



Licence Exemption of Wireless Telegraphy Devices

Candidates for 2015

Consultation

Publication date: 31 July 2015

Closing Date for Responses: 20 September 2015

About this document

This consultation sets out Ofcom's plans to make regulations that will amend the existing Wireless Telegraphy Act 2006 licence exemption criteria for some wireless devices.

Most people will interact with licence-exempt, low-power, wireless devices in an average day – from Wi-Fi routers to car key-fobs and wireless doorbells.

Today's proposals follow regular Ofcom reviews and are intended to reflect technical developments. In particular, the consultation proposes some minor changes to the existing exemption criteria for the following devices:

- Personal Mobile Radio (PMR) 446 – liberalising the use of this band (446.0 to 446.2 MHz) by removing analogue and digital demarcations from the frequency bands;
- Railway Level Crossing Radar – replacing the current 'exclusion zones' surrounding Radio Astronomy sites with 'coordination zones'; and
- Digital Enhanced Cordless Telecommunications (DECT) equipment – reclassifying the technical requirements, currently classed as Cordless Telephony, to Short Range Devices.

The consultation closes on 20 September 2015.

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Section 1

Executive summary

- 1.1 During an average day most people will interact with a number wireless device that have been exempted from the need to hold a Wireless Telegraphy Act 2006 (the 'WT Act') licence without knowing it. These devices cover a range of uses from mobile phones, WiFi routers, car key-fobs to wireless doorbells. This document consults on proposals to make changes to the existing licence exemption criteria for PMR 446, Railway Level Crossing Radar and DECT equipment.
- 1.2 Without being made exempt the use of any of wireless telegraphy device would require the user to hold a WT Act licence issued by Ofcom. Under section 8(1) of the WT Act, it is an offence to establish, install or use equipment to transmit without holding a licence granted by us, unless the use of such equipment is exempted by regulations.
- 1.3 As technology develops we regularly review our regulations to allow new devices to be made available on a licence-exempt basis or to amend the current provisions to take into account technology changes. This consultation proposes the some minor changes to the existing exemption criteria for the following devices:
 - Private Mobile Radio (PMR) 446 - liberalising the use of the band (446.0 to 446.2 MHz) by removing the analogue and digital demarcations from the frequency bands;
 - Railway Level Crossing Radar - replacing the current exclusion zones surrounding Radio Astronomy sites with coordination zones; and
 - Digital Enhanced Cordless Telecommunications (DECT) equipment – moving the technical requirements from being classified as Cordless Telephony to Short Range Devices.
- 1.4 The analysis presented in this document represents an Impact Assessment, as defined in section 7 of the Communications Act 2003 (the Act). Further copies may be obtained from www.ofcom.org.uk or from Ofcom at Riverside House, 2a Southwark Bridge Road, London SE1 9HA. Comments on the proposals outlined in this document are invited by **5pm 20 September 2015**. We expect to release a Statement on this consultation in November 2015, having taken into account stakeholder responses to our proposals.

Section 2

Introduction

What is licence exemption

- 2.1 We are responsible for authorising civil use of the radio spectrum and achieve this by granting wireless telegraphy licences under the WT Act and by making regulations exempting users of particular equipment from the requirement to hold such a licence.
- 2.2 Under section 8(1) of the WT Act, it is an offence to install or use equipment to transmit without holding a licence granted by us unless the use of such equipment is exempted. We can exempt the installation or use of wireless telegraphy equipment by making Regulations under section 8(3) of the WT Act.
- 2.3 Under section 8(4) of the WT Act, we have to make regulations to exempt equipment if its installation or use is not likely to:
- involve undue interference with wireless telegraphy;
 - have an adverse effect on technical quality of service;
 - lead to inefficient use of the part of the electromagnetic spectrum available for wireless telegraphy;
 - endanger safety of life;
 - prejudice the promotion of social, regional or territorial cohesion; or
 - prejudice the promotion of cultural and linguistic diversity and media pluralism.
- 2.4 In accordance with the requirements of section 8(3B) of the WT Act, the terms, provisions and limitations specified in the regulations must be:
- objectively justifiable in relation to the wireless telegraphy stations or wireless telegraphy apparatus to which they relate;
 - not such as to discriminate unduly against particular persons or against a particular description of persons;
 - proportionate to what they are intended to achieve; and
 - transparent in relation to what they are intended to achieve.

