

Europe's Digital Progress Report (EDPR) 2016

Telecom Factsheet

BELGIUM

1. MEASURES FACILITATING DEPLOYMENT AND INVESTMENTS IN HIGH SPEED NETWORKS

1.1. Spectrum

Harmonised bands	MHz spectrum assigned ¹	% of the harmonised band assigned
800MHz	60	100%
900MHz	70	100%
1500MHz	N/A	0%
1800MHz	150	100%
2000MHz paired	90	75%
2600MHz	155	81.5%
3400-3600MHz	160	80%
3600-3800MHz	0	0%

Belgium has assigned 66.5% of the overall harmonised spectrum for BB.

In 2015, Belgium assigned the harmonised band 1950.1-1955.1 MHz, 2140.1-2145.1 MHz for the exploitation of an LTE network on a windmill farm in the North Sea.

Moreover, Belgium assigned the following non-harmonised lots, 7540.0-7596.0/7785.0-7841.0 MHz, 18055.0-18115.0/19065.0-19125.0 MHz, 24773.0-25137.0/25781.0-26145.0 MHz, 28052.5-28220.5/29060.5-29228.5 MHz, 37338.0-37436.0/38598.0-38696.0 MHz, 71125.0-73125.0/81125.0-83125.0 MHz, 17837.5-18002.5/18847.5-19012.5 MHz, 18126.5-18676.5/19136.5-19686.5 MHz, 37702.0-37870.0/38962.0-39130.0 MHz, 14500.0-14620.0/15230.0-15350.0 MHz, 25465.0-25333.0/26173.0-26341.0 MHz, 31815.0-31927.0/32627.0-32739.0 MHz, and 37506.0-37562.0/38766.0-38822.0 MHz, to Base, Proximus and/or Mobistar for the use by fixed links.

Belgium tacitly renewed the 2G licences of Proximus and Mobistar until 2021, repealed the licence for the band 10238-10294 / 10588-10644 MHz held by Evonet and decided to redistribute the frequencies at 900 MHz. Furthermore, usage rights were assigned in the band 3400-3600 MHz following an open procedure.

1.2. State of transposition of the BB CRD (Directive 2014/61/EU)

Even though the debate on the adoption of national legislation to transpose the Directive has been under way for some time, no measures have thus far been adopted or notified to the Commission.

¹ Including guard bands.

1.3. EU and national investments in broadband

Fixed basic broadband coverage of rural areas is well above the EU average (99.4% vs 90.6%).

The National Broadband Plan of Belgium is a part of a broader policy strategy, namely "Digital Belgium - Plan for Ultrafast Internet in Belgium". This strategy runs from 2015 to 2020 and aims to ensure coverage of 50% with 1 Gbps by 2020 and thus surpassing the DEA targets. Belgium plans to achieve its goal by (1) a common strategic vision of the roll-out of ultrafast internet, (2) broadband for everyone, (3) lower costs of building networks, and (4) dynamic ecosystem.

Belgium intends to establish a 5G framework, which will complement fixed lines and foster IoT connectivity. Furthermore, even though there are no state aid plans available or planned for roll-out, the Belgian Government aims to reduce administrative burdens and costs of deployment of ICT infrastructures.

2. COMPETITIVE LANDSCAPE

Fixed broadband subscriptions - operator market shares²

Incumbent market share		New entrants market share	
July 2014	July 2015 (EU average)	July 2014	July 2015 (EU average)
43.7%	45.6% (40.6%)	56.3%	54.4% (59.4%)

Fixed broadband subscriptions - technology market shares³

DSL (including VDSL) (EU)	Cable Modem (EU)	FTTH/B (EU)	Other ⁴ (EU)
48.8% (69.2%)	50.8% (18.6%)	0.2% (8.7%)	0.2% (3.5%)

There has been a slight increase of the market share of the incumbent from 43.7% in 2014 to 45.6% in 2015. Even though the share of cable has declined with 0.5% to 50.8% in 2015, it is still well over the EU average of 18.6%. The technology means, DSL, FTTH/B and others, remain significantly below the EU average.

Mobile sector⁵

Number of MNOs	Market shares ⁶ of the first 2 MNOs		Number of MVNOs (overall share)
3	40%	27%	4 (12,8%)

During 2015 the merger between Liberty Global and Base was announced and subsequently cleared by the European Commission on 4 February 2016.⁷ One consequence of this clearance under conditions is the acquisition of Mobile Viking and the client base of Jim Mobile by Medialaan.

² Source: Communications Committee. Data as of July 2014 and July 2015.

³ Source: Communications Committee. Data as of July 2015

⁴ Including fixed wireless.

⁵ Source: Communications Committee. Data as of October 2015.

⁶ Excluding M2M.

⁷ IP/16/241, 4.2.2016.

