

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title: Consultation on a proposal to reform amateur radio licensing (Of 243)

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Representing (self or organisation/s): self

Address (if not received by email):

CONFIDENTIALITY

What do you want Ofcom to keep confidential?

Nothing	<input checked="" type="checkbox"/>	Name/address/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts?	

If you want part of your response, your name or your organisation to be confidential, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response. It can be published in full on Ofcom's website, unless otherwise specified on this cover sheet, and I authorise Ofcom to make use of the information in this response to meet its legal requirements. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom can publish my response: on receipt once the consultation ends

Name *Murray Niman*

Signed (if hard copy)

Consultation on a Proposal to Reform Amateur Radio Licensing (Of 243)

I, Murray Niman G6JYB MIEE, being both a radio amateur and a professional microwave engineer, would like to make the following personal input to the Ofcom Amateur Radio Licensing Consultation:-

Consultation Questions and Answers

Question 1: *Do you agree with the proposal to introduce a lighter, electronic licensing process? If not, please explain why.*

YES - If anything Ofcom/RLC has persisted with a wasteful paper process every year, not even bothering to incorporate old NoVs into the BR68 schedules. However the onus on any new process should be for it be an improvement and not lead to a potential degradation in the infrastructure and status of UK Amateur Radio.

Electronic systems should account for handling UK regional prefixes, International/Reciprocal Licences, Exam Passes/Validation, NoVs, Repeater/Beacons etc. Precautions must be taken to avoid security flaws such as the ability to forge/crack Adobe PDF files, otherwise a system which is vulnerable to piracy and neglect will undermine the status of amateur radio both at home and internationally.

The irritating option to totally withhold licensee's details should be modified so at least the County is identified in all cases (or the first alphabetical letters of the Postcode).

- PLEASE ALSO SEE THE SEPARATE POINT ON IMPACT ASSESSMENTS BELOW

Question 2: *Do you agree with the proposal to issue licences which remain valid for the life of the licensee? If not, please explain why.*

NO – This will undoubtedly lead to an erosion of accuracy of the callsign database as it removes any incentive to keep details up to date as amateurs change email address, move house, change licence class or sadly pass away. An accurate licence database is also key to policing of the bands for pirates/interference. Amateur operations are international in nature and need to be kept in good order to meet obligations under ITU regulations. A weakened database undermines our ability to operate in Secondary Allocations as well as apply for and operate Unattended systems such as Beacons and Repeaters

Ofcom generally are withdrawing from command/control and reducing their staff numbers accordingly. It is therefore vital that any system left in place should be capable of being self-policing, for which accurate databases, backed up by the future Ofcom remote receiver monitoring network are essential.

Question 3: *Do you agree with the proposal to issue electronic amateur radio licences free of charge? If not, please explain why.*

NO - If they are free in all cases, frivolous applications will be encouraged (e.g. vanity etc). There simply is no pre-established demand for free licences (which is purely an Ofcom idea), and there is a risk that it will demean the status of amateur radio, Ofcom's services for it, and lead to later deregulation.

Currently licences for under 21s and 75 or over are already free. The £15 /year for others is good value when compare to TV Licences, Passports, MoTs, ID Cards etc and is not a significant burden.

There need be only one key exception - Applications/changes for new amateur radio licences as a result of successful examination passes should be free to act as an incentive. - See Answer to Q9 for when charges may be appropriate.

Question 4: Do you agree with the proposal to apply an administrative charge when processing postal applications for amateur radio licences? If not, please explain why.

YES – BUT any such charges should be nominal - in the £10-15 range for example. In the interests of transparency Ofcom should have made the charge level public rather than deferring it to a separate exercise. Any charge should not be set at such a level that could be considered discriminatory under e-Accessibility or Disability Legislation. If postal volumes are small it may be simpler to waive it in any case.

It is important that in any new process applications/changes for new amateur radio licences as a result of successful examination passes are not penalised by the current postal-only process

Question 5: Do you agree that WT Act licence exemption for radio amateurs is not currently practical?