Deciding on licence exemption proposals

- 2.5 In making a device exempt from licensing we specify the characteristics of the equipment that can be used. Licence-exempt devices are commonly low power/ short range devices (SRDs) or handsets that are controlled by a licensed network (e.g. mobile phone handsets). This is mainly because large numbers of devices can use the same frequencies due to their low transmitting power and limited range.

- 2.6 Unlike many licensed services, users of licence-exempt devices need to be aware that there are no guarantees that the spectrum will be free of interference. Devices operate on a non-interference non-protection basis. This means that no claim of protection can be made if interference is received from another authorised device or service. However, by defining the maximum transmit power, along with other characteristics, the probability of undue interference low.
- 2.7 When appropriate we introduce measures to permit the use of a range of new technologies and applications without the need for users to obtain a licence from us. When making a decision on what may qualify for an exemption a number of factors influence whether we should go ahead and exempt, these include:
- the frequency of transmission;
 - the power of transmission;
 - the use of the equipment;
 - the estimated number of deployments;
 - the likelihood of undue inference;
 - the impact on the technical quality of service; and
 - the existence of relevant technical standards.
- 2.8 A key issue is a device's transmitting power. Radio signals from high-powered devices travel further, increasing the chances of interference with others using the same frequencies. If this occurs, the frequencies will become of limited use to other users in the geographic area.
- 2.9 Most of the technical studies undertaken to understand whether devices can share frequencies with one another are carried out by the Conference of Postal and Telecommunications Administrations (CEPT)¹. CEPT is the European regional organisation dealing with postal and telecommunications issues and presently has members from 49 countries. It is made up of representatives of the postal and telecommunications administrations of European countries including Ofcom for UK radio matters. In addition to its role advising the European Commission (EC) on radio spectrum matters, CEPT produces a range of other outputs that inform the development of spectrum management across CEPT member countries.
- 2.10 The work done in CEPT is also used by European Standardisation Organizations such as the European Telecommunications Standards Institute (ETSI)² and European Committee for Electrotechnical Standardisation (CENELEC)³ to develop harmonised European standards for equipment. It is on the basis of much of this work that devices can be considered for licence exemption.

¹ <http://www.cept.org/>

² <http://www.etsi.org/WebSite/AboutETSI/AboutEtsi.aspx>

³ <http://www.cenelec.eu/Cenelec/About+CENELEC/default.htm>

Impact assessment

2.11 The analysis presented in this document represents an impact assessment, as defined in section 7 of the Act⁴. Impact assessments provide a valuable way of assessing different options for regulation and showing why the preferred option was chosen. They form part of best-practice policy-making. This is reflected in section 7 of the Act, which means that generally we have to carry out impact assessments where our proposals would be likely to have a significant effect on businesses or the general public or when there is a major change in our activities. However, as a matter of policy, we are committed to carrying out and publishing impact assessments in relation to the great majority of our policy decisions. For further information about our approach to impact assessments, see the guidelines “Better policy-making: Ofcom’s approach to impact assessment”⁵.

The citizen and/or consumer interest

2.12 Our principal duty under section 3 of the Act is to further the interests of citizens in relation to communications matters; and of consumers in relevant markets, where appropriate by promoting competition. We take account of the impact of our decisions upon both citizen and consumer interests in the markets we regulate. We must, in particular, secure the optimal use for wireless telegraphy of spectrum and have regard to the principle under which all regulatory activities should be targeted only at cases in which action is needed.

2.13 In addition to section 3 we must have regard to the desirability of encouraging investment and innovation in relevant markets as well as to further the interests of citizens and consumers.

Our policy objective

2.14 We seek wherever possible, to reduce the regulatory burden upon our stakeholders, in this instance users of the radio spectrum. One way in which we can do this is to remove the need for spectrum users to apply for individual licences to authorise the use of radio equipment. As stated in paragraph 2.2 we must exempt equipment if it meets the criteria of 8(4) of the WT Act.

2.15 Ofcom also has a duty to ensure the optimal use for wireless telegraphy. Part of this involves working with international administrations and bodies on regional and global spectrum allocation decisions. From time to time this may require us to change our allocation policy in order to promote optimal use of the spectrum.

2.16 Exemption is realised by describing the details of equipment and the parameters under which it may be used in a Statutory Instrument (secondary legislation called regulations) that exempts users of such equipment from the need to hold a WT Act licence provided they comply with the terms of the regulations.

