
General notice of proposal to vary aircraft and aircraft (transportable) radiocommunications licences

Contents

Section

1. Overview	1
2. Our proposal	2
3. Variation process and how to respond	13

Annex

A1. Proposed changes to aircraft licences	16
A2. Proposed changes to aircraft (transportable) licences	27
A3. Abbreviations	37

1. Overview

This document sets out our proposal to vary all aircraft and aircraft (transportable) licences to update and simplify the licensing documentation that Ofcom issues.

- 1.1 Ofcom issues radiocommunications licences which allow the use of radio equipment on aircraft. Our aim is to improve the way we deliver these licences, by making licensing documentation more meaningful and easier to understand. We also want to streamline our licensing processes so that licences are easier to manage in the future.
- 1.2 The key changes we are proposing are to:
 - a) update and align the structure and content in current licences with the style and standard terms and conditions applicable to other licence types; and
 - b) update and simplify the information we hold on aircraft and radio equipment in our licensing database.
- 1.3 To deliver these improvements, we need to make administrative and presentational changes to licences. We are not proposing to change the substance of the terms and conditions or licence fees. This means that if licensees are complying with all the current terms and conditions of their licence then they will also comply with all the proposed new terms and conditions.

What we are proposing – in brief

We are proposing to make the following key changes to aircraft and aircraft (transportable) licences:

- Remove standard terms and conditions from the main licence document and instead refer to the [Wireless Telegraphy Licence Conditions Booklet OfW 597](#) ('WT Licence Conditions Booklet'), a booklet of standard terms of conditions available on our website.
- Include all terms and conditions which apply to specific types of aircraft equipment in the schedule of the licence document.
- Ensure all licence terms and conditions are clear and up to date.
- Simplify the type of information we hold on licensees.

You do not need to do anything in response to this proposal. However, if you wish to comment on it, you can make a representation via our [General Notice](#) page or the information provided in Section 3. The deadline for providing comments is 20 February 2022.

- 1.4 Full details of our proposal are outlined in this document. This document contains important information and licensees should read it carefully.
- 1.5 If we decide to proceed with the proposed changes, we will begin contacting affected licensees to provide them with their new licence document from the date of our final decision.

2. Our proposal

- 2.1 In this section, we provide an overview of the current licence structure and our proposal to vary all licences.¹ We explain the proposed changes, why we want to make them and what this means for affected licensees.
- 2.2 In Section 3, we set out the variation process including how licensees can respond. We also set out the next steps and the legal requirements that apply to the variation process.
- 2.3 Annexes 1 and 2 set out how the text in aircraft and aircraft (transportable) licences would change if we decide to proceed with the proposed changes.
- 2.4 Annex 3 explains the abbreviations that are used in this document.

Current licence structure

- 2.5 Ofcom issues radiocommunications licences to allow the use of radio equipment on aircraft (**aircraft licences**). Ofcom also issues licences which allow the use of hand-held portable radios on any aircraft, as well as the use of electronic conspicuity devices (ECDs) on piloted aircraft or unmanned aerial vehicles (**aircraft [transportable] licences**).
- 2.6 Currently, aircraft and aircraft (transportable) licences consist of at least the following two documents:
- a) the main licence document, which contains:
 - i) information specific to a licensee including their contact details, licence number and issue date; and
 - ii) standard terms and conditions relating to the installation and use of the radio equipment which are (1) specific to aircraft and aircraft (transportable) licences; and (2) apply to many licence types that Ofcom issues including aircraft and aircraft (transportable) licences; and
 - b) a separate schedule containing Ofcom's rules relating to exposure to electromagnetic frequencies (EMF) which apply to most licence types that Ofcom issues.²
- 2.7 Some licences also include the following:
- a) a separate document containing [terms and conditions](#) relating to specific equipment the licensee is authorised to use;
 - b) a separate document containing terms and conditions relating to use of equipment on the emergency services network (ESN) (which are applicable to some specialist services involved in search and rescue activities); and/or

¹ We refer to these licences as radiocommunications licences, spectrum licences or Wireless Telegraphy Act licences.

² More information about [electromagnetic fields \(EMF\)](#) is available on our website.

- c) a separate document containing terms and conditions relating to use of Search and Rescue (SAR) aircraft radio equipment and Maritime Mobile Service Identity (MMSI) (which are also applicable to some specialist services involved in search and rescue activities).

Summary of proposals

Update and align the licences with other licences Ofcom issues

2.8 We are proposing to:

- **Proposal A:** Align standard terms and conditions, which are applicable to most other licence types, with the WT Licence Conditions Booklet and remove them from the aircraft and aircraft (transportable) licence documents.
- **Proposal B:** Update and clarify standard terms and conditions in the licence document that are specific to aircraft and aircraft (transportable) licences.
- **Proposal C:** Simplify text in the licence document on when licence fees are due to align it with other licence types.

Update and simplify the terms and conditions for some equipment types

2.9 For aircraft licences only, we are proposing to:

- **Proposal D:** Amend how the terms and conditions for certain equipment are set out in the licence by including them all in the schedule of the licence.
- **Proposal E:** Remove references to certain European Union (EU) Decisions and Directives that are no longer applicable to licensees and update the table of frequency bands licensees can use to operate Wireless Access System (WAS) or WiFi equipment.

Update and simplify the type of information we display on a licence

2.10 We are proposing to:

- **Proposal F:** Remove the Ofcom internal product codes and instead state the 'Product' name as aircraft or aircraft (transportable).

2.11 For aircraft licences only, we are proposing to:

- **Proposal G:** State the aircraft make and model details in the licence separately, as recorded in the individual aircraft registries and International Civil Aviation Organisation (ICAO) database.
- **Proposal H:** Simplify how equipment types are presented by converting the description of radio equipment to a generic name for that equipment type.
- **Proposal I:** For gliders, we are proposing to include the registration number in the licence document.

- 2.12 We have published a draft version of the proposed new [aircraft](#) and [aircraft \(transportable\)](#) licence documents on our [General Notice](#) page. The current version of the [WT Licence Conditions Booklet](#) is also available on our website. Our proposed changes are listed individually as proposals A to I in this document. Annexes 1 and 2 further sets out how the text in the licence would change if we decide to proceed with the proposed changes.

Proposals to vary aircraft and aircraft (transportable) licences

Proposal A – Aligning standard terms and conditions and removing them from the licence document

Licence structure

- 2.13 Aircraft and aircraft (transportable) licences currently consist of both information specific to a licensee and standard terms and conditions.
- 2.14 We are proposing to change the structure of the licences by (a) removing the standard terms and conditions applicable to many licence types that Ofcom issues; and (b) adopting the standard terms and conditions and the EMF schedule in the [Wireless Telegraphy Licence Conditions Booklet OfW 597](#) which is available on our website. This would align the structure of aircraft and aircraft (transportable) licences with other licence types that Ofcom issues.
- 2.15 We are proposing that going forward the licence would consist of two separate parts:
- a) **The licence document:** This would include information specific to a licensee or specific to aircraft and aircraft (transportable) licensees including:
 - i) Licence Details and Validity: This section would include information such as the licensee’s contact details, licence number and the date their licence was issued.
 - ii) Radio Equipment: This section would identify the radio equipment authorised under the licence.
 - iii) Use of Radio Equipment: This section would set out standard terms and conditions relating to the use of the aircraft or aircraft (transportable) equipment which do not apply to other licence types that Ofcom issues.
 - iv) For aircraft licensees only, any terms and conditions relating to specific equipment types the licensee is authorised to use (see Proposal D below).
 - b) **WT Licence Conditions Booklet:** This would include the standard terms and conditions applicable to the installation and use of many licence types that Ofcom issues including all aircraft and aircraft (transportable) licences. These standard terms and conditions will be available on our website via [Wireless Telegraphy Licence Conditions Booklet OfW 597](#) and include the following conditions:
 - i) Condition 1: Licence Term, Variation and Revocation;
 - ii) Condition 2: Changes

- iii) Condition 3: Licence Fee
- iv) Condition 4: Radio Equipment Use
- v) Condition 5: Access and Inspection
- vi) Condition 6: Modification, Restriction and Closedown
- vii) Condition 7: Electromagnetic Fields (EMF) Compliance
- viii) Condition 8: Interpretation

- 2.16 These two documents together would form the licence. Licensees would be required to comply with all the terms and conditions in both the licence document and the separate WT Licence Conditions Booklet.
- 2.17 Licensees would be issued with their own licence document and would be able to access the WT Licence Conditions Booklet online.
- 2.18 We have used this same approach for several years in relation to many other licence types, enabling us to present a clear, single version of standard terms and conditions which can be easily accessed on our website. In particular, the EMF condition (which is applicable to all aircraft and aircraft (transportable) licences) would no longer be contained in a separate schedule and would be available in the WT Licence Conditions Booklet.
- 2.19 Ensuring the licence document only contains information specific to aircraft and aircraft (transportable) licences would also make it shorter and easier for Ofcom to manage its licensing processes efficiently in the future.

