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**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS
COMPETITION COMMITTEE**

Global Forum on Competition

**INTERACTIONS BETWEEN COMPETITION AUTHORITIES AND SECTOR REGULATORS –
Contribution from Belgium**

- Session III -

1-2 December 2022

This contribution is submitted by Belgium under Session III of the Global Forum on Competition to be held on 1-2 December 2022.

More documentation related to this discussion can be found at: oe.cd/icar.

Please contact Ms. Lynn Robertson [E-mail: Lynn.Robertson@oecd.org], if you have any questions regarding this document.

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1. The Competition act

1. Article IV.94 of the Code of economic law (CEL) provides for cooperation agreements with sector regulators in respect of investigations and the exchange of confidential information. See also article IV.32 §1 CEL.

2. Cooperation agreements

2. Cooperation agreements have been concluded with the BIPT/IBPT (the telecom and postal regulator, Royal decree of 8 May 2014)) and with the CREG (federal energy regulator, Royal decree of 3 December 2017).

3. These agreements provide for:

- The exchange of confidential case related information.
- The obligation to inform the relevant other authority of cases that might also be relevant to them.
- Regular high level meetings in order to discuss sector developments.

4. We may add that under the relevant EU rules, implemented by article 55 of the Act on electronic communications (the telecom act) of 13 June 2005, the telecom regulator must seek the opinion of the competition authority before taking certain decisions.

5. In practice, the BCA always invites the relevant regulator to file written observations and to participate in hearings in infringement and merger control cases involving undertakings in regulated sectors.

3. Expected developments

6. The DMA: the Government prepares legislation designating the BCA as the relevant authority in charge *i.a.* of the composition of the delegation to Advisory Committee meetings and the selection of the regulators to be consulted on market studies.

7. The EU Digital Services Act, the envisaged EU Data Act, Data Governance Act, Network and information security service, Cybersecurity Act, Artificial Intelligence Act: the BCA, the BIPT/IBPT, the Data protection authority, the FSMA (financial markets authority) and the FOD/SPF Economie (ministry of economic affairs) have started discussions on a platform for digital governance (*gouvernance numérique*).