2.17 There are one-off administrative costs associated with making a Statutory Instrument. We considered the implementation costs to be low and offset by the potential benefits. There may be a slight reduction in spectrum management costs in certain areas.

⁴ www.opsi.gov.uk/acts/acts2003/pdf/ukpga_20030021_en.pdf .

⁵ Which are on our website at <http://www.ofcom.org.uk/about/policies-and-guidelines/better-policy-making-ofcoms-approach-to-impact-assessment/>

Equality Impact Assessment

- 2.18 Following an initial assessment of our policy proposals we considered that it was reasonable to assume that any impacts on consumers and citizens arising from these proposals would not differ significantly between groups or classes of UK consumers and citizens, all of whom would have access to these services, potentially at end-user prices reflective of all general input costs, including opportunity costs of spectrum used.
- 2.19 We do not consider that there is evidence to suggest that costs imposed on stakeholders, would differ significantly by these aforementioned groups of consumers and citizens relative to consumers in general. This is because one would not expect the impact of supplying these consumers and citizens to differ significantly between these groups and consumers in general.
- 2.20 Therefore we have not carried out a full Equality Impact Assessment in relation to race equality or equality schemes under the Northern Ireland and disability equality schemes. This was because we were not aware that our decision was intended (or would, in practice) have a significant differential impact on different gender or racial groups, on consumers in Northern Ireland or on disabled consumers compared to consumers in general.

Document Structure

- 2.21 The document is structured as follows:
- Sections 3 to 5 outline our proposals to modify the current regulations for licence exemption;
 - Annexes 1 – 3 explain our consultation principles and how to respond to this consultation; and
 - Annex 4 sets out the consultation questions.

Next steps

- 2.22 We welcome stakeholder feedback to this consultation document. The deadline to submit responses to us is 5pm on 20 September 2015. We expect to release a statement on this consultation in November 2015, having taken into account stakeholder responses to our proposals.
- 2.23 In addition to the proposals set out in this document, any proposed regulations may also implement other decisions that Ofcom has or is currently consulting on. This is likely to include 4G handsets that connect to networks awarded as part of the 2.3 MHz and 3.4 GHz release programme⁶.
- 2.24 In order to implement any licence exemption proposals we are required to make regulations. If we go ahead and make regulations we may also use this opportunity to review the existing legislation with a view to consolidate where appropriate. We believe that this could make it easier for stakeholders to understand the regulatory environment and reduce the administrative burden.

⁶ Further information on these proposals can be found at <http://stakeholders.ofcom.org.uk/spectrum/spectrum-awards/>

- 2.25 It is a statutory requirement, under section 122(4) of the WT Act, that we give one month's notice of any proposed regulations. It is our current expectation that we will publish our draft regulations by December 2015. We hope to have the new regulations in place by February 2016.

Section 3

PMR 446

- 3.1 PMR 446 is the name given to “Walkie Talkies” operating in frequencies between 446.0 to 446.2 MHz. These devices provide short range, peer-to-peer voice only communications offering a basic, but very effective radio service for both the business and non-business users. PMR 446 is ideal for providing communication within a local area such as office buildings, factories, shops and building sites. The radios do not need a licence and there are no call charges to pay. The technology has proved extremely popular with a range of different types of radio users.
- 3.2 PMR 446 equipment is licence exempt⁷ providing users comply with the requirements set out in IR 2009⁸. The allocation of spectrum used by PMR 446 equipment is split into two bands, these are:
- i) 446.0-446.1 MHz for analogue PMR 446 (designated by ERC/DEC/(98)25); and
 - ii) 446.1-446.2 MHz for digital PMR 446 (designated by ECC/DEC/(05)12).
- 3.3 As part of our ongoing work in CEPT, Ofcom and other administrations reviewed the current use of the band. Out of this work on 3 July CEPT replaced the two current PMR 446 decisions with Electronic Communications Committee (ECC) Decision (05)15 (the “ECC Decision”)⁹. The purpose of the new ECC Decision was to make a number of changes to the harmonised usage conditions for analogue and digital PMR 446 radio equipment throughout Europe. The ECC Decision outlines the following recommendations¹⁰ to administrations:
- designate the band 446.0-446.2 MHz for the use of analogue PMR 446 with a channel plan based on 12.5 kHz spacing where the lowest carrier frequency is 446.00625 MHz;
 - designate the band 446.1-446.2 MHz for the use of digital PMR 446 with a channel plan based on 6.25 kHz and 12.5 kHz spacing where the lowest carrier frequencies are 446,103125 MHz and 446.10625 MHz respectively;
 - designate the band 446.0-446.2 MHz for the use of digital PMR 446 with a channel plan based on 6.25 kHz and 12.5 kHz spacing where the lowest carrier frequencies are 446,003125 MHz and 446.00625 MHz respectively as of 1 January 2018;
 - analogue PMR446 equipment operating in the frequency range 446.1-446.2 MHz should use more robust receivers as specified in ETSI TS 103 236 or equivalent technical specifications;