Aligning standard terms and conditions

- 2.20 By aligning them with the standard terms and conditions in the WT Licence Conditions Booklet we would, in practice, be changing or adding text in some of the standard terms and conditions currently applicable to aircraft and aircraft (transportable) licences.
- 2.21 There are a number of areas where current wording is different to the text used for other licences or does not reflect our current licensing practices. For example:
- a) The licence currently only sets out the delivery mechanism by which Ofcom will notify licensees of any variation or revocation of their licence (it simply states that Ofcom can issue a written notice to a licensee or issue a General Notice to a class of licensee). We are proposing to expand the text to (i) provide clarity on the grounds on which Ofcom can revoke a licence in accordance with the law; and (ii) identify the legal process we must follow when proposing to vary or revoke a licence.
 - b) There are currently references to the Civil Aviation Authority (CAA) being authorised to carry out inspections of radio equipment on Ofcom's behalf and agree changes to aircraft (transportable) equipment. However, Ofcom is now fully responsible for ensuring compliance with all the terms and conditions of aircraft and aircraft (transportable) licences and the CAA has its own separate processes relating to other aeronautical legislation and requirements.

- 2.22 We consider these proposed changes to be administrative amendments. They are either presentational changes to the style and formatting or updates to wording which do not change the substance of the relevant term or condition. The proposed changes would not impose any new restrictions on current operational radio use or impact the rights and obligations of licensees.

Proposal B – Updating and clarifying standard aircraft terms and conditions in the licence document

- 2.23 We are proposing to update and clarify the standard terms and conditions, which would remain in the licence document, that are specific to aircraft and aircraft (transportable) licences. The key changes we are proposing would:
- a) clarify the radio equipment authorised by the licence, terms and conditions relating to its use and the persons that are authorised to use the equipment. We are proposing to:
 - i) state that in the event of an emergency, where there is a risk to life, any person can use radio equipment to summon assistance.
 - ii) for aircraft licences, remove the text relating to glider pilots as this information is already covered under the Air Navigation Order 2016 (or equivalent legislation in the Crown Dependencies) and is therefore not necessary to include in the licence document.
 - iii) for aircraft (transportable) licences, clarify the circumstances in which a person using an ECD is not required to hold a Flight Radio Operators Licence.
 - b) remove references to obligations set out in other aeronautical legislation. These include:
 - i) obligations in the Air Navigation Order 2016 which do not relate to the use of radio equipment and are separately enforced by CAA (and equivalent obligations in legislation that applies in the Isle of Man, Guernsey, or Jersey). Licensees need to comply with these provisions regardless of whether they are identified the Ofcom licence.
 - ii) obligations in the Radio Regulations (made under the Constitution of the International Telecommunication Union) which are already covered by other provisions in the licence. Their removal would therefore simplify the licence text.

Proposal C – Simplifying and aligning information on when licence fees are due

- 2.24 Currently most aircraft and aircraft (transportable) licensees are required to pay a licence fee every three years and licences include a 'Fee payment date' at the start of the licence identifying the next date on which the licence fee is due. Until recently, Ofcom sent licensees a new version of their licence after they paid their licence fee which set out the next payment date. This process ensured that the licence always reflected a payment date in the future. Consequently, if inspected, the licence would not appear out of date.

- 2.25 To align with the approach taken for other Ofcom licences and to streamline the process, we recently decided not to issue a new licence every time licensees pay their fees. To address any inspection requirement to demonstrate a valid licence on request, we now instead, issue a letter acknowledging the receipt of payment and confirming the new payment due date for the licence which we encourage all licensees to keep with their licence document to present on any inspection. Licensees do not, therefore, need to replace the current version of the licence document for a new version every time they pay their licence fees and print a new version for inspection. There was no other reason for us to reissue the licence beyond updating the payment date since the licence continues in force upon payment of the fee (unless varied or revoked in accordance with the terms and conditions of the licence).
- 2.26 Consequently, to provide more meaningful information for licensees, in the licence document we are proposing to replace 'Payment date' with 'Payment interval'. This is to avoid confusion with regards to any future inspections where a date in the past could be confused with an expired licence.
- 2.27 Ofcom does issue some short-term licences which do not continue indefinitely but have an end date, (for example, for air shows) and in these cases the 'Payment interval' would be blank. For these short-term licences we would instead include a new row in the licence for 'Expiry date'. We believe this new information would be more meaningful and provide clarity for short-term licensees.
- 2.28 To reiterate, these are presentational changes and would not impose any new restrictions on current operational radio use or impact the rights and obligations of licensees. They would have no impact on the licence fee payable or on the timing or method by which we request payment. Licensees would be charged in the same way and at the same payment interval in the future.

Proposal D – Amending how the terms and conditions for certain equipment are set out in the licence

- 2.29 We are proposing a change to the way that the terms and conditions relating to the use of specific pieces of equipment are included in the licence. These conditions are currently contained in three areas i.e., the main body of the aircraft licence document, the licence schedule or in a separate document. As part of this licence variation, we are proposing that these terms and conditions would all be contained in the schedule of the licence. This is an administrative change and would not impact on licensees' current use of equipment.
- 2.30 We are proposing to move the provisions relating to the following equipment from the main body of the licence to the schedule:
- a) Aeronautical VHF hand portable radio equipment operating in the frequency band 118 to 137 MHz.
 - b) UHF radio equipment operating between 453.0125 to 462.4875 MHz.
 - c) Emergency locator transmitter operating on 121.5 and 406 MHz.

- d) Emergency radio equipment operating on 121.6 and 123.1 MHz.
- 2.31 For some other equipment (listed below) licensees must download additional terms and conditions from the Ofcom website.³ We are also proposing to move the terms and conditions for this other equipment to the schedule of the licence (and remove the separate document currently containing those terms and conditions from our website):
- a) Air Traffic Control (ATC) Transponder operating between 1030 to 1090 MHz
 - b) Earth Station On Mobile Platform (ESOMP) operating between 17300 to 30000 MHz
 - c) Mobile Communications on aircraft operating between 925 to 2170 MHz
 - d) 2 GHz CGC - Satellite-Facing Terminals and Complementary Ground Component-Facing Terminals Formatting Part of 2 GHz Mobile Satellite Service. This is referred to in the application form as *"2 GHz CGC operating between 1980 to 2185 MHz"*.
 - e) Wireless Access Spectrum (WAS)/ WiFi – installation and use of a satellite earth station and wireless access points on board the aircraft. This is referred to in the application form as *"WAS/WiFi operating between 2412 to 14500 MHz"*.
- 2.32 In addition to the proposal to move this equipment into the schedule of the licence, we are proposing to make some updates to these terms and conditions. These further proposed changes are set out in more detail in Proposal E.
- 2.33 For equipment used on the emergency services network or for search and rescue we currently issue a separate schedule to the licence including terms and conditions relating to the use of that equipment. We are proposing that these terms and conditions are also included in the schedule of the licence.
- 2.34 We believe that including all the additional terms and conditions relating to specific pieces of equipment in the licence schedule would make them more accessible. It would further simplify the licensing documentation and make the licence easier to understand.
- 2.35 Going forward, for new licence applications we would no longer include a default set of radio equipment as part of each licence. Applicants would instead need to select all the equipment they wish to install and use. We are making this change as not all licensees use all types of equipment listed on the licence and it would make the licence simpler and more relevant if we only identify equipment types a licensee intends to use.

Proposal E – Updating the terms and conditions for specific aircraft equipment types

- 2.36 We are proposing to update some of the terms and conditions in aircraft licences relating to the use of specific pieces of equipment to remove references to certain EU Decisions and Directives that are no longer applicable to licensees. We intend to:

³ Downloadable [terms and conditions](#) for some specific equipment are available on our website.

- a) Remove references to the Radio Equipment Directive (2014/53/EU) in the additional terms and conditions for 2 GHz Complementary Ground Components (CGCs) and Earth Stations on Mobile Platforms (ESOMPs) and replace them with references to the Radio Equipment Regulations 2017.
 - b) Remove reference to Commission Decision 2016/2317/EU in the specific terms and conditions relating to mobile communications on aircraft specific conditions which states that “equivalent specifications” to ETSI’s standards may be used and instead confirm that Ofcom may also permit the use of equivalent standards.
- 2.37 We are also proposing to remove definitions that were not or are not now referred to in the specific terms and conditions.
- 2.38 In the terms and conditions relating to WAS/WiFi, we are also proposing to:
- a) Update the WAS/RLAN table in line with recent changes to the authorisation of these bands and added two additional frequency bands that Ofcom has made available for WAS use. The bands are 5725 MHz to 5850 MHz and 5925 MHz to 6425 MHz.
 - b) Remove text which provided a carve out to allow airborne use in the 5150 to 5350 MHz and 5470 to 5725 MHz bands on the basis the relevant exemption regulations allow for the use of all the Wireless Access Point apparatus within an aircraft. This proposal is explained in more detail at the end of Annex A1 below.

