

# **Regulatory Impact Assessment**

**Disclosure of Wireless Telegraphy  
licence information in respect of  
Frequency and Assignment use**

**January 2002**

## **REGULATORY IMPACT ASSESSMENT**

1. **Title: Disclosure of Wireless Telegraphy licence information in respect of Assignment and Frequency use.**

2. **The Issue**

A proposed change in policy to publish more data about Wireless Telegraphy licensed use of the radio spectrum. Currently most data held about licences is protected by the DTI legal framework of duty of confidentiality, which prevents any public disclosure except where there is a statutory duty to do so. It is proposed to move to a more open regime, except where there are important security reasons.

3. **The Objective**

The proposed change in policy to publish more data about the licensed use of the radio spectrum would meet increasing pressures to supply data on assignment and frequency use. The main pressures being:

- The need to be open and transparent about award of licences, and hence meeting the requirements of the European Telecommunications Licensing Directive, and to meet the proposals in the new EU package of measures for Communications Directives and the Spectrum Decision;
- The need within Government to be more open about information held;
- The proposed move to electronic licensing and potential “on-line” assignment;
- To support the Agency’s proposals to introduce Spectrum trading, which will require better knowledge about spectrum use; and
- The recommendations from the “Stewart Report” on the safety of mobile communications, and notably the recommendation to provide a national public

database of base stations. This has been met by voluntary co-operation of some network operators but it would be desirable to not have to rely on voluntary co-operation;

**4. Identification and valuing of benefits**

The main benefits of disclosing WT data on frequency and assignment data are:

<b>Objective</b>	<b>Costs</b>	<b>Benefits</b>
To be open and transparent about the award of licences.	<p>Will need to meet the costs of contacting all licensees and making changes to application forms and other documentation.</p> <p>Will need to ensure that radio systems designed for protection of persons or property (e.g. security guards) are protected from any data disclosure that might help anyone circumvent security measures.</p>	<p>Will help to comply with both UK and EU requirements and expectations;</p> <p>Will help businesses to make more informed choices on spectrum licensing needs;</p> <p>Will aid the efficient usage of spectrum.</p>
Meeting the requirements of the Stewart Report: to develop a public national database of base stations and infrastructure. The first stage of this has had to be done on a purely voluntary basis.	Development costs of Sitefinder and costs associated with subsequent enhancements to this facility.	<p>Will meet the requirement from the Stewart Report;</p> <p>Will help to reassure the public about emission outputs of base-stations;</p> <p>Will aid mast sharing and other infrastructure within the cellular industry.</p>

**Draft**

Aiding the move to electronic licensing and on-line assignments.	To meet the costs of phasing in e-licensing to add to the Agency's product portfolio.	Will improve the Agency's business processes and operations. Will help meet the DTI objective to improve quality of service.
Aiding the introduction of spectrum trading.	Disclosing assignment and frequency information to aid spectrum trading may increase the following: - interference between services; - changes of use contrary to International harmonisation; - acquisition of spectrum for anti-competitive purposes to deny access to new entrants.	Radio is used by businesses of all sizes throughout the economy from High Street taxis to broadcasters, multi-national equipment manufacturers and telecommunications operators. It is also used for a variety of non-commercial leisure, social and scientific purposes. All of these users are prospective gainers from the introduction of trading and in particular, those that are planning to introduce new products or services. So too are the customers of these businesses, who will benefit from greater competition, faster innovation, wider choice and lower prices.

**5. Business Sectors Affected**

Many sectors of the economy and consumers would benefit with the suggested change in policy, including:

- The telecommunications industry;
- Radio equipment manufactures and suppliers;
- The electronic consumer market;
- The retail consumer market; and
- Most other business sectors (as consumers).

**6. Consultation**

The Radiocommunications Agency is to carry out a national consultation exercise into disclosure of Wireless Telegraphy licence information in respect of frequency and assignment use on 22 January 2002. Consultee's are to be given 12 weeks to reply.

**7. Summary and Recommendations**

**Section 7 to be completed following the outcome of national consultation by the Radiocommunications Agency.**

**Declaration**

**I have read the Regulatory Impact Assessment and I am satisfied that the benefits justify the costs.**

**Signed by the responsible Minister**

**Signature.....**

**Minister of State for E-Commerce, and Competitiveness**

**Department of Trade and Industry**

**Date.....**

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