

# **CONSULTATION ON THE FUTURE OF AMATEUR RADIO LICENSING**

## **Issue**

Ofcom have notified the RSGB that they intend to consult with radio amateurs on the future of amateur radio licensing in the United Kingdom. This consultation will follow a similar line as the consultation Ofcom are currently undertaking with the Maritime and Coastguard Agency (MCA) and the Civil Aviation Authority (CAA) on the future of ship and aeronautical licensing.

The consultation document quite clearly states that Ofcom proposes to reform amateur radio licensing in order to reduce the regulatory burden on radio users. They intend to do this by making amateur radio licenses valid for life and to make electronic licences available free of charge.

Despite reassurances to the contrary, the RSGB believes that OFCOM intends to introduce full-licensing deregulation in the future. OFCOM have a legal requirement under the Communications Act and the European Directive to reduce the regulatory burden. Changing the renewal date of the licence does not change any regulation – amateurs will still require a licence. Only deregulation can achieve any reduction in ‘red tape’.

## **Background**

In late December 2004 Ofcom and the RSGB met for off-line discussions on the content of the consultation document. Ofcom tabled the first draft which contained four options for change:

- Full licensing deregulation;
- Licensing for life;
- Extend the current licence period from annual renewal to a licence for between 3 to 15 years;
- The ‘Do Nothing’ option.

Due to existing legislation and agreements Ofcom did not consider full deregulation to be a feasible option at this time. They also intimated that the ‘Do Nothing’ option could also not be considered as under the terms of the Telecommunications Act 2003 they have an obligation to ease the

regulatory burden. They implied, in effect, that there were two options left to consider:

- Licensing for life;
- Extend the current licence period.

The RSGB considered both options and feel that there are some inherent dangers in moving to a 'license for life' but support the option of a licence with an expiry date greater than one year.

The RSGB's position was passed to Ofcom by letter in early February 2005. In late February 2005 the RSGB was again invited by Ofcom to view the final draft of the consultation document.

**The RSGB was dismayed to find that none of the issues that the Society had raised in the 'licence for life' issue had been taken into consideration.**

The document quite clearly states that Ofcom proposes to reform amateur radio licensing in order to reduce the regulatory burden on radio users. They intend to do this by making amateur radio licenses valid for life and to make electronic licences available free of charge. Those amateurs without access to the internet will still have to pay for their licenses.

They suggest that these proposals are consistent with the level of regulatory intervention required to manage the amateur radio spectrum, maintain standards and also comply with the United Kingdom's international obligations.

The consultation also examines the other three options from the first draft including the option to make amateur radio WT Act licence exempt (deregulation) despite the fact that they have already dismissed this as unfeasible. Within the body of the document they ask two questions;

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

*And*

*What are your views about possible licence exemption for radio amateurs (deregulation) in the longer term?*

**The RSGB Position**

## Deregulation

The RSGB believes that if it is not feasible now to make amateur radio WT Act licence exempt due to international and legal obligations why would it become feasible in 5 to 10 years time when no other administration across the world is even considering full deregulation.

The RSGB will fight strongly against any moves to make amateur radio WT Act licence exempt. Such a move would in the view of the RSGB:

- Disenfranchise all UK amateurs from the rest of the world;
- Remove the need for training and examinations;
- Enable anyone to purchase radio equipment and operate on the amateur bands;
- Lead to widespread interference problems;
- Without a recognised licence ALL UK amateurs would be prevented from operating abroad whilst on holiday;
- Any amateur who moves to live in another country would NOT have a licence to enable his or her new country of residence to issue a reciprocal licence;
- The end of the coordinated UK Repeater and Data Packet networks. This at a time when more management is necessary in certain amateur bands to meet criterion laid down by the Ministry of Defence;
- The end of Notices of Variation which enable controlled research and development programmes to be undertaken by UK amateurs. It would be probable that power limits currently imposed on radio amateur operation would be exceeded thus causing a high level of interference;
- End the current amateur band planning agreements;
- Be a risk to national security as the location of amateur radio stations would not be accurately known;
- Dilute the support role that radio amateurs traditionally provide to the user services in the provision of radio communications support;
- Reduce the support given by the amateur radio community to education and training within the UK and lead to a further depletion of the UK skills base in radio communication and electronic engineering;
- A de-regulated service would mean there would not be a requirement for callsigns (contrary to the Radio Regulations) and

users of equipment would use whatever form of identification they wished. The pirating of existing amateur radio call signs which is already on the increase, will escalate.