Proposal F – Removing Ofcom internal product codes

- 2.39 In both aircraft and aircraft (transportable) licences, we are proposing to remove the three Sector/Class/Product codes currently displayed on the licences (470801, 470802 & 470803) and instead state the ‘Product’ name as aircraft or aircraft (transportable) depending on the licence type. This change is designed to remove an Ofcom internal code and replace it with a more meaningful description for the licensee.

Proposal G – Separately identifying aircraft make and model for aircraft licences

- 2.40 On the aircraft licence, we currently identify the aircraft type but do not separately identify the aircraft make and model.
- 2.41 We are proposing to separately identify the aircraft make and model details in the aircraft licence document to ensure the information we hold in our licensing database aligns with what is recorded in the individual aircraft registries and International Civil Aviation Organisation (ICAO) databases.
- 2.42 To do this, we plan to use the registration number held in our licensing system to obtain the aircraft make and model held by the individual aircraft registries⁴. Aligning the details

⁴ See [Civil Aviation Authority \(CAA\)](#), [IoM](#), [Guernsey](#), [Jersey](#) and [ICAO](#).

in our licensing database with the details held in these other databases would also resolve any inconsistencies.

- 2.43 For existing licences which are authorised to use equipment for search and rescue, we are also proposing to display the Maritime Mobile Service Identity (MMSI) number (which can be used to uniquely identify a SAR aircraft) in the licence. Licences do not currently display the MMSI number. Instead, we issue MMSI numbers to licensees in a separate document, called a Notice of Variation. Going forward we propose to reduce the number of documents we send to licensees by showing the MMSI number in the licence document.

Proposal H – Simplifying how equipment types are presented in the aircraft licence

- 2.44 Aircraft licences currently identify radio equipment in a non-standard format which varies between licences. For example, some licences identify the make and model of equipment and some more recent licences use more generic descriptions of equipment. We now use the generic equipment descriptions in our application forms.
- 2.45 We are proposing to convert the current description of radio equipment in aircraft licences to the generic name for that equipment type.
- 2.46 We are proposing that all equipment types authorised under the licence are presented in a list format which specifies the actual frequencies or frequency range that is allowed for the operation of the equipment. We believe this new format would simplify and clarify the equipment types that a licensee can use.
- 2.47 We are proposing to use the following 24 generic equipment types and present them in the licence document as follows (depending on which equipment types the licensee is authorised to use):
- a) 2 GHz CGC operating between 1980 to 2185 MHz
 - b) Air Traffic Control (ATC) Transponder operating between 1030 to 1090 MHz
 - c) Airborne Radar operating between 13250 to 13400 MHz
 - d) Area Navigation (NAV)/Distance Measuring Equipment (DME) operating between 960 to 1215 MHz
 - e) ATC Transponder Non FRTOL Holder operating between 1030 to 1090 MHz
 - f) Automatic Direction Finding (ADF) operating between 0.255 to 0.526 MHz
 - g) Distance Measuring Equipment (DME) operating between 960 to 1215 MHz
 - h) Emergency locator transmitter operating on 121.5 and 406 MHz
 - i) Emergency radio equipment operating on 123.1 and 121.6 MHz
 - j) Emergency Services Network Equipment operating between 800 to 2100 MHz
 - k) ESOMP operating between 17300 to 30000 MHz
 - l) Global Positioning Systems (GPS) operating between 1227.6 to 1575.42 MHz

- m) High Frequency Communications operating between 2.85 to 22 MHz
- n) Maritime radio equipment/SAR aircraft MMSI operating between 0.415 to 9500 MHz
- o) Marker Beacons operating between 74.8 to 75.2 MHz
- p) Mobile Communications on Aircraft operating between 925 to 2170 MHz
- q) Radio Altimeter operating between 4200 to 15700 MHz
- r) Satellite Communication operating between 1525 to 1660.5 MHz
- s) TCAS/ACAS operating between 1030 to 1090 MHz
- t) VHF Communication operating between 117.975 to 137 MHz
- u) VHF Navigation / Marker operating between 108 to 117.575 MHz
- v) VHF Portable operating between 117.975 to 137 MHz
- w) WAS/WiFi operating between 2412 to 14500 MHz
- x) Weather radar operating between 5350 to 9500 MHz

Proposal I – Adding glider registration number to licence document

- 2.48 Several aircraft licences are currently issued for aircraft type ‘glider’. Some of these aircraft do not have a registration number issued by the individual aircraft registries but have instead been issued a registration number by the British Gliders Association (BGA).
- 2.49 We hold the BGA registration number for the relevant licences in our licensing system but do not currently include this information in the licence document.
- 2.50 We are proposing to include the glider registration number in the licence document, as it would make it easier to identify the specific aircraft for inspection purposes. Existing licensees would not need to do anything.

Impact of our proposals

- 2.51 While we are proposing to change the structure and some of the wording in licences, we consider these changes to be presentational and administrative in nature. They are mainly intended to (1) update and align the structure and content in the current licences with those of other licence types that Ofcom issues; and (2) update and simplify the type of aircraft and equipment information we hold in our licensing database. Overall, these proposals are intended to simplify the format of the licensing documentation for licensees.
- 2.52 We do not therefore expect the proposed new terms and conditions to require licensees to take any additional steps to ensure they comply. If licensees are complying with all the current terms and conditions of their licence, then they would also comply with all the proposed new terms and conditions of their licence.

- 2.53 We therefore provisionally consider that our proposed changes are unlikely to have a significant impact on licensees in accordance with section 7 of the Communications Act 2003.
- 2.54 We recognise that Proposal A would require licensees to access the standard terms and conditions applicable to their licence online. It is possible that this change could have a detrimental impact on some licensees with protected characteristics under the Equality Act 2010 (for example, elderly or disabled licensees) who may not have access to or be competent in using the internet. However, we expect most holders of an aircraft or aircraft (transportable) licences to be able to obtain access to the internet and assistance where needed, to be fully informed of the obligations under their licence.
- 2.55 Where this is not the case, Ofcom can also provide licensees with the standard terms and conditions applicable to their licence on request and can provide information in a variety of formats, e.g., PDF, large print, easy read, audio recording or braille. If a licensee can let us know what information required and in what format, we will consider the request and respond within 21 days.
- 2.56 We do not therefore consider that our proposals are likely to affect any groups with protected characteristics under the Equality Act 2010.
- 2.57 We have identified the key changes that we are proposing to the aircraft and aircraft (transportable) licences in Annexes A1 and A2 respectively in this document.

3. Variation process and how to respond

Our proposal

- 3.1 For Ofcom to vary your licence we must first let affected licensees know that we are proposing to do this and explain the reasons why. We can do this either by individually contacting affected licensees or by publishing our proposal on our website. Where we publish a proposal on our website, it is called a General Notice.
- 3.2 As part of this process, we must also:
- a) allow licensees the opportunity to respond or provide comments on our proposal if they wish to do so; and
 - b) specify a period (generally of at least 30 days) during which licensees can provide any comments they may wish to make.
- 3.3 As we advised in the emails and letters we sent out when varying licences to include the EMF schedule, Ofcom intends to make greater use of General Notices in the future and will not always individually notify licensees that we have published a General Notice on our website. For this licence variation, we have published this document on our website and sent an email update to licensees that have signed up to our spectrum email updates to inform them of our proposal. We have also informed representative aircraft organisations of our proposals.

Responding to our proposal

- 3.4 Any response or comments a licensee provides in writing to our proposal is called a 'representation'. If you wish to make a representation, it must be received by Ofcom by the closing date on 20 February 2022.
- 3.5 You may send a representation via our online licensing portal: in [English](#) or [Welsh](#), or by post, to the following address: Aircraft Variation Representation, Ofcom, PO Box 1285, Warrington, WA1 9GL. We recommend that you make a representation online, if possible, to ensure we receive it before the closing date.
- 3.6 If you do not wish to make a representation, you do not need to take any action. We will contact affected licensees again at the end of this process.

Our final decision

- 3.7 Once the deadline for providing a representation has passed, Ofcom will consider all the representations that have been provided. We must then decide whether to go ahead with our proposal. We may decide to vary licences in accordance with our proposal or with some modifications to our proposal.
- 3.8 We must make our final decision within one month of the deadline for providing a representation. We must also let affected licensees know what we have decided and

explain the reasons for our decision. We can do this either by individually contacting affected licensees or by publishing our final decision on our website (which is again called a General Notice). We would subsequently send licensees their new licence document via their preferred communication method.

