



### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>BELGIUM</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Belgian Institute for Postal Services and Telecommunications <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> ELECTRONICS (ICS code(s): 31); TELECOMMUNICATIONS. AUDIO AND VIDEO ENGINEERING (ICS code(s): 33); INFORMATION TECHNOLOGY. OFFICE MACHINES (ICS code(s): 35)
<b>5. Title, number of pages and language(s) of the notified document:</b> Draft Royal Decree on the ministerial authorisation in the context of 5G network deployment; (20 page(s), in Dutch), (19 page(s), in French)
<b>6. Description of content:</b> This draft Royal Decree lays down the necessary details to implement the system of ministerial authorisation as introduced by Article 105 of the Belgian Act of the 13th of June 2005 on electronic communications. It establishes the restrictions on the use of active 5G network elements manufactured by high-risk manufacturers of such elements, and on the use of service providers to manage and monitor their 5G network elements. Such restrictions were deemed necessary as alternative measures that could be imposed are not sufficient to sufficiently mitigate the security risk in question. These restrictions apply to MNOs, full MVNOs and certain companies having a private 5G network. The draft also defines the composition of the file to be submitted for obtaining a ministerial authorisation. The draft also specifies when an authorisation has to be asked in case of an update of software or hardware related to a network element.
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> National security requirements; Prevention of deceptive practices and consumer protection; Protection of human health or safety
<b>8. Relevant documents:</b> Article 105 of the Belgian Act of the 13th of June 2005 on electronic communications + G/TBT/N/BEL/44

<b>9.</b>	<b>Proposed date of adoption:</b> 1 February 2023 <b>Proposed date of entry into force:</b> 10 days after publication in the Belgian Official Gazette
<b>10.</b>	<b>Final date for comments:</b> 60 days from notification
<b>11.</b>	<b>Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b> BELNOTIF Federal Public Service Economy, SMEs, Self-Employed and Energy (FPS Economy) Directorate-General for Quality and Safety North Gate III Boulevard du Roi Albert II, 16 Email: <a href="mailto:be.belnotif@economie.fgov.be">be.belnotif@economie.fgov.be</a> Website: <a href="https://economie.fgov.be/en">https://economie.fgov.be/en</a>