YES - The Amateur Service and Amateur Satellite Service are defined under the International Radio Regulations. Licence exemption will disenfranchise amateurs, their privileges and their ability to self-train/experiment. Ofcom use of the term 'currently' is most perturbing, and belies their lofty claims in Sections 1 & 2 of the Consultation document for changes that permit Amateur Radio to prosper.

Question 6: What are your views regarding the possibility of WT Act licence exemption for radio amateurs in the longer term?

NO THANKS !!! This is neither practical nor desirable and would inevitably diminish the status of the Amateur Services. It would dis-enfranchise many Amateur systems and bands, and eliminate our current Primary/Secondary Spectrum allocation rights. In any case any changes need to be agreed at ITU level.
– See Answer to Q5 as well

Question 7: Is maintaining the existing licensing regime but with an extended renewal period your preferred option? If so, please state the renewal period that you believe would be appropriate and explain why.

YES – For 5 years, but using a high-integrity modern electronic system which would keep costs low. A renewal requirement would underpin the accuracy of the callsign database, validate email addresses etc. Such a new system should be developed in collaboration with the RSGB Examination System

The irritating option to totally withhold licensee's details should also be modified so the County is disclosed in all cases (or the first alphabetical letters of the Postcode)

See also comments on Regulatory Impact Assessments below

Question 8: Do you agree that the current licensing system is over-burdensome? If not, please explain why.

NOT FOR THE STAKEHOLDERS – i.e. Amateurs. In practice it is more burdensome for the administrators than for the licensee, but that is largely of Ofcom's own making.

Any new system would be less burdensome if it was largely electronic.

A revised schedule (BR68) is needed in which the English is clearer and easier to follow.

BR68 Section-7 on identification/callsigns is a classic and counterproductive example of awful Legalese. Its use of the phrase 'Period of Transmission' rather than 'Over' continues to cause confusion amongst tutors, repeaters and other users.

The schedule should also be updated to fully incorporate Morse abolition, 7MHz changes, and allocation change EU35 for the retention of the 75.5-76GHz band as Ofcom promised in response to the 79GHz Car Radar Consultation [1].

Question 9: Do you agree with the proposal to apply an administrative charge when processing applications for a Notice of Variation to an amateur radio licence? If not, please explain why.

NOT ENTIRELY - NoVs are granted for a wide variety of endeavours – Contest Callsigns, Special Event Stations, Beacons, Repeaters, Gateways, 5MHz experiments etc.

A distinction should be drawn between general shared services (e.g. Beacons/Repeaters) which at present do not incur charges - and vanity callsigns, one-off events and attended systems where time-limited NoVs and charges can encourage efficiency. A review of NoV time periods, which currently vary greatly, should be undertaken in conjunction with interested parties.

Any charges must be nominal ones so as not to be unduly burdensome. The lack of charge details in the consultation does not aid assessment or transparency.

An e-NoV system should be developed to lower handling costs, and permit over-the-web transactions and improve transparency. It would be nice for example to have general read-access to an Internet based database of current special event NoVs etc

REGULATORY IMPACT ASSESSMENT

Since the consultation started Ofcom changed its official policy process [2] on August 1st, partly as a result of a well-argued input by Chelmsford Amateur Radio Society

Quoting from [2] , the updated policy states-

5.13 When identifying the possible options, we will generally start by considering the option of not changing the regulatory framework, either by not introducing regulation or by retaining existing regulation. This option – no new intervention – will be the benchmark or base case against which other options will be judged

The current consultation document does not comply with this and Ofcom are requested to update the RIA and to pay fuller attention and priority to this - which is currently 'Alternative-3' and has been summarily dismissed

REFERENCES

[1] "Ofcom's decision to exempt the use of automotive shortrange radar equipment at 79GHz from wireless telegraphy licensing", Statement and Statutory Regulations, issued 24th February 2005

"Ofcom is aware of Footnote EU35 of the European Frequency Tables and will take all necessary steps to permit Amateur and Amateur Satellite services in 75.5-76 GHz after 2006;"

[2] "Better Policy Making", Ofcom's Approach to Impact Assessments, issued 21st July 2005, and effective from August 1st 2005