- 3.9 On the basis that the deadline for providing a representation is 20 February 2022, we will publish our decision no later than 18 March 2022 on our [General Notice](#) and send an email update to licensees that have signed up to our spectrum email updates to inform them of our decision.
- 3.10 If you would like to stay up to date with this proposal and our final decision, or more generally with our spectrum updates, you can [subscribe to radio spectrum updates](#).
- 3.11 We are also intending to introduce a new online licensing system and encourage all licensees to sign-up to manage their licence online once that new system becomes available.

Effect of our decision

- 3.12 If we decide to vary licences in accordance with our proposal, we will make the changes to licences that we have explained in this document. We would also:
- a) amend the [Wireless Telegraphy Licence Conditions Booklet OfW 597](#) Booklet to refer to aircraft and aircraft (transportable) licences;
 - b) remove the document containing [terms and conditions](#) relating to specific equipment types from our website.
- 3.13 We would then begin contacting licensees to provide them with their new licence document. This process would be phased over a period of time.
- 3.14 From the date of our final decision, affected licensees would need to ensure they comply with all the terms and conditions of their licence, including:
- a) all the terms and conditions in their licence document, including any additional terms and conditions relating to specific equipment types; and
 - b) all the standard terms and conditions in the WT Licence Conditions Booklet.

However, if licensees are already complying with all the terms and conditions of their licence, then they would also comply with all the proposed new terms and conditions of their licence without needing to take any further action.

- 3.15 While the licence variation process is ongoing, we would still accept new licence applications and issue new licences. If a licensee decides to apply for a licence (or continue with a licence application) during this time, they would be doing so on the basis they agree to have their licence subsequently varied in accordance with our final decision. This means that licensees that apply for a new licence after the date of this document but before we publish our final decision would, following the conclusion of the licence variation process, have their licence automatically varied in accordance with our final decision.

Legal requirements

- 3.16 This document is a General Notice. It gives notice of our proposal to vary the licences. It has been issued in accordance with paragraphs 6, 6A and 7 of Schedule 1 of the Wireless Telegraphy Act 2006 (the Act) and the terms and conditions applicable to aircraft and aircraft (transportable) licences. In particular:
- a) Paragraphs 6(b) and 7(1) of Schedule 1 of the Act and the terms and conditions of aircraft and aircraft (transportable) licences allow Ofcom to propose vary licences by publishing a General Notice on its website.
 - b) For the following reasons, we consider our proposal to be objectively justifiable, transparent, non-discriminatory, and proportionate in accordance with the requirements in section 9(7) and paragraph 6A of Schedule 1 of the Act:
 - i) **Objectively justified and transparent:** Our proposals are intended to improve the way we deliver aircraft and aircraft (transportable) licences. Our proposals are intended to (1) make the licensing documentation clearer, easier to understand and more meaningful for licensees; and (2) bring standard terms and conditions in line with other licences Ofcom issues. Making standard terms and conditions available on our website should also make them more transparent, user-friendly, and accessible. It would mean a licensee would no longer be required to keep up to five separate documents. Our proposals are also intended to streamline our licensing processes and make licences easier to manage in the future. Overall, we consider our proposals are likely to improve the transparency, efficiency, and robustness of our licensing practices.
 - ii) **Non-discriminatory:** Our proposals would apply to all aircraft and aircraft (transportable) licences without exception.
 - iii) **Proportionate:** Our proposals would not impose any new restrictions on current operational radio use or impact the rights and obligations of licensees. If licensees are complying with all the current terms and conditions of their licence, then they would also comply with all the proposed new terms and conditions of their licence.
 - c) This General Notice constitutes our proposal in accordance with the requirements in paragraph 7(1) of Schedule 1 of the Act; it gives notice of our proposal to affected licensees, explains the reasons for our proposal and specifies the period during which affected licensees have an opportunity to make representations about our proposal.

How to stay up to date

- 3.17 We encourage all licensees to [subscribe to email spectrum updates](#) to stay up to date with our proposal, decision, and any future changes.

A1. Proposed changes to aircraft licences

A1.1 We have set out below a summary of the key changes we are proposing to make to the current sections of the aircraft licence. Additions are highlighted in yellow and underlined; deletions are highlighted in yellow and struck through.

Changes we are proposing	Relevant proposal(s)																														
<p>1. Licence Details and Validity</p> <table border="1" data-bbox="208 502 797 1142"> <tr> <td>Sector/class/product</td> <td>470801</td> </tr> <tr> <td>Product name</td> <td>Aircraft</td> </tr> <tr> <td>Licence number</td> <td></td> </tr> <tr> <td>Aircraft Reg</td> <td></td> </tr> <tr> <td>Aircraft Type</td> <td></td> </tr> <tr> <td>Aircraft Make</td> <td></td> </tr> <tr> <td>Aircraft Model</td> <td></td> </tr> <tr> <td>MMSI</td> <td></td> </tr> <tr> <td>Date of issue</td> <td></td> </tr> <tr> <td>Licence start date</td> <td></td> </tr> <tr> <td>Fee payment date</td> <td></td> </tr> <tr> <td>Payment interval</td> <td></td> </tr> <tr> <td>Licence Expiry Date</td> <td></td> </tr> <tr> <td>Licensee Name</td> <td></td> </tr> <tr> <td>Licensee address</td> <td></td> </tr> </table> <p>1. This Licence is issued by the Office of Communications (“Ofcom”) on [DATE] and replaces any previous authority granted in respect of the service subject to this Licence by Ofcom or by the Secretary of State.</p> <p>2. This licence authorises [NAME] (“the Licensee”) to establish, install and/or use radio transmitting and/or receiving stations and/or radio apparatus as described in the schedule(s)</p>	Sector/class/product	470801	Product name	Aircraft	Licence number		Aircraft Reg		Aircraft Type		Aircraft Make		Aircraft Model		MMSI		Date of issue		Licence start date		Fee payment date		Payment interval		Licence Expiry Date		Licensee Name		Licensee address		<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Referencing the terms of the Wireless Telegraphy Licence Conditions Booklet OfW 597 which will also form part of the licence. <p><u>Proposal C:</u></p> <ul style="list-style-type: none"> Simplifying and aligning information on when licence fees are due with other licence types. <p><u>Proposal F:</u></p> <ul style="list-style-type: none"> Removing Ofcom internal Sector/class/product codes and instead stating the ‘Product’ name as aircraft. <p><u>Proposal G:</u></p> <ul style="list-style-type: none"> Separately identifying the aircraft make and model details. Identifying the “MMSI” number for any existing licence with equipment type Maritime radio
Sector/class/product	470801																														
Product name	Aircraft																														
Licence number																															
Aircraft Reg																															
Aircraft Type																															
Aircraft Make																															
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MMSI																															
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Licence start date																															
Fee payment date																															
Payment interval																															
Licence Expiry Date																															
Licensee Name																															
Licensee address																															

Changes we are proposing	Relevant proposal(s)
<p><u>(together called “the Radio Equipment”)</u> subject to the terms set out below <u>and subject to the terms of the</u> Wireless Telegraphy Licence Conditions Booklet OfW 597.</p> <p><u>3. The schedules (and any subsequent schedule(s) Ofcom may issue as a variation to this Licence at a later date) as well as the Wireless Telegraphy Licence Conditions Booklet OfW 597 are incorporated into and form part of this Licence.</u></p>	<p>equipment/SAR aircraft MMSI operating between 0.415 to 9500 MHz.</p> <p><u>Proposal I:</u></p> <ul style="list-style-type: none"> For gliders, adding glider registration number to the “Aircraft Reg” row in the licence document.
<p><u>“The licence also authorises the use of Aeronautical VHF Hand portable radio equipment operating in the frequency band 118 to 137 MHz and UHF radio equipment operating in the frequency bands 455.475 to 455.850 MHz and 460.775 to 461.225 MHz for use on the above named aircraft. Emergency equipment operating in frequency bands 121.5 MHz and 406 MHz are also authorised. Where this licence authorises the use of equipment operating on the emergency frequency (121.5 MHz), the auxiliary frequency for search and rescue operations (123.1 MHz) or the airport fire service frequency (121.6 MHz), the equipment may operate 25 kHz channel spacing on these frequencies.”</u></p> <p><u>Schedule 1</u></p> <p><u>Emergency locator transmitter operating on 121.5 and 406 MHz</u></p> <p><u>Emergency radio equipment operating on 123.1 and 121.6 MHz</u></p> <p><u>UHF radio equipment operating between 453.0125 to 462.4875 MHz</u></p> <p><u>VHF Portable operating between 117.975 to 137 MHz</u></p> <p><u>Schedule 2</u></p> <p><u>Emergency radio equipment</u></p>	<p>These proposed changes relate to:</p> <p><u>Proposal D:</u></p> <ul style="list-style-type: none"> Moving the provisions relating to the default set of radio equipment into the schedule of the licence.

