



International Amateur Radio Union Region 1



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Subject:	Exchange of experiences and good practices about the right of antenna		
Society	UBA	Country:	Belgium
Committee	C3	Paper Number:	LA17_C3_48
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1. Introduction:

In many European Countries radio amateurs are confronted with constrains about setting up antennas

2. Background:

More and more countries are making restrictions for setting up antenna systems. Most of all due to building restrictions. But not only for this purposes; there are also sometimes restrictions about radiation parameters. Sometimes local or regional authorities even want non-commercial owners of antenna system to pay taxes. In annex you will find an example for the Flemish part of the country.

3. Key points and proposal:

It would be good to start a study to find out how the MS are dealing with those problems and to have a register of problems and good practices about this topic. The results of this work can help the MS and the Political Relations Workgroup to cover this problem

4. Recommendations:

IARU-R1 should take the necessary steps start up a working group to make an inventory of the problem, and find solutions, of “The right of antenna” for licenced radio amateurs

ANNEX: Restrictions on the right of antenna in Belgium.

Introduction

Belgium is a federal state composed of Communities and Regions. Belgium is divided into three communities: The Flemish Community, the French Community and the German-speaking Community. Belgium is also divided into three regions: The Flemish Region, the Walloon Region and the Brussels Region.

Licencing is done at federal level. On the other hand, building restrictions and health is a regional competence. Fiscal matters could be federal, regional, provincial or at communal level. The text below describes the situation in the region of Flanders. This situation is similar in the other regions too.

Restrictions on The Right To Antennas In Flanders

Radio amateurs have three restrictions on their “right to antennas,” they are:

1. Local building restrictions
2. Fiscal
3. Regarding people’s health

1. Local Building Restrictions

Antennas and in particular masts and pylons may only be placed with a building permit from the local authorities.

The rules in this matter are a matter for the Flemish authorities.

The building permit must be issued by the local government, commune, or city.

For the evaluation of the request for the permit, the government has to take into account local restrictions, such as the town or commune’s building regulations, and regulations concerning the local area plans, and residential development regulations.

Furthermore, the government also has a discretionary power of judgement of an application, if it would be detrimental to the environment, or an exaggerated burden to the environment.

Experience has shown that sometimes the local commune and town authorities are very prone to refuse a permit particularly because of opposition by neighbours.

2. Fiscal Character

Recently in Flanders a number of communes have imposed a tax on vertical constructions, that are not buildings and this above a certain height.

In many cases radio-amateur's masts (towers) have been affected by this and have had to pay a tax because they possess a mast (tower).

3. Public Health

The Radio-amateurs fall into the category concerning non-ionised radiations. This imposes the principal of preparing an anticipative radiation dossier and obtaining authorisation to transmit.

In the case of limited transmit power, the radio-amateur can obtain an exemption, or in the case of less than 175 hours of transmission per year can the radio-amateur make a report to this effect. Most Radio-amateurs can come under this exemption.

City	Due date	Yearly taxes	Minimum height of the construction
Diksmuide	2013-2019	2500 €	18,5 m
Zelzate	2016-2019	2500 € (commercial) 500 € (non-commercial)	10 m
Harelbeke	2017-2019	2500 €	15 m
Niel	2016-2019	3000 €	20 m
Schelle	2017-2018	2500 €	20 m
Leuven	2014-2018	2500 €	20 m
Evergem	2014-2019	1500 € (commercial) 500 € (non-commercial)	20 m
Maarkedal	2016-2018	2500 €	15 m
Kortenaken	2015-2018	2500 € (exemption)	15 m
Kluisbergen	2015-2018	2500 € (exemption)	15 m
Artselaar	2015-2018	2500 €	20 m
Ingelmunster	2014-	2500 €	15 m
Izegem	2017-2019	2000 €	18,5 m
Zwevegem	2017-2019	2500 €	15 m
Vilvoorde	2014-2019	2500 €	15 m
Hoegaarden	2015-	2500 € (exemption)	15 m
Bekkevoort	2015-2018	2500 €	15 m
Lubbeek	2015-2018	2500 €	15 m
Veurne	2016-2019	2500 €	18,5 m
Boechout	2014-2019	2500 €	20 m
Bever	2017-2018	2500 €	15 m
Glaabeek	2017-2019	2500 € (exemption)	15 m
Boutersem	2014-2019	2500 €	20 m

City	Due date	Yearly taxes	Minimum height of the construction
Poperinge	2017-2019	2500 €	18,5 m
Voeren	2013-2018	2500 €	20 m
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