
14/04/2023	Communication of 12 April 2023 on the platform SERIMA.be
17/05/2023	Communication of 15 May 2023 on the application for a ministerial authorisation for security purposes regarding a 5G network
31/05/2023	Communication on the list of postal services providers holding an individual licence (2023)
14/06/2023	The situation of the electronic communications and television market (2022)
26/06/2023	Communication of 20 June 2023 about the Proximus copper network switch-off
03/07/2023	Communication of 27 June 2023 on the conformity of Telenet's cost accounting system for 2021
03/07/2023	Communication of 27 June 2023 on the conformity of VOO's cost accounting system for 2021
03/07/2023	Communication of 27 June 2023 on the conformity of Brutélé's cost accounting system for 2021
04/07/2023	Communication regarding the monitoring of net neutrality in Belgium (period from 1 May 2022 to 30 April 2023)
08/08/2023	Communication of 13 July 2023 regarding access to the first concentration point on Belgian fixed networks

Communications	
04/10/2023	Communication of 2 October 2023 on the results of a survey regarding the consumers' perception of the Belgian electronic communications market
06/10/2023	Results of the benchmarking of mobile service rates in Belgium [Tariffs applied in Q3 2023]
12/10/2023	Communication of 10 October 2023 on cooperation agreements to roll out FTTH networks
13/11/2023	Communication of 8 November 2023: Analysis regarding the request to impose mandatory contributions by internet platforms to telecom operators for the use of their networks (fair share)
23/11/2023	Communication of 21 November 2023 regarding the Belgian postal services observatory for 2022
28/11/2023	Communication of 27 November 2023 on the benchmarking of the fixed service and convergent bundle rates on the residential market [Tariffs applied in Q4 2023]
14/12/2023	Communication of 5 December 2023 regarding the reporting about bpost's measuring systems for the year 2022 within the context of the management contract for services of general economic interest
19/12/2023	Communication of 19 December 2023 on the conformity of Proximus's cost accounting system for 2021
20/12/2023	Communication of 18 December 2023 regarding the comparative study on the prices of telecom services in Belgium and in the neighbouring countries [Tariffs of October 2023]
29/12/2023	Communication of 19 December 2023 on the sustainability of the telecom networks in Belgium

G. List of documents published in 2023

Opinions

06/03/2023	Opinion of 20 December 2022 on Telenet's request to use the Onfido tool to identify its customers
23/06/2023	Opinion of 14 March 2023 on the draft resolution regarding the protection of young children against inappropriate online content, submitted to the Chamber of Representatives
10/08/2023	Opinion of 16 December 2022 on the draft royal decree regarding private local broadband radio networks
19/09/2023	Opinion of 12 September 2023 on the draft of the "Second management contract regarding universal postal service obligations (2024-2028 period)"
20/09/2023	Opinion of 13 September 2023 on the economic aspects of the draft act amending the Act of 26 January 2018 on postal services
13/10/2023	Opinion of 6 June 2023 regarding the draft Royal Decree of 15 May 2023 implementing Article 121/1, § 2, subsection two, of the Act of 13 June 2005 on electronic communications
22/12/2023	Opinion of 8 November 2023 regarding the 2021 and 2022 action plans of bpost following the 2021 customer satisfaction survey

Press releases

15/02/2023	The BIPT publishes new figures on our mobile networks' quality, including aboard trains
15/03/2023	Despite a low European ranking the quality and coverage of fixed and mobile broadband Internet in Belgium remain good
23/05/2023	The BIPT's competence regarding network security measures confirmed by the Market Court
14/06/2023	5 million fixed broadband Internet lines milestone reached
15/06/2023	The BIPT publishes a new study on the postal aspects of e-commerce
16/06/2023	Telenet Group's appeal against RDs on radio spectrum auctions ruled inadmissible
23/06/2023	Consultation on the cost model for access to the FTTH networks of Proximus, Fiberklaar and Unifiber
27/07/2023	The BIPT lowers fine imposed on Sewan to € 17 950 following Market Court decision
08/08/2023	The BIPT clarifies how operators can request access of another operator's drop cable
15/09/2023	The BIPT imposes a €1 385 000 fine on Lycamobile
04/10/2023	The BIPT publishes the results of its 2023 survey of the consumers' perception of the electronic communications market
06/10/2023	Non-prior stamp price to rise to €1.46 from 1 January
06/10/2023	Annual savings of up to €120 compared to the minimum price you would pay with an incumbent operator thanks to the comparison of mobile service tariffs
11/10/2023	The BIPT opens up the modem market
23/11/2023	Inflation hampers postal market growth in 2022
28/11/2023	Save more than €300 per year by comparing fixed telecom tariffs
11/12/2023	The BIPT launches a new parcel tariff comparison tool
19/12/2023	No candidacies for the auction of the 3410-3430 MHz band
20/12/2023	The BIPT publishes its comparative international price study for 2023
21/12/2023	The BIPT imposes a € 1 000 000 fine on Telenet
29/12/2023	The BIPT has published an update on the sustainability of the telecom networks in Belgium

Belgian Institute for Postal Services
and Telecommunications

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