Changes we are proposing	Relevant proposal(s)
<p><u>1. When operating on the emergency frequency (121.5 MHz), the auxiliary frequency for search and rescue operations (123.1 MHz) or the airport fire service frequency (121.6 MHz), the equipment may operate 25 kHz channel spacing on these frequencies.</u></p> <p><u>Emergency locator transmitter</u></p> <p><u>H1. When operating on the emergency frequency (121.5 MHz) the equipment may operate 25 kHz channel spacing on these frequencies.</u></p>	
<p><u>Licence Term</u> The licence shall continue in force until revoked by Ofcom or surrendered by the Licensee.</p> <p><u>Licence Variation and Revocation</u> Ofcom may exercise their power to vary or revoke this licence by a written notice served on the Licensee or by a general notice applicable to holders of this class of Licence.</p> <p><u>Licence Term, Variation and Revocation [Condition 1 in WT Licence Conditions Booklet]</u></p> <p><u>1. The Licence shall continue in force until revoked by Ofcom or surrendered by the Licensee.</u></p> <p><u>2. Pursuant to schedule 1 paragraph 8 of the Act Ofcom may not revoke this licence under schedule 1 paragraph 6 except:</u></p> <p><u>(a) at the request of, or with the consent of, the Licensee;</u></p> <p><u>(b) if there has been a breach of any of the conditions of the licence;</u></p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Aligning the current standard terms and conditions applicable to aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. The current text only sets out the delivery mechanism by Ofcom will notify licensees of any variation or revocation of their licence. We are not proposing to change this text. We are however proposing to expand the text to (1) provide clarity on the grounds on which Ofcom can revoke a licence in accordance with the law; and (2) identify the legal process we must follow when proposing to vary or revoke a licence.

Changes we are proposing	Relevant proposal(s)
<p>(c) if, in connection with the transfer or proposed transfer of rights and obligations arising by virtue of the licence, there has been a breach of any provision of regulations made by Ofcom under the powers conferred by section 30 (1) and (3) of the Act⁵;</p> <p>(d) in accordance with schedule 1 paragraph 8(5) of the Act;</p> <p>(e) if it appears to Ofcom to be necessary or expedient to revoke the licence for the purposes of complying with a direction by the Secretary of State given to Ofcom under section 5 of the Act or section 5 of the Communications Act 2003; or</p> <p>(f) for reasons related to the management of the radio spectrum, provided that in such case the power to revoke may only be exercised after a 5-year notice is given in writing to the Licensee.</p> <p>3. Where Ofcom exercise their power to revoke or vary the licence in accordance with schedule 1 paragraph 6 of the Act, the Licensee shall be notified in writing or by a general notice. Any general notices will be posted on the Ofcom website: https://www.ofcom.org.uk/</p>	
<p>User of the Station</p> <p>The Licensee shall not permit or suffer any person to use the station unless that person:</p> <p>(a) possesses a valid Flight Radio Telephony Operators licences issued by or rendered valid by the Civil Aviation Authority; or</p> <p>(b) is under the supervision of a person possessing the above.</p> <p>Article 51(2) of the Air Navigation Order exempts glider pilots operating on the nominated glider frequencies and persons being trained as flight crew in UK registered aircraft from the requirement to hold an operator's qualification. However, glider pilots must contact air traffic</p>	<p>These proposed changes relate to:</p> <p><u>Proposal B:</u></p> <ul style="list-style-type: none"> Updating the licence document to clarify that the licensee must comply with the terms and conditions on the use of radio equipment which are contained in both the licence document and the WT Licence Conditions Booklet.

⁵ These are regulations on spectrum trading.

Changes we are proposing	Relevant proposal(s)
<p>control if they wish to enter controlled airspace for which they must hold the Flight Radiotelephony Operators licence.</p> <p>The Licensee shall ensure that all persons using the station are made aware of and comply with the terms of this licence.</p> <p>Use of Radio Equipment [for licence document]</p> <p>2. The Radio Equipment may only be used in accordance with Condition 4 of the Wireless Telegraphy Licence Conditions Booklet OfW 597 and the terms and conditions set out below and in any subsequent schedules.</p> <p>3. The Radio Equipment may only be used as follows:</p> <p>(a) by a person who holds (or is under the direct supervision of a person who holds) a valid Flight Radio Telephony Operator Licence issued by the Civil Aviation Authority (CAA) or equivalent licence issued by a national aviation authority, unless such a requirement has been exempted under the Air Navigation Order 2016, as amended, or equivalent legislation that applies in the Isle of Man, Guernsey or Jersey; or</p> <p>(b) in the event of an emergency where there is a risk to life, by any person to summon assistance.</p> <p>Radio Equipment Use [Condition 4 in WT Licence Conditions Booklet]</p> <p>1. The Licensee must ensure that the Radio Equipment relevant to each licence is constructed, established, installed and used only in accordance with the provisions specified in this the individual licence schedules. Any proposal to amend any detail specified in the those schedule(s) must be agreed with Ofcom in advance and implemented only after this that Licence has been varied and/ or reissued accordingly.</p>	<ul style="list-style-type: none"> • Updating the licence document to clarify the persons that are authorised to use the aircraft radio equipment in the licence document. In particular, we are proposing to: <ul style="list-style-type: none"> ○ State that in the event of an emergency where there is a risk of life, any person can use radio equipment to summon assistance. ○ Remove the text relating to glider pilots as this information is already covered under the Air Navigation Order (or equivalent legislation in the Crown Dependencies) and is therefore not necessary to include in the licence document. <p>Proposal A:</p> <ul style="list-style-type: none"> • Aligning the current standard terms and conditions relating to the use of radio equipment in aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. • In particular, we are proposing to add a clause confirming that the licensee needs to comply with Condition 7 of the WT Licence Conditions Booklet relating to EMF compliance. This condition was

Changes we are proposing	Relevant proposal(s)
<p>2. The Licensee must ensure that the Radio Equipment is used only by persons who have been authorised by the Licensee to do so, and that such persons are made aware of, and of the requirement to comply with, the terms of <u>the this Licence</u>.</p> <p>3. <u>The Licensee shall ensure that the establishment, installation, modification or use of the Radio Equipment is carried out in accordance with the provisions set out in condition 7 of this Licence in relation to electromagnetic field (EMF) exposure.</u></p>	<p>sent to licensees as a separate schedule to their licence following our final decision dated 18 May 2021 and we are proposing it is now contained in the WT Licence Conditions Booklet which is applicable to other licence types. Further information on our EMF condition is available on our website.</p>
<p>Other requirements</p> <p><u>The Licensee and all persons using the station shall comply with:</u></p> <p><u>(a) the relevant provisions of the International Telecommunication Union Constitution and Convention and the Radio Regulations thereunder, in particular (without prejudice to the generality of the foregoing) article 33 of the Constitution, and articles 36, 37, 39, 42 and No 44.1 of the Radio Regulations; and</u></p> <p><u>(b) [For UK]: the relevant statutes and statutory instruments including (without prejudice to the generality of the foregoing), the Wireless Telegraphy Act, the Civil Aviation Act 1982 and the Air Navigation Order 2016, as amended.</u></p> <p><u>(b) [For Jersey]: the relevant statutes and statutory instruments including (without prejudice to the generality of the foregoing), the Wireless Telegraphy Act, the Civil Aviation Act 1982 and the Air Navigation (Jersey) Law 2014, as amended.</u></p> <p><u>(b) [For Isle of Man]: the relevant statutes and statutory instruments including (without prejudice to the generality of the foregoing), the Wireless Telegraphy Act, the Civil Aviation Act 1982 and the Air Navigation (Isle of Man) Order 2015 as amended</u></p>	<p>These proposed changes relate to:</p> <p><u>Proposal B:</u></p> <ul style="list-style-type: none"> Updating the licence document to remove references to other aeronautical obligations.

