

# Autoriteit Consument & Markt



The Hague, the Netherlands, November 2018

Enclosures : 2  
Registration :  
numbers  
Our reference : ACM/UIT/502049  
Contact person : Danny Bhairosingh | omzet@acm.nl  
Subject : Submitting your turnover specification

**ATTENTION: You are statutorily required to submit your turnover data no later than December 31, 2018, to the Netherlands Authority for Consumers and Markets.**

Dear Sir or Madam:

Your company is active in the Netherlands as a telecom provider. We, the Netherlands Authority for Consumers and Markets (ACM), regulate your sector. You may have to pay a fee for these regulatory activities. In order to determine the level of this fee, we need your turnover data. We will explain in this letter in what situations you need to pay, and, if so, what you need to do next.

## **In what situations do you have to pay?**

Based on your turnover data, ACM determines whether you need to pay a fee for its regulatory activities. There are two scenarios:

1. *Your relevant<sup>1</sup> net turnover is equal to or exceeds EUR 2,000,000*  
You must pay a fee for ACM's regulatory activities, as well as a fee for the costs of the 2018 mediation service.<sup>2</sup> These fees are a percentage of your relevant net turnover. Your turnover data is therefore used to determine these amounts.

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<sup>1</sup> The relevant net turnover is the turnover that you have generated from telecom activities that ACM regulates. More information can be found in Annex to this letter: 'Guidelines for submitting the turnover specification' (in Dutch: Richtlijnen indienen omzetopgave telecomaandbieders).

<sup>2</sup> More information about the mediation service can be found in the annex 'Guidelines for submitting the turnover specification' (in Dutch: 'Richtlijnen indienen omzetopgave telecomaandbieders').

2. *Your relevant net turnover is less than EUR 2 million*

You do not need to pay anything for ACM's regulatory activities. Attention! You do need to submit your turnover data on time so that ACM is able to establish that you do not need to pay any fee for ACM's regulatory activities.

In some cases, you also need to pay a fee to the Consumer Complaints Board for Telecommunications (in Dutch: Stichting Geschillencommissies voor Consumentenzaken, or SGC). You will find more information about this under 5 in the Turnover Specification Form and in annex 2 'Guidelines for submitting the turnover specification for telecom providers'.

**How does ACM determine whether you need to pay?**

ACM uses your relevant net turnover in 2017 to determine the fee for 2019. ACM sets the amount in the 2019 Decision on the fee for regulatory activities (in Dutch: Beschikking toezichtkosten 2019). You will receive this decision and, if applicable, the invoice in May 2019. In the fall of 2019, you will receive a separate invoice for the fee of the mediation service.

**What do you need to do?**

Use the enclosed Turnover Specification Form (in Dutch: 'Formulier omzetgegevens') for submitting your turnover data. We have also enclosed the Guidelines for submitting the turnover specification for telecom providers (in Dutch: 'Richtlijnen indienen omzetopgave telecomaanbieders') if you need any help filling out the form. The guidelines explain what requirements your turnover specification must meet. We need your turnover data no later than December 31, 2018.

1. Fill out the Turnover Specification Form;
2. If necessary, enclose any supporting documents;
3. Send the form and the supporting documents to ACM no later than December 31, 2018, by email to [omzet@acm.nl](mailto:omzet@acm.nl) or by regular mail to ACM, Muzenstraat 41, 2511 WB, The Hague, the Netherlands.

May we suggest sending your turnover specification before Christmas (December 25/26)? That will ensure that you are on time.

**What happens if you do not respond (on time or at all)?**

If your turnover specification is missing or incomplete, ACM may impose an order subject to periodic penalty payments on you. In addition, ACM is authorized to estimate your turnover. In that case, ACM will charge a fee based on this estimate. This may be to your disadvantage if the estimate is higher than your actual relevant net turnover.

**Any questions?**

Should you have any questions, please do not hesitate to contact the person listed at the top of this letter or by sending an email to the following address: [omzet@acm.nl](mailto:omzet@acm.nl).

Best regards,

The Netherlands Authority for Consumers and Markets,  
on its behalf,

w.g.

Felix Flinterman

Manager Telecommunications, Transport and Postal Services Department