⁷ Wireless Telegraphy (Exemption) Regulations 2003, as amended

⁸ <http://stakeholders.ofcom.org.uk/binaries/spectrum/spectrum-policy-area/spectrum-management/research-guidelines-tech-info/interface-requirements/IR2009.pdf>

⁹ <http://www.erodocdb.dk/Docs/doc98/official/pdf/ECCDEC1505.PDF>

¹⁰ ECC decisions, unlike European Commission decisions, are not binding on administrations.

- analogue PMR446 equipment operating in the frequency range 446.0-446.1 MHz should use more robust receivers as specified in ETSI TS 103 236 or equivalent technical specifications when placed on the market as of 1 January 2017;
- that all PMR equipment is hand portable and shall use only integral antenna and an effective radiated power not exceeding 500 mW, while any base station, repeater or fixed infrastructure use is excluded;
- that the following technical characteristics shall be applied for PMR 446 applications in order to reduce the risk of harmful interference:
 - all PMR 446 radio equipment shall have reception capability;
 - PMR 446 radio equipment having Push-To-Talk (PTT) functionality capable of being latched 'on' shall apply a 180 seconds maximum transmitter time-out;
 - PMR 446 radio equipment having no Push-To-Talk (PTT) functionality shall apply a 180 seconds maximum transmitter time-out and VOX (Voice activation exchange) control;
- that compliance of PMR 446 radio equipment with all technical requirements shall be demonstrated with the applicable Harmonised European Standards ETSI EN 300 113-2, EN 301 166-2, or EN 300 296-2.

3.4 In order for us to implement the recommendations of the ECC Decision we are proposing to amend the current IR 2009 in regards to the following criteria:

- expand the analogue frequency band by 100 kHz from 446.0 to 446.1 MHz to 446.0 to 446.2 MHz;
- include the 180 second maximum transmit limit to the channel access and occupation requirements; and
- update references to the relevant ETSI standards which include the requirements for new equipment to have improved receiver performance.

3.5 A copy of the draft IR 2009 document can be found on our website¹¹.

3.6 In June 2015 CEPT instructed ETSI to begin work on updating the Harmonised Standards for PMR446 equipment in line with the changes introduced as a result of the ECC Decision and the Radio Equipment Directive (RED)¹². All of the Harmonised Standards work is based on PMR446 radio equipment being hand portable (no base station or repeater use) and devices use only integral antennas. This is in order to maximise sharing and minimise interference between users. As a result of this work the Harmonised Standards will change in the near future and new equipment will need to meet these requirements.

3.7 The ECC Decision also contains a recommendation to extend the use of Digital PMR 446 equipment from 446.1 to 446.2 MHz to 446.0 to 446.2 MHz from January 2018. We intend to implement this and will make the necessary changes at the earliest appropriate opportunity.

¹¹ http://stakeholders.ofcom.org.uk/spectrum/technical/interface-requirements/draft_ir/

¹² This is in the process of replacing the Radio and Telecommunications Terminal Equipment Directive (R&TTE Directive)

Question 1) Do you agree with our proposals to amend the current licence exemption criteria in order to implement the ECC Decision and allow analogue PMR 446 equipment to use the 446.0 to 446.2 MHz band?

Section 4

Railway Level Crossing Radar

- 4.1 As part of a process to improve safety at Railway Level Crossings in 2010 we exempted the use of Railway Level Crossing Radars¹³ that adhered to the criteria set out in IR 2080¹⁴. These systems are designed to detect objects located between the gates of a Railway Level Crossing. They then send information as to whether the crossing is clear of obstructions to an approaching train. If an obstacle is detected information is passed through the system to alert the driver who is able to take avoidance actions. As more Railway Level Crossings become fully automated, these systems are designed to increase the safety for pedestrians, vehicles and train passengers.
- 4.2 Due to a potential risk of interference to Radio Astronomy a condition of the 2010 licence exemption was that no devices could be installed within 20 km of six Radio Astronomy sites. These are outlined below in Figure 1.

