

## Additional terms related to the: “**Qualified hybrid registered delivery**”

*This is a translation. In the event of a discrepancy, the Dutch version prevails and is leading.*

These additional conditions supplement the General Conditions of the eIDAS qualified trust service Aangetekende.email (part of the DIGICONNECT platform). These can be found at: [https://www.aangetekende.email/GCAE\\_EN.pdf](https://www.aangetekende.email/GCAE_EN.pdf)

### **1. Legal framework**

1.1 The Belgian legislator has provided for the possibility of qualified hybrid registered delivery (attachment II, art. XII.N2 Code of Economic Law).

1.2 The legal text (attachment II, art. XII.N2 Code of Economic Law) reads as follows:

Requirements for the qualified electronic registered delivery service.  
The hybrid registered delivery.

- The qualified service provider of electronic registered delivery can, at the request of the sender, materialize the registered delivery in paper form and then put it under envelope.
- In this case, the service provider hands over the materialized electronic delivery to a postal service provider, at the latest on the working day following the deposit of the qualified electronic registered delivery. The postal service provider is in possession of a license granted by BIPT based on the applicable regulatory provisions.
- The service provider must inform the sender of the date on which the delivery was physically deposited at the postal service provider.
- The date on the electronic registered delivery message is equated with the date of deposit of the registered delivery at the postal service provider insofar as the delivery can no longer be changed or canceled by the sender.
- The date on the electronic registered delivery message must also appear on or in the materialized delivery.
- The service provider keeps proof of the deposit of the deliveries at the postal operator for five years.
- The sender must be clearly informed in the terms of service of the division of liability between the qualified provider of the electronic registered delivery service and the postal service provider.

### **2. Procedure for submitting a message**

#### **2.1 Via hybrid registered delivery**

2.1.1 The sender authenticates with the qualified service Aangetekende.email™ by means of one of the logon mechanisms as described in chapter 5 of the General Terms and Conditions of the eIDAS qualified trust service *Aangetekende.email*.

2.1.2 The sender makes the choice to send a new hybrid registered delivery.

2.1.3 The sender deposits the hybrid registered delivery on the qualified service Aangetekende.email™.

## 2.2 Via electronic registered delivery

2.1.1 The sender authenticates with the qualified service Aangetekende.email™ by means of one of the logon mechanisms as described in chapter 5 of the General Terms and Conditions of the eIDAS qualified trust service *Aangetekende.email*.

2.1.2 The sender makes the choice to send a new electronic registered delivery.

2.1.3 The procedure is as follows:

1. The sender submits a prior notification of the message to the qualified service Aangetekende.email™ with Addressee details (like the postal address), the latest date/time of deposit and the message content.

The message receives the status “Pending” on the qualified service Aangetekende.email.

**Important: The message is at this stage solely in a “waiting folder” and not yet deposited on the qualified service Aangetekende.email™ and has no legal value yet.**

2. The addressee will be invited to accept the registered delivery in electronic form before the latest date/time of deposit. See chapter 8.1.2 of the general terms and conditions of the qualified service Aangetekende.email™ for more information.
3. If the Addressee has not yet accepted the registered delivery in electronic form at the time of the latest date/time of deposit, the message will be taken out of the “waiting folder” and will be deposited on the qualified service Aangetekende.email™ as a hybrid registered delivery.

## 3. Procedure for generating electronic message and proof of deposit

3.1 When depositing a hybrid registered delivery, the qualified service Aangetekende.email™ creates the electronic message.

3.2 This electronic message consists of the following parts:

- Details of the addressee
- Heading with legal information including date of deposit of the message
- Subject as entered by the sender
- Body text as entered by the sender
- Attachments as uploaded by the sender

On the first page, codes are printed that allow the addressee to download the original digital attachments. In this way, electronic signatures present in the attachments can be validated. Security measures are built into the download page. For example, a captcha is present, and the document is locked after 5 wrong code combinations.