Changes we are proposing	Relevant proposal(s)
<p>(b) [For Guernsey]: the relevant statutes and statutory instruments including (without prejudice to the generality of the foregoing), the Wireless Telegraphy Act, the Civil Aviation Act 1982 and the Air Navigation (Bailiwick of Guernsey) Law, 2012, as amended.</p>	
<p>Changes [Condition 2 in WT Licence Conditions Booklet]</p> <p>1. This Licence may not be transferred.</p> <p>2. The Licensee must give Ofcom prior or immediate notice to Ofcom in writing of any change in to the details of the Licensee's name and /or address from that recorded above on the Licence.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Aligning the current standard terms and conditions relating to any changes with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types.
<p>Licence Fees [Condition 3 in WT Licence Conditions Booklet]</p> <p>1. The Licensee shall pay to Ofcom the relevant fee sums as provided in section 12 of the Wireless Telegraphy Act and the regulations made thereunder:</p> <p>(a) i) on or before the date of issue of the Licence; and /or</p> <p>(b) ii) on or before the fee payment date shown above each year, or on the Licence for subsequent payments or before such other date or dates as shall be notified in writing to the Licensee, in accordance with those regulations and any relevant terms, provisions and limitations of the Licence failing which Ofcom may revoke this Licence.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Aligning the current standard terms and conditions relating to Radio equipment use in aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. In particular, we are proposing to remove the specific reference to licence revocation on the basis this is now covered by the more detailed clause we are proposing on the licence "Term" above – the proposed new licence "Term" clause

Changes we are proposing	Relevant proposal(s)
	<p>explains that Ofcom may revoke a licence in the event of a breach of a licence term (which would include a failure to pay fees).</p>
<p>Access and Inspection [Condition 5 in WT Licence Conditions Booklet]</p> <p>1. The Licensee shall permit representatives of any person authorised by Ofcom or the CAA authorised by Ofcom:</p> <p>(a) i) to have access to the Radio Equipment; and</p> <p>(b) ii) to inspect this the Licence and Radio Equipment, at any and all reasonable times (or, when, in the opinion of that person Ofcom, an urgent situation exists, at any time) for the purpose of verifying compliance to ensure that the Radio Equipment is being used in accordance with the terms of this the Licence.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Aligning the current standard terms and conditions relating to Radio equipment use in aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. In particular, we are proposing to remove the text which states the CAA may be authorised to have access to radio equipment and carry out inspections on Ofcom’s behalf. This is because Ofcom is now fully responsible for ensuring compliance with all the terms and conditions of aircraft and aircraft (transportable) licences and the CAA has its own separate processes relating to other aeronautical legislation and requirements.
<p>Modification, Restriction and Closedown [Condition 6 in WT Licence Conditions Booklet]</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p>

Changes we are proposing	Relevant proposal(s)																										
<p>1. A person authorised by Ofcom may require the Radio Equipment, or any part thereof, to be modified or restricted in use, or temporarily or permanently closed down immediately if in the opinion of the person authorised by Ofcom:</p> <p>(a) i) a breach of this the Licence has occurred; and/or</p> <p>(b) ii) the use of the Radio Equipment is causing or contributing to undue interference to the authorised use of other authorised radio equipment.</p> <p>2. Ofcom may require the Radio Equipment to be modified or restricted in use, or temporarily closed down either immediately or on the expiry of such period as may be specified: (a) in the interests of long term spectrum planning; or (b) in the event of a national or local state of emergency being declared. Ofcom shall may only exercise their this power by after a written notice is served on the Licensee and/ or a general notice applicable to holders of a named this class of Licence is published on Ofcom's website (www.ofcom.org.uk).</p>	<ul style="list-style-type: none"> Aligning the current standard terms and conditions relating to Radio equipment use in aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. In particular, in light of the more detailed clause we are proposing on the licence 'Term' above, we no longer require the text relating to long-term spectrum planning. 																										
<p>Additional terms and conditions applicable to WAS/WiFi</p> <p>C1. For the Wireless Access Point equipment and Satellite Earth Station on Aircraft, as described in the tTable 1 below (together, "the WAS/Wi-Fi Equipment"), the terms and conditions in Clauses C2 to C4 below shall also apply:</p> <p>Table 1</p> <table border="1" data-bbox="203 1075 1155 1375"> <thead> <tr> <th rowspan="2"></th> <th rowspan="2">Equipment description</th> <th colspan="2">Frequency range</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Wireless Access Point</td> <td>2412 MHz</td> <td>2472 MHz</td> </tr> <tr> <td>2</td> <td>Wireless Access Point</td> <td>2457 MHz</td> <td>2472 MHz</td> </tr> <tr> <td>3</td> <td>Wireless Access Point</td> <td>5150 MHz</td> <td>5350 MHz</td> </tr> <tr> <td>4</td> <td>Wireless Access Point</td> <td>5470 MHz</td> <td>5725 MHz – 5730 MHz</td> </tr> <tr> <td>5</td> <td>Wireless Access Point</td> <td>5725 MHz</td> <td>5850 MHz</td> </tr> </tbody> </table>		Equipment description	Frequency range		From	To	1	Wireless Access Point	2412 MHz	2472 MHz	2	Wireless Access Point	2457 MHz	2472 MHz	3	Wireless Access Point	5150 MHz	5350 MHz	4	Wireless Access Point	5470 MHz	5725 MHz – 5730 MHz	5	Wireless Access Point	5725 MHz	5850 MHz	<p>These proposed changes relate to:</p> <p><u>Proposal E:</u></p> <ul style="list-style-type: none"> Updating WAS/RLAN table in line with recent changes to the authorisation of these bands and added two additional frequency bands that Ofcom has made available for WAS use. Further information is available in our Statement on Improving spectrum access for Wi-Fi: Spectrum use in the 5 GHz and 6 GHz bands dated 24 July 2020. Making corresponding changes to the conditions and removing part (b). Both parts (a) and (b)
			Equipment description	Frequency range																							
	From	To																									
1	Wireless Access Point	2412 MHz	2472 MHz																								
2	Wireless Access Point	2457 MHz	2472 MHz																								
3	Wireless Access Point	5150 MHz	5350 MHz																								
4	Wireless Access Point	5470 MHz	5725 MHz – 5730 MHz																								
5	Wireless Access Point	5725 MHz	5850 MHz																								

Changes we are proposing				Relevant proposal(s)
<u>6</u>	<u>Wireless Access Point</u>	<u>5925 MHz</u>	<u>6425 MHz</u>	<p>explained that the licensee needs to comply with the relevant exemption regulations⁶ when using the Wireless Access Point apparatus but point (b) provided a carve out to allow airborne use in the 5150 to 5350 MHz and 5470 to 5725 MHz bands. However, the current exemption regulations allow for the use of all the Wireless Access Point apparatus within an aircraft. As a result, part (b) is in our view no longer necessary as the use of all Wireless Access Point apparatus is covered under the revised part (a). Further information is available on pages 33 – 36 of Interface Requirement IR 2030.</p>
<u>7-5</u>	Satellite Earth Station on Aircraft	14 GHz	14.5 GHz	
<p>C2. In relation to the use of the Wireless Access Point apparatus, described in rows 1 to <u>4</u> <u>6</u> of the above <u>Table 1</u> (“the Wireless Access Point apparatus”) <u>above</u>:</p> <p>(a) The Licence does not authorise the use of the Wireless Access Point apparatus described in rows 1 to <u>2</u> <u>6</u> of <u>Table 1</u> above when the Aircraft is in or over (or for the time being in or over) the United Kingdom or any of the Crown Dependencies (including, in each case, their territorial seas). Such use must be in accordance with applicable exemption regulations;</p> <p>(b) When the Aircraft is in or over (or for the time being in or over) the United Kingdom or any of the Crown Dependencies (including, in each case, their territorial seas), the use of the Wireless Access Point apparatus described in rows 3 and 4 of table 1, above must be in accordance with applicable exemption regulations, save that airborne use is authorised;</p>				

⁶ See: [Wireless Telegraphy \(Exemption\) Regulations 2021](#)

General notice of proposal to vary aircraft and aircraft (transportable) radiocommunications licences

Changes we are proposing	Relevant proposal(s)
<p>(c) The use of the Wireless Access Point apparatus, described in rows 1 to 4 6 of Table 1 above must be in conformity with applicable provisions of Interface Requirement IR 2030, published by Ofcom;</p> <p>C3. In relation to the use of the Satellite Earth Station, described in row 5 7 of the table above (“the Satellite Earth Station”), the following shall apply:</p> <p>[...]</p>	

A2. Proposed changes to aircraft (transportable) licences

A2.1 We have set out below a summary of the key changes we are proposing to make to the current sections of the aircraft (transportable) licence.

