[BE] Law on the Postal Services and Telecommunications Regulator

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The tasks of Belgium's postal services and telecommunications regulator (Institut belge des services postaux et des telecommunications - IBPT) are laid down in the Loi du 17 janvier 2003 relative au statut du régulateur des secteurs des postes et des télécommunications belges (Law on the Statute of the Belgian Post and Telecommunications Sectors) of 17 January 2003.

This law was last amended on 4 June 2009, inter alia with the aim of transposing the provisions of the European Audiovisual Media Services Directive.

In particular, the law describes the regulator's tasks and structure. For example, an advisory committee is established both for telecommunications services and postal services (their operation and remit are governed by Articles 3-12). The purpose of these committees is to assist the minister responsible or the Institute itself by making recommendations on all matters relevant to telecommunications and postal services.

The Institute is a legal entity (Article 13). It draws up opinions on new laws and provisions in the field of post and telecommunications (Article 14 §1 no. 1) and, inter alia, mediates in disputes between providers of telecommunications networks, services and devices (Article 14 § 1 no. 4). It also co-operates with the European Commission and the regulatory authorities of other countries (Article 14 § 2 no. 3).

There is also a council, whose task is to assert and strengthen the Institute's powers (Articles 16 et seq.)

The law also contains provisions on the financing of the Institute (Articles 29 et seq.) and on the imposition of internal (Articles 38 et seq.) and external penalties. For example, if the council establishes that there has been a breach of the relevant legal provisions, section 21 allows it to set a time-limit for putting an end to the violation and impose a fine if there is no response. This may be up to EUR 5,000 for individuals and 0.5-5 percent of annual revenues in the case of a legal entity, but the total fine for a company may not exceed EUR 12.5 million.

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Loi du 17 janvier 2003 relative au statut du régulateur des secteurs des postes et des télécommunications belges

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Law of 17 January 2003 on the statute of the regulator of the Belgian postal and telecommunications sectors

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