

## **Samenwerkingsakkoord tussen de Franse Gemeenschap en de Vlaamse Gemeenschap betreffende de aanwending van digitale frequenties voor DAB+ op elkaars grondgebied**

De Franse Gemeenschap, vertegenwoordigd door de heer Rudy Demotte, Minister-president en de heer Jean-Claude Marcourt, Vicepresident, Minister van Hoger Onderwijs, Onderzoek en Media,

De Vlaamse Gemeenschap, vertegenwoordigd door de heer Geert Bourgeois, Minister-president en de heer Sven Gatz, Minister van Cultuur, Media, Jeugd en Brussel,

Gelet op de artikelen 127 en 128 van de Grondwet;

Gelet op de bijzondere wet van 8 augustus 1980 tot hervorming der instellingen, inzonderheid op artikel 92bis;

Gelet op het gecoördineerd decreet van de Franse Gemeenschap van 26 maart 2009 over de audiovisuele mediadiensten;

Gelet op het Vlaams decreet van 27 maart 2009 betreffende radio-omroep en televisie;

Overwegende de noodzaak tot het regelen van digitale frequentiegebruiksrechten bestemd voor radio-uitzendingen in DAB+ met als specificiteit dat de masten en infrastructuur zich op het grondgebied van de andere gemeenschap bevinden, in volle respect van de federale loyauteit,

zijn het volgende overeengekomen:

### **Artikel 1**

Het is de Gemeenschappen of hun afgeleide organen toegestaan om het gebruik van onderstaande frequenties te regelen op onderstaande plaatsen:

1° Voor de Franse Gemeenschap en de organen die er van afhangen : het gebruik, de controle en het toezicht op zendinstallaties met betrekking tot het gebruik van de digitale frequentieblokken 6D en 11D te Sint-Pieters-Leeuw op de antennesite met geografische coördinaten 50 N 4604, 4 E 1327 met antennes gericht naar de Franse Gemeenschap en waarvan de technische karakteristieken te vinden zijn in bijlage bij dit akkoord.

2° Voor de Vlaamse Gemeenschap en de organen die er van afhangen : het gebruik, de controle en het toezicht op zendinstallaties met betrekking tot het gebruik van de digitale frequentieblokken 11A en 12A te Vloesberg en te Waver op de antennesites met als respectievelijke geografische coördinaten 50 N 4545, 3 E 4150 en 50 N 4427,

4 E 3517 met antennes gericht naar de Vlaamse Gemeenschap en waarvan de technische karakteristieken te vinden zijn in bijlage bij dit akkoord.

## **Artikel 2**

De toezichthoudende regulatoren van de respectievelijke gemeenschap werken samen in geval van klachten en storingen over en door zendinstallaties, vermeld in dit akkoord, die gelegen zijn op elkaars grondgebied. De toezichthoudende regulator van de ene gemeenschap kan aldus aan de toezichthoudende regulator van de andere gemeenschap - die met toepassing van dit akkoord bevoegd is om het gebruik van de frequenties op de desbetreffende zendinstallaties te regelen - een zaak voorleggen.

De samenwerking wordt geregeld in een huishoudelijk reglement, vastgesteld door de toezichthoudende regulatoren van de twee Gemeenschappen.

In geval van schadelijke storingen is het Belgisch Instituut voor Postdiensten en Telecommunicatie bevoegd om deze schadelijke storingen te onderzoeken op eigen initiatief of na een klacht en de passende maatregelen op te leggen teneinde deze schadelijke storingen te doen ophouden, conform artikel 15 van de Wet betreffende de elektronische communicatie van 13 juni 2005.

## **Artikel 3**

Dit akkoord treedt in werking op de tiende dag na bekendmaking in het Belgisch Staatsblad van het laatste van beide instemmingsdecreten.

Gedaan te Brussel, op ....., in de Franse en de Nederlandse taal, in vier originele exemplaren, waarvan elke partij bij dit samenwerkingsakkoord verklaart één exemplaar in elke taal ontvangen te hebben.

Geert Bourgeois,  
Minister-president van de Vlaamse Regering

Rudy Demotte,  
Minister-president van de Regering van de Franse Gemeenschap

Sven Gatz,

Minister van Cultuur, Media, Jeugd en Brussel,

Jean-Claude Marcourt,  
Vicepresident, Minister van Hoger Onderwijs, Onderzoek en Media

Bijlage bij het Samenwerkingsakkoord tussen de Franse Gemeenschap en de Vlaamse Gemeenschap betreffende de aanwending van digitale frequenties voor DAB+ op elkaars grondgebied

1. Frequenties 6D en 11D

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t_lat = +504604
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## 2. Frequenties 11A en 12A

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