Changes we are proposing	Relevant proposal(s)																				
<p>1. Licence Details and Validity</p> <table border="1" data-bbox="208 480 797 1107"> <tr> <td data-bbox="208 480 501 536">Sector/class/product</td> <td data-bbox="501 480 797 536">470801</td> </tr> <tr> <td data-bbox="208 536 501 639">Product Name</td> <td data-bbox="501 536 797 639">Aircraft (Transportable)</td> </tr> <tr> <td data-bbox="208 639 501 695">Licence number</td> <td data-bbox="501 639 797 695"></td> </tr> <tr> <td data-bbox="208 695 501 751">Date of issue</td> <td data-bbox="501 695 797 751"></td> </tr> <tr> <td data-bbox="208 751 501 807">Licence start date</td> <td data-bbox="501 751 797 807"></td> </tr> <tr> <td data-bbox="208 807 501 863">Fee payment date</td> <td data-bbox="501 807 797 863"></td> </tr> <tr> <td data-bbox="208 863 501 919">Payment interval</td> <td data-bbox="501 863 797 919"></td> </tr> <tr> <td data-bbox="208 919 501 975">Licence Expiry Date</td> <td data-bbox="501 919 797 975"></td> </tr> <tr> <td data-bbox="208 975 501 1031">Licensee Name</td> <td data-bbox="501 975 797 1031"></td> </tr> <tr> <td data-bbox="208 1031 501 1107">Licensee address</td> <td data-bbox="501 1031 797 1107"></td> </tr> </table> <p>1. This Licence is issued by the Office of Communications (“Ofcom”) on [DATE] and replaces any previous authority granted in respect of the service subject to this Licence by Ofcom or by the Secretary of State.</p>	Sector/class/product	470801	Product Name	Aircraft (Transportable)	Licence number		Date of issue		Licence start date		Fee payment date		Payment interval		Licence Expiry Date		Licensee Name		Licensee address		<p>These proposed changes relate to:</p> <p><u>Proposal B:</u></p> <ul style="list-style-type: none"> Referencing the terms of the Wireless Telegraphy Licence Conditions Booklet OfW 597 which will also form part of the licence. <p><u>Proposal C:</u></p> <ul style="list-style-type: none"> Simplifying and aligning information on when licence fees are due with other licence types. <p><u>Proposal F:</u></p> <ul style="list-style-type: none"> Removing Ofcom internal Sector/class/product codes and instead stating the ‘Product’ name as aircraft (transportable)
Sector/class/product	470801																				
Product Name	Aircraft (Transportable)																				
Licence number																					
Date of issue																					
Licence start date																					
Fee payment date																					
Payment interval																					
Licence Expiry Date																					
Licensee Name																					
Licensee address																					

Changes we are proposing	Relevant proposal(s)
<p>2. This licence authorises [NAME] ('the Licensee') to establish, install and/or use radio transmitting and/or receiving stations and/or radio apparatus as described in the schedule(s) (together called "the Radio Equipment") subject to the terms set out below and subject to the terms of the Wireless Telegraphy Licence Conditions Booklet OfW 597.</p> <p>3. The schedules (and any subsequent schedule(s) Ofcom may issue as a variation to this Licence at a later date) as well as the Wireless Telegraphy Licence Conditions Booklet OfW 597 are incorporated into and form part of this Licence.</p>	
<p>Radio Equipment The Licensee is authorised to use one VHF hand portable aeronautical radio, which operates in the frequency range 118—136.975 MHz. Where this licence authorises the use of equipment operating on the emergency frequency (121.5 MHz), the auxiliary frequency for search and rescue operations (123.1 MHz) or the airport fire service frequency (121.6 MHz), the equipment may operate 25 kHz channel spacing on these frequencies.</p> <p>The licensee may install and use an Electronic Conspicuity Device ('ECD'). The ECD may be used on an Unmanned Aircraft ('UA'), as defined in the latest version of CAP 722, published by the CAA. The ECD must identify the aircraft (or UA), and must be operated, in accordance with the latest version of CAP 1391, published by the CAA.</p> <p>User of the Station</p> <p>The Licensee shall not permit or suffer any person to use the station unless that person:</p> <p>(a) possesses a valid Flight Radio Telephony Operators licences issued by or rendered valid by the Civil Aviation Authority; or is under the supervision of a person possessing the above.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal B:</u></p> <ul style="list-style-type: none"> • Updating the licence document to clarify the radio equipment authorised under the licence. • Updating the licence document to clarify that the licensee must comply with the terms and conditions on the use of radio equipment which are contained in both the licence document and the WT Licence Conditions Booklet. • Updating the licence document to clarify the persons that are authorised to use the aircraft radio equipment in the licence document. In particular, we are proposing to: <ul style="list-style-type: none"> ○ State that in the event of an emergency where there is a risk of life, any person can use radio equipment to summon assistance.

Changes we are proposing	Relevant proposal(s)
<p>(b) Notwithstanding sub clause (a), above, a person operating an aircraft (including an Unmanned Aircraft), is not required to hold a Flight Radio Telephony Operator licence to use an Electronic Conspicuity Device.</p> <p>(c) Article 51(2) of the Air Navigation Order exempts glider pilots operating on the nominated glider frequencies and persons being trained as flight crew in UK registered aircraft from the requirement to hold an operators qualification. However, glider pilots must contact air traffic control if they wish to enter controlled airspace for which they must hold the Flight Radiotelephony Operators Licence.</p> <p>(d) The Licensee shall ensure that all persons using the station are made aware of and comply with the terms of this licence.</p> <p>Radio Equipment [for licence document]</p> <p>1. In this Licence, the Radio Equipment means the following equipment:</p> <p>(a) one Very High Frequency (VHF) hand portable aeronautical radio, which operates in the frequency range 118 - 136.975 MHz; and</p> <p>(b) an Electronic Conspicuity Device ('ECD'; including, for the avoidance of doubt, a transponder) on an aircraft or on an Unmanned Aircraft ('UA') (as defined in the latest version of CAP 722, published by the Civil Aviation Authority ('CAA')).</p> <p>Use of Radio Equipment [for licence document]</p> <p>2. The Radio Equipment may only be used in accordance with Condition 4 of the Wireless Telegraphy Licence Conditions Booklet OfW 597 and the terms and conditions set out below and in any subsequent schedules.</p> <p>3. The Radio Equipment may only be used as follows:</p>	<ul style="list-style-type: none"> ○ Remove the text relating to glider pilots as this information is already covered under the Air Navigation Order and is therefore not necessary to include in the licence document. ● Clarifying the terms of use of ECDs and confirming the circumstances in which a person using an ECD is not required to hold a Flight Radio Operators Licence.

Changes we are proposing	Relevant proposal(s)
<p>(a) by a person who holds (or is under the direct supervision of a person who holds) a valid Flight Radio Telephony Operator Licence issued by the CAA or equivalent licence issued by a national aviation authority, unless such a requirement has been exempted under the Air Navigation Order 2016, as amended, or equivalent legislation that applies in the Isle of Man, Guernsey or Jersey; or</p> <p>(b) in the event of an emergency where there is a risk to life, by any person to summon assistance.</p> <p>4. When operating VHF hand portable aeronautical radio on the emergency frequency (121.5 MHz), the auxiliary frequency for search and rescue operations (123.1 MHz) or the airport fire service frequency (121.6 MHz), the equipment may operate 25 kHz channel spacing on these frequencies.</p> <p>5. In relation to use of an ECD:</p> <p>(a) The ECD must identify the aircraft (or UA), and must be operated in accordance with the latest version of CAP 1391, published by the CAA.</p> <p>(b) The ECD must:</p> <ul style="list-style-type: none"> (i) conform to the Radio Equipment Regulations 2017; or (ii) have the appropriate approval, granted by (or on behalf of) the Civil Aviation Authority or the European Aviation Safety Agency. <p>(c) Where an ECD is installed on a UA or is the only radio equipment installed on an aircraft, then Clause 3 above requiring a person who uses the Radio Equipment to hold (or be under the direct supervision of a person who holds) a Flight Radio Telephony Operator Licence does not apply, insofar as it relates to the use of the ECD, and as long as the person has no control over the operation of the ECD, other than to switch it on and off.</p>	

Changes we are proposing	Relevant proposal(s)
<p>Radio Equipment Use [Condition 4 in WT Licence Conditions Booklet]</p> <p>1. The Licensee must ensure that the Radio Equipment relevant to each Licence is constructed, established, installed and used only in accordance with the provisions specified in this the individual Licence schedules. Any proposal to amend any detail specified in the those schedule(s) must be agreed with the Civil Aviation Authority (CAA) or Ofcom in advance and implemented only after that this Licence has been varied and/ or reissued accordingly.</p> <p>2. The Licensee must ensure that the Radio Equipment is used only by persons who have been authorised by the Licensee to do so, and that such persons are made aware of, and of the requirement to comply with, the terms of the this Licence.</p> <p>3. The Licensee shall ensure that the establishment, installation, modification or use of the Radio Equipment is carried out in accordance with the provisions set out in condition 7 of this Licence in relation to electromagnetic field (EMF) exposure.</p>	<p><u>Proposal A:</u></p> <ul style="list-style-type: none"> • Aligning the current standard terms and conditions relating to Radio equipment use in aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. • In particular, we are proposing to: <ul style="list-style-type: none"> ○ Remove the text which states any amendments to the details of the radio equipment in the licence can be agreed with the CAA as this responsibility now lies fully with Ofcom and the CAA has its own separate processes. ○ Add a clause confirming that the licensee needs to comply with Condition 7 of the WT Licence Conditions Booklet relating to EMF compliance. This condition was sent to licensees as a separate schedule to their licence following our final decision dated 18 May 2021 and we are proposing it is now contained in the WT Licence Conditions Booklet which is applicable to other licence types. Further information on our EMF condition is available on our website.