The RSGB agrees that the amateur service in the United Kingdom is over-regulated but strongly believes de-regulation is not the answer. The individual radio amateur and the amateur radio service is a breeding ground for technical innovation and development and much of modern day technology owes its existence to the engineers and scientists that made their way through this particular route. To de-regulate would be to amputate the hand that feeds industry with those needed engineers and scientists.

### **Licence for Life**

The option of licence for life is flawed and is inherently dangerous to the future wellbeing of the Amateur Radio Service and Amateur Satellite Service as defined in ITU Regulations.

The RSGB can see that the offer of a free licence for life may sound an attractive offer to some members of the amateur radio community. Such a move would ease or almost completely erase the administration and cost burden.

However, a licence for life would encourage and cause the following problems:

- The UK licensing database would quickly become flawed and out of date. The RSGB is aware that these same concerns are shared by the MCA with regards to the Register of Shipping;
- Close down procedures could not be maintained thus causing a threat to safety of life frequencies, military and aeronautical frequencies;
- Radio Amateurs involvement in emergency planning and their role in the “Home Defence Plan” would be diluted;
- The degradation of the database of radio amateurs could be a threat to homeland security;
- A dispersed amateur radio community will lead to an increased problem of interference;

These are just a number of issues of concern.

The Ofcom document makes reference to the fact that they are not creating a precedent in introducing a licence for life. They name Canada as an example. In fact Canada is one of 3 countries to introduce such a licence and all of the problems listed above have been encountered by the Canadian administration. The two other countries to follow this route have only recently changed. Norway introduced a 'life time' licence in 2003 and as yet no data on its effect is available and New Zealand have announced a free 'life time' licence will be introduced from 1 July 2005. However, it is not a 'free ride' for New Zealand amateurs because they will be penalised financially, as the New Zealand administration are introducing a fairly hefty levy on the licensing of Repeaters and Packet nodes to pay for the administration costs. Licensing of Repeater and Packet nodes was previously free.

Countries that have introduced licences for periods in excess of five years have also encountered similar problems. The USA is a good example. The USA have a ten year licence that is issued free of charge. The FCC are on record as stating that their database is completely flawed because amateurs do not inform them of their movements, nor is there any means by which the FCC can track amateur movements, including the loss of data when an amateur dies. The onus is on the amateur to keep the FCC informed and this does not happen.

Ofcom proposes to place the onus on the individual amateur to keep the licence issuer informed of movements. This system has proved to be flawed in other countries why should it be any different in the UK?

## **RSGB Proposal**

The RSGB fully supports Ofcom's desire to see a reduction in the administrative burden of renewing the amateur radio licence on an annual basis. In fact the RSGB welcomes this direction.

**However, the Society believes that to alleviate some of the issues raised above the best option is for a licence which has a renewable life of 5 years. This would not solve all the problems but it would enable the register of holders of an amateur radio licence to be more efficiently maintained.**

**The RSGB has indicated to Ofcom in earlier discussions that the Society is willing to take on the role of issuing amateur radio licences and in doing so would be prepared to take on the full costs and**

**administrative burden of doing so. The Society would also be prepared to pass on to the UK government (exchequer) the levy it receives from the licence payment.**

The RSGB welcomes the opportunity to discuss these matters further with Ofcom with a view to reaching an agreed position on:

- a. The validity of the consultation;
- b. Reaching agreement on the best option for the long term future of amateur radio.

RSGB April 2005.

Following the meeting with Ofcom on the 24 March 2005 Peter Kirby, G0TWW, The General Manager of the Radio Society of Great Britain wrote to Mr Richard Hooper, Deputy Chairman of Ofcom, further outlining the RSGB's concerns. A transcript of this letter can be found on the RSGB 'Members Only' website.