Figure 1: Exclusion Zones surrounding Radio Astronomy sites

Site	NGR	Exclusion zone
Jodrell Bank	SJ 79650 50950	20 km
Cambridge	TL 39400 54000	20 km
Defford	SO 90200 44700	20 km
Darnhall	SJ 64275 62265	20 km
Knockin	SJ 32855 21880	20 km
Pickmere	SJ 70404 76945	20 km

- 4.3 However within these exclusion zones fall a number of Railway Level Crossings that could be upgraded to the new system. Network Rail and the Radio Astronomy service have been working together to come to some arrangement to resolve this issue. The outcome of this work was an agreement to replace the existing exclusion zones with coordination zones.
- 4.4 The proposed change would allow the deployment of Railway Level Crossing Radars within 20 km of one of the Radio Astronomy sites listed in Figure 1, providing that a coordination agreement is in place. The methodology, decision and appeal processes to determine whether a device can be deployed in the coordination zone is to be agreed between the rail network operators and the Radio Astronomy service.

Question 2) Do you agree with our proposal to change the Railway Level Crossing Radar exemption criteria in regards to exclusion zones?

¹³ http://www.legislation.gov.uk/ukxi/2010/2512/pdfs/ukxi_20102512_en.pdf

¹⁴ http://stakeholders.ofcom.org.uk/binaries/spectrum/spectrum-policy-area/spectrum-management/research-guidelines-tech-info/interface-requirements/IR_2080.pdf

Section 5

DECT equipment

- 5.1 The use of DECT equipment has been exempt for a number of years in the UK. The technology has been around since 1988 and although primarily developed and used for telephones the technology is also used in a wide variety of other devices including baby monitors, headsets and PMSE devices. DECT systems operate within the frequency band 1880 to 1900 MHz.
- 5.2 The current criteria for exemption are contained in the 2003 Exemption Regulations and falls under Schedule 4 on Cordless Telephony in the regulations. Devices must operate in accordance with IR 2011¹⁵. It should be noted that cordless telephony is not defined in the regulations or IR 2011. However, on our information sheet on cordless telephony¹⁶ we advise that “Cordless telephones operate by the use of a low power radio link between handset and base station, which in turn is connected to the public telephone network”.
- 5.3 As described above, the uses that DECT can be put to do not always require connection to a public telephone network. It is clear that other uses for DECT meet the technical criteria set out in IR 2011 and the relevant Harmonised Standards and therefore fall under the exemption. Given the ambiguity that the current regulations may invoke, we are proposing a slight amendment to the regulations to make it clear that DECT equipment can be used for other purposes other than cordless telephony.
- 5.4 We are proposing to move the technical requirements from the cordless telephony section (schedule 4) and place them with other licence exempt Short Range Devices¹⁷. This will require us to include the transmission parameters in IR 2030 and update the reference to the document in the regulations. This is an administrative change and imposes no additional requirements on users.

Question 3) Do you agree with our proposal to move DECT equipment from Cordless Telephony to the Short Range Device category?

¹⁵ <http://stakeholders.ofcom.org.uk/binaries/spectrum/spectrum-policy-area/spectrum-management/research-guidelines-tech-info/interface-requirements/ukinterface2011.pdf>

¹⁶ http://stakeholders.ofcom.org.uk/binaries/spectrum/spectrum-policy-area/spectrum-management/licence-exempt-radio-use/licence-exempt-devices/Cordless_telephony.pdf

¹⁷ Currently these are included in the Wireless Telegraphy (Exemption and Amendment) Regulations 2010.