Changes we are proposing	Relevant proposal(s)
<p>Licence Term The licence shall continue in force until revoked by Ofcom or surrendered by the Licensee.</p> <p>Licence Variation and Revocation Ofcom may exercise their power to vary or revoke this licence by a written notice served on the Licensee or by a general notice applicable to holders of this class of Licence.</p> <p>Licence Term, Variation and Revocation [Condition 1 in WT Licence Conditions Booklet] 1. The Licence shall continue in force until revoked by Ofcom or surrendered by the Licensee.</p> <p>2. Pursuant to schedule 1 paragraph 8 of the Act Ofcom may not revoke this licence under schedule 1 paragraph 6 except:</p> <ul style="list-style-type: none"> (a) at the request of, or with the consent of, the Licensee; (b) if there has been a breach of any of the conditions of the licence; (c) if, in connection with the transfer or proposed transfer of rights and obligations arising by virtue of the licence, there has been a breach of any provision of regulations made by Ofcom under the powers conferred by section 30 (1) and (3) of the Act⁷; (d) in accordance with schedule 1 paragraph 8(5) of the Act; (e) if it appears to Ofcom to be necessary or expedient to revoke the licence for the purposes of complying with a direction by the Secretary of State given to Ofcom under section 5 of the Act or section 5 of the Communications Act 2003; or 	<p>These proposed changes relate to:</p> <p>Proposal A:</p> <ul style="list-style-type: none"> • Aligning the current standard terms and conditions applicable to aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. • The current text only sets out the delivery mechanism by Ofcom will notify licensees of any variation or revocation of their licence. We are not proposing to change this text. We are however proposing to expand the text to (1) provide clarity on the grounds on which Ofcom can revoke a licence in accordance with the law; and (2) identify the legal process we must follow when proposing to vary or revoke a licence.

⁷ These are regulations on spectrum trading.

Changes we are proposing	Relevant proposal(s)
<p>(f) for reasons related to the management of the radio spectrum, provided that in such case the power to revoke may only be exercised after a 5-year notice is given in writing to the Licensee.</p> <p>3. Where Ofcom exercise their power to revoke or vary the licence in accordance with schedule 1 paragraph 6 of the Act, the Licensee shall be notified in writing or by a general notice. Any general notices will be posted on the Ofcom website: https://www.ofcom.org.uk/</p>	
<p>Other requirements</p> <p>The Licensee and all persons using the station shall comply with:</p> <p>(a) the relevant provisions of the International Telecommunication Union Convention and the Radio Regulations thereunder, in particular (without prejudice to the generality of the foregoing) article 31 of the Convention, and articles 43, 44, 46, 49 and No 3651 of the Radio Regulations; and</p> <p>(b) the relevant statutes and statutory instruments including (without prejudice to the generality of the foregoing), the Wireless Telegraphy Act, the Civil Aviation Act 1982 and the Air Navigation Order 2005 and its subsequent amendments.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal B:</u></p> <ul style="list-style-type: none"> Updating the licence document to remove references to other aeronautical obligations.
<p>Changes [Condition 2 in WT Licence Conditions Booklet]</p> <p>1. This Licence may not be transferred.</p> <p>2. The Licensee must give prior or immediate notice to Ofcom in writing of any change in to the details of the Licensee's name and/or address from that recorded above on the Licence.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Aligning the current standard terms and conditions relating to any changes with the standard terms and conditions in Wireless Telegraphy Licence Conditions

Changes we are proposing	Relevant proposal(s)
	<p>Booklet OfW 597 which is applicable to other licence types.</p>
<p><u>Licence Fees</u> [Condition 3 in WT Licence Conditions Booklet]</p> <p>1. The Licensee shall pay to Ofcom the relevant fee sums as provided in section 12 of the Wireless Telegraphy Act and the regulations made thereunder:</p> <p>(a) i) on or before the date of issue of this the Licence; and /or</p> <p>(b) ii) on or before the fee payment date shown above each year, or on the Licence for subsequent payments or before such other date or dates as shall be notified in writing to the Licensee, in accordance with those regulations and any relevant terms, provisions and limitations of the Licence.</p> <p>failing which Ofcom may revoke this Licence.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Aligning the current standard terms and conditions relating to Radio equipment use in aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types. In particular, we are proposing to remove the specific reference to licence revocation on the basis this is now covered by the more detailed clause we are proposing on the licence “Term” above – the proposed new licence “Term” clause explains that Ofcom may revoke a licence in the event of a breach of a licence term (which would include a failure to pay fees).
<p><u>Access and Inspection</u> [Condition 5 in WT Licence Conditions Booklet]</p> <p><u>1.</u> The Licensee shall permit representatives of any person authorised by Ofcom or the CAA authorised by Ofcom:</p> <p>(a) i) to have access to the Radio Equipment; and</p> <p>(b) ii) to inspect this the Licence and CAA Certificate Radio Equipment, at any and all reasonable times (or, when, in the opinion of that person Ofcom, an urgent</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> Aligning the current standard terms and conditions relating to Radio equipment use in aircraft licences with the standard terms and conditions in Wireless Telegraphy

Changes we are proposing	Relevant proposal(s)
<p>situation exists, <u>at any time</u>) for the purpose of verifying compliance <u>to ensure that the Radio Equipment is being used in accordance</u> with the terms of <u>this</u> the <u>L</u>licence.</p>	<p>Licence Conditions Booklet OfW 597 which is applicable to other licence types.</p> <ul style="list-style-type: none"> • In particular, we are proposing to: <ul style="list-style-type: none"> ○ Remove the text which states the CAA may be authorised to have access to radio equipment and carry out inspections on Ofcom’s behalf. This is because Ofcom is now fully responsible for ensuring compliance with all the terms and conditions of aircraft and aircraft (transportable) licences and the CAA has its own separate processes relating to other aeronautical legislation and requirements. ○ Remove the reference to the Radio Operators Certificate as this is a document issued by the CAA.
<p>Modification, Restriction and Closedown [<i>Condition 6 in WT Licence Conditions Booklet</i>]</p> <p>1. A person authorised by Ofcom may require the Radio Equipment, or any part thereof, to be modified or restricted in use, or temporarily or permanently closed down immediately if in the opinion of the person authorised by Ofcom:</p> <p>(a) i) a breach of <u>this</u> <u>the</u> Licence has occurred; and/or</p> <p>(b) ii) the use of the Radio Equipment is causing or contributing to undue interference to the use of other authorised radio equipment.</p>	<p>These proposed changes relate to:</p> <p><u>Proposal A:</u></p> <ul style="list-style-type: none"> • Aligning the current standard terms and conditions relating to Radio equipment use in aircraft licences with the standard terms and conditions in Wireless Telegraphy Licence Conditions Booklet OfW 597 which is applicable to other licence types.

Changes we are proposing	Relevant proposal(s)
<p><u>2.</u> Ofcom may require the Radio Equipment to be modified or restricted in use, or temporarily closed down either immediately or on the expiry of such period as may be specified: (a) in the interests of long-term spectrum planning; or (b) in the event of a national or local state of emergency being declared. Ofcom shall may only exercise their this power by after a written notice is served on the Licensee and/ or a general notice applicable to holders of a named this class of Licence is published on Ofcom's website (www.ofcom.org.uk).</p>	<ul style="list-style-type: none"> • In particular, in light of the more detailed clause we are proposing on the licence 'Term' above, we no longer require the text relating to long-term spectrum planning.

A3. Abbreviations

A3.1 To assist licensees, we have provided a list of abbreviations used in this General Notice. Some of these abbreviations are referred to in the terms and conditions of the licences in the annexes to this document.

Abbreviation	Description
ATC	Air Traffic Control
CAA	Civil Aviation Authority
CAP	Aeronautical Publication (available from the CAA)
CGC	Complimentary Ground Component
ECD	Electronic Conspicuity Device
EMF	Electromagnetic Frequencies
ESOMP	Earth Station On Mobile Platform
ESN	Emergency Service Network
ETSI	European Telecommunications Standards Institute
EU	European Union
GHz	A unit of frequency for one billion cycles per second
ICAO	International Civil Aviation Organisation
ITU	International Telecommunications Union
MHz	A unit of frequency for one million cycles per second
MMSI	Maritime Mobile Service Identity
OfW597	Wireless Telegraphy Licence Conditions Booklet OfW 597
RLAN	Radio Local Area Network
SAR	Safety and Rescue
UHF	Ultra-High Frequency (i.e., 300 MHz to 3 GHz)
UA	Unmanned Aircraft
VHF	Very High Frequency (i.e., 30 MHz to 300 MHz)
WAS	Wireless Access Spectrum
WiFi	Wireless Connectivity (i.e., technology allowing a PC, laptop, mobile phone, or tablet to be connected to the internet)
WT	Wireless Telegraphy