3. REGULATORY FUNCTION

*New entrants` DSL subscriptions by type of access at EU level (VDSL and VULA excluded)*⁸

Own network (EU)	Full ULL (EU)	Shared Access (EU)	Bitstream (EU)	Resale (EU)
N/A (0.6%)	11.8% (78.1%)	6.3% (2.3%)	29.1 % (12%)	52.8% (7%)

*LLU price: 9.8 EUR (EU Average: 9.5 EUR)*⁹

In 2015, the BIPT notified remedy amendments to the Commission (including markets 1, 2, 3a, 3b, and 4 of the 2014 Recommendation¹⁰).

That same year, the Commission services investigated the delays in renewing the market analyses of six regulated markets for which it had been more than three years since the last analysis had elapsed. These markets were market 1 of the 2014 Recommendation (call termination on public telephone networks at a fixed location), market 2 of the 2014 Recommendation (voice call termination on individual mobile networks), market 3a of the 2014 Recommendation (wholesale physical network infrastructure access at a fixed location), market 3b of the 2014 Recommendation (wholesale broadband access), market 6 of the 2007 Recommendation (call origination on fixed networks) and market 18 of the 2003 Recommendation (broadcasting transmission), all of which were still subject to previously imposed regulatory obligations. Most markets included in the 2003 Recommendation have been deregulated, while regulation remains in place for call origination on fixed networks and access to public telephone networks for residential and non-residential customers under the 2007 Recommendation.

For mobile termination rates, the BIPT has regulated the termination rates on the basis of a pure BU-LRIC cost model, in accordance with the 2009 Recommendation on Termination Rates. However, this is not the case yet for the fixed termination rates, which should be fixed on the basis of a pure BU-LRIC in a decision set for adoption in 2016.

4. CONSUMER ISSUES

The average retail Eurotariff price for roaming is 0.139EUR per minute of calls made and 0.049EUR per minute of calls received (with alternative tariffs more expensive for both calls made and received), 0.054EUR per SMS and 0.142EUR per MB, generally close to the EU average, except for data, which is significantly more expensive (EU 0.059EUR per MB)¹¹.

Number portability		2014	2015
Fixed	Number of transactions ¹²	219,912	239,441
	% of total numbers ¹³	3.7%	4.0%
	Maximum wholesale price ¹⁴	N/A	N/A

⁸ Source: Communications Committee. Data as of July 2015.

⁹ Full LLU monthly average total cost in EUR; source: Communications Committee. Data as of October 2015.

¹⁰ Concerning cost of capital and amendments to reference offers.

¹¹ International Roaming BEREC Benchmark Data Report October 2014 – March 2015 BoR(15)134.

¹² Source: Communications Committee. Data as of January to September 2014 and January to September 2015.

¹³ Source: Communications Committee. Data as of January to September 2014 and January to September 2015.

¹⁴ Source: Communications Committee. Data as of October 2014 and October 2015.

	Maximum time under regulation (number of working days) ¹⁵	1	1
Mobile	Number of transactions ¹⁶	820,096	729,073
	% of total numbers ¹⁷	8.2%	5.5%
	Maximum wholesale price ¹⁸	N/A	N/A
	Maximum time under regulation (number of working days) ¹⁹	1	1

With more complex products in the market (double and triple play as well as traffic bundles) becoming increasingly relevant in the market, the perception of transparency and clarity of contracts by consumers is increasingly important. The 2015 Eurobarometer survey shows that 60% of Belgian consumers, a decrease of 4% compared to January 2014, can easily compare bundle offers (EU average 69%). Furthermore, 79% of Belgian consumers think that monitoring and controlling consumption of mobile phones is very easy, which is 1% more than the EU average. This is a higher percentage compared to the 74% replying that monitoring and controlling consumption of fixed phones is very easy (EU average 71%). However, 20% of Belgian consumers are unsatisfied with the information in their communications contract (12% low satisfaction, and 8% no satisfaction). This is higher than the EU average, namely respectively 9% and 7%.

In Belgium, both access to a network at a fixed location and social tariffs²⁰ fall within the scope of the universal service, while comprehensive directories, comprehensive directory enquiry services and public payphones have been excluded since 2013. As of 1 August 2013, no operator has been designated to offer access to a network at a fixed location.

A reform of the universal service provisions is currently being finalized by the Minister. This will take into account the coverage offered by the market on both fixed and mobile networks in Belgium. It will also reflect European jurisprudence determining with regard to social tariffs that mobile communication services are not part of the minimum set of universal services defined by the Universal Service Directive.²¹ While Member States are free to consider them as additional mandatory services, they cannot be financed via sectorial contributions.

¹⁵ Source: Communications Committee. Data as of October 2014 and October 2015.

¹⁶ Source: Communications Committee. Data as of January to September 2014 and January to September 2015.

¹⁷ Source: Communications Committee. Data as of January to September 2014 and January to September 2015.

¹⁸ Source: Communications Committee. Data as of October 2014 and October 2015.

¹⁹ Source: Communications Committee. Data as of October 2014 and October 2015.

²⁰ Mandatory discounts granted by operators with a turnover above EUR50m on the fixed or mobile telephony bill or the Internet bill of certain categories of vulnerable users.

²¹ *C-1/14 Base Company NV and Mobistar NV v Ministerraad*, judgment of 11.6.2016, ECLI:EU:C:2015:378.