Example of the first page of a message:

You can download the original electronic attachments from:

[www.aangetekende.email/attachments](http://www.aangetekende.email/attachments)

Document ID: vWN4oLrgnP7h  
Code: RWZj2yY9mn5e

Kim Jacobs  
Oude Heidestraat 44  
3550 Heusden-Zolder

*This registered delivery was deposited on the Aangetekende.email™ service of the DigiConnect platform ([www.aangetekende.email](http://www.aangetekende.email)). The Aangetekende.email™ service is an eIDAS qualified trust service for electronic registered delivery. See <https://tsl.belgium.be>*

*Date of deposit electronically registered delivery: 12-11-2020*

*In accordance with Article XII.N2, Annex II of the Belgian Code of Economic Law is the legal date of deposit the date of deposit of the electronic registered delivery (date of deposit at the service provider of the qualified electronic registered delivery), and not the date of deposit at bpost (stated on the envelope), which takes place on the working day following that of the deposit of the electronic registered delivery.*

**Registered delivery from:** DIGICONNECT, Zandstraat 187, 3550 Heusden-Zolder

**Subject:** Test

This is the body text...

- 3.3 The electronic message is sealed with one of the certificates of Connect Solutions that are listed on the Belgian Trusted List. The seals contain a qualified timestamp.
- 3.4 The sender can download the sealed message as proof of deposit from the service. Detailed information such as the date of deposit of the message at the postal operator (bpost), as well as the track & trace code of bpost is available with which the sender can monitor the status of the message.
- 3.5 The messages remain available at the service for 30 days. This is in accordance with the retention periods as described in chapter 10 of the General Terms and Conditions of the eIDAS qualified trust service Aangetekende.email™.

#### **4. Procedure for materialization and deposit at the postal operator**

- 4.1 The electronic messages generated by the service (see 3.1) are printed (materialized) by Connect Solutions, put in envelope and deposited at the postal operator on the working day following that of the deposit of the message on the platform by the sender (date of deposit of the electronic message).

During the printing process the information below is added on the first page above the addressee's address information in accordance with the postal operator's guidelines:

- Sender details: This is the address of the sender (address registered by the sender on the account in DIGICONNECT) and not the address of Connect Solutions. If the delivery is not collected by the addressee after 14 days, it will be returned directly to the sender's address. The sender can then keep the unopened envelope for further follow-up.
- Barcode of the registered mail (in case of a national registered mail)

- 4.2 Connect Solutions uses bpost as a postal operator. Bpost (company number: 0214.596.464) is in possession of a license granted by BIPT.
- 4.3 The proofs of deposit of the deliveries at the postal operator are kept for 5 years by Connect Solutions.

## **5. Pricing and invoicing**

- 5.1 The current prices are stated on the website.
- 5.2 Actual usage and material are invoiced periodically. Invoices are available in electronic form within the account on DIGICONNECT.
- 5.3 Postage costs of bpost are for the sender's account. These are advanced by Connect Solutions and charged separately to the sender for the exact amount. No VAT is due on the calculation of these advanced costs (art. 28, 5 ° VAT code of law).

## **6. Liability**

- 6.1 Connect Solutions' liability is limited to the guarantee that the deposited message is printed and deposited at the postal operator (bpost) on the working day following that of the depositing on the platform by the sender.
- 6.2 Connect Solutions will not further follow up the delivery after being deposited at the postal operator.
- 6.3 Connect Solutions is not responsible for errors made by the postal operator.
- 6.4 The liability of Connect Solutions is in all cases limited to the price paid for the delivery.
- 6.5 The sender is responsible for the quality and correctness of the delivered address details and the contents of the message.
- 6.6 Connect Solutions is not liable for any non-recognition of printed (electronic) signatures that are present in attachments uploaded by the sender.
- 6.7 The sender is responsible for determining the date on which a registered delivery is to be deposited depending on the purpose of the registered delivery. Connect Solutions is not liable for cases where the registered delivery would have reached the addressee too late as a result of incorrect determination of this date by the sender.
- 6.8 Connect Solutions can opt to subcontract the printing process and deposit at the postal operator (§4.1) to Speos (Bollinckxstraat 24/32, 1070 Anderlecht, BE 0427 627 864). However, Connect Solutions remains ultimately responsible for this process. See also §6.1.

## **7. Miscellaneous**

- 7.1 Connect Solutions reserves the right to unilaterally change or supplement these additional conditions. These changes or additions will apply immediately from their publication on the Connect Solutions website. When Connect Solutions makes changes or additions to these terms, it changes the date of the "last update" at the bottom of the document.

Last update: 01-06-2023