Annex 1

Responding to this consultation

How to respond

- A1.1 Ofcom invites written views and comments on the issues raised in this document, to be made **by 5pm on 20 September 2015**.
- A1.2 Ofcom strongly prefers to receive responses using the online web form at <http://stakeholders.ofcom.org.uk/consultations/wta-exemptions-jul15/howtorespond/form>, as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 3), to indicate whether or not there are confidentiality issues. This response coversheet is incorporated into the online web form questionnaire.
- A1.3 For larger consultation responses - particularly those with supporting charts, tables or other data - please email paul.chapman@ofcom.org.uk attaching your response in Microsoft Word format, together with a consultation response coversheet.
- A1.4 Responses may alternatively be posted or faxed to the address below, marked with the title of the consultation.
- Paul Chapman
Spectrum Group
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA
- A1.5 Note that we do not need a hard copy in addition to an electronic version. Ofcom will acknowledge receipt of responses if they are submitted using the online web form but not otherwise.
- A1.6 It would be helpful if your response could include direct answers to the questions asked in this document, which are listed together at Annex 4. It would also help if you can explain why you hold your views and how Ofcom's proposals would impact on you.

Further information

- A1.7 If you want to discuss the issues and questions raised in this consultation, or need advice on the appropriate form of response, please contact Paul Chapman on 020 7981 3069.

Confidentiality

- A1.8 We believe it is important for everyone interested in an issue to see the views expressed by consultation respondents. We will therefore usually publish all responses on our website, www.ofcom.org.uk, ideally on receipt. If you think your response should be kept confidential, can you please specify what part or whether

all of your response should be kept confidential, and specify why. Please also place such parts in a separate annex.

- A1.9 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.10 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual property rights is explained further on its website at <http://www.ofcom.org.uk/terms-of-use/>

Next steps

- A1.11 Following the end of the consultation period, Ofcom intends to publish a statement in November 2015.
- A1.12 Please note that you can register to receive free mail Updates alerting you to the publications of relevant Ofcom documents. For more details please see: <http://www.ofcom.org.uk/email-updates/>

Ofcom's consultation processes

- A1.13 Ofcom seeks to ensure that responding to a consultation is easy as possible. For more information please see our consultation principles in Annex 2.
- A1.14 If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at consult@ofcom.org.uk . We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.15 If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Graham Howell, Secretary to the Corporation, who is Ofcom's consultation champion:

Graham Howell
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

Tel: 020 7981 3601

Email Graham.Howell@ofcom.org.uk

Annex 2

Ofcom's consultation principles

A2.1 Ofcom has published the following seven principles that it will follow for each public written consultation:

Before the consultation

A2.2 Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. If we do not have enough time to do this, we will hold an open meeting to explain our proposals shortly after announcing the consultation.

During the consultation

A2.3 We will be clear about who we are consulting, why, on what questions and for how long.

A2.4 We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened Plain English Guide for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.

A2.5 We will consult for up to 10 weeks depending on the potential impact of our proposals.

A2.6 A person within Ofcom will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organisations interested in the outcome of our decisions. Ofcom's 'Consultation Champion' will also be the main person to contact with views on the way we run our consultations.

A2.7 If we are not able to follow one of these principles, we will explain why.

After the consultation

A2.8 We think it is important for everyone interested in an issue to see the views of others during a consultation. We would usually publish all the responses we have received on our website. In our statement, we will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

Annex 3

Consultation response cover sheet

- A3.1 In the interests of transparency and good regulatory practice, we will publish all consultation responses in full on our website, www.ofcom.org.uk.
- A3.2 We have produced a coversheet for responses (see below) and would be very grateful if you could send one with your response (this is incorporated into the online web form if you respond in this way). This will speed up our processing of responses, and help to maintain confidentiality where appropriate.
- A3.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore Ofcom would encourage respondents to complete their coversheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A3.4 We strongly prefer to receive responses via the online web form which incorporates the coversheet. If you are responding via email, post or fax you can download an electronic copy of this coversheet in Word or RTF format from the 'Consultations' section of our website at <http://stakeholders.ofcom.org.uk/consultations/consultation-response-coversheet/>.
- A3.5 Please put any parts of your response you consider should be kept confidential in a separate annex to your response and include your reasons why this part of your response should not be published. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only, so that we don't have to edit your response.

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing Name/contact details/job title

Whole response Organisation

Part of the response If there is no separate annex, which parts?

If you want part of your response, your name or your organisation not to be published, 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)?

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)

Annex 4

Consultation question

Question 1) Do you agree with our proposals to amend the current licence exemption criteria in order to implement the ECC Decision and allow analogue PMR 446 equipment to use the 446.0 to 446.2 MHz band?

Question 2) Do you agree with our proposal to change the Railway Level Crossing Radar exemption criteria in regards to exclusion zones?

Question 3) Do you agree with our proposal to move DECT equipment from Cordless Telephony to the Short Range Device category?