

ANNEX B

AMATEUR RADIO LICENCE - NOTICE OF VARIATION REASONS FOR CHANGING PROPOSED VARIATIONS OR DECLINING TO DO SO

Summary of proposed modifications to variations	Ofcom's decision and reasons
<p><u>Section 1</u></p> <p>Representations were received that, where the Licence is issued in the name of a Club, the wording used should be "[Licensee's Name] insofar as he/she represents <u>and/or is a member of the club</u>" (new proposed wording underlined.)</p>	<p>Ofcom has decided to retain the wording of the variation as proposed in the First Notification, on the basis that this gives effect to the policy decisions in the Amateur Radio Statement. In particular, it is important that the person who holds a Full (Club) licence actually <i>represents</i> that club.</p>
<p><u>Clause 2</u></p> <p>Representations were received in relation to:</p> <p>1. Whether Clause 2(1)(a) should state expressly that Full (Reciprocal) Licences can operate from Maritime Mobile Locations;</p> <p>2. Whether it would be helpful to amalgamate the clauses relating to Regional Secondary Locators ('RSLs') and to reword Clause 2(3) so as to make clear that the RSL 'E' only applies to callsigns beginning with '2'.</p>	<p>Ofcom has decided to retain the wording of the variation as proposed in the First Notification, on the basis that we consider this sufficiently clear. In particular, it is implicit that Full (Reciprocal) Licences will be included within the scope of the provision where they have not been excluded in the same way as Full (Club) and Temporary Licences have been.</p> <p>Ofcom has decided to retain the wording of the variation as proposed in the First Notification, as we consider it sufficient to give effect to the policy decisions in the Amateur Radio Statement. Taken together, Clauses 2(2) and 2(3) make it plain that the RSL 'E' is only to be used where a call sign has the prefix '2'. The call sign prefix '2' is available only under an Intermediate licence and is not available under a Club licence.</p>
<p><u>Clause 4(6)</u></p> <p>Representations were received in relation to the clarity of this</p>	<p>Ofcom has decided to retain the wording of the variation as proposed in the First Notification. It transposes directly the wording of the policy decision made in paragraph 4.69 of the PSSR Statement.</p>

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provision.	
<p><u>Clause 13</u></p> <p>Representations were received that Ofcom should retain some form of specific time-frame within which stations must identify themselves.</p>	<p>Ofcom has decided to retain the wording of the variation as proposed in the First Notification on the basis that this gives effect to the policy decisions made in the Amateur Radio Statement, notably in paragraph 3.59.</p>
<p><u>Schedule 1, Table C</u></p> <p>1. In the column headed "Status of allocations in UK to the Amateur Service", Ofcom has become aware that the descriptions for the 0.472 – 0.479 MHz and 5MHz spectrum bands differed slightly from the terms which currently apply when licensees seek variations to use these bands on an individual basis.</p> <p>2. Similarly, in the column headed "Status of allocations in UK to the Amateur Service", Ofcom has become aware that the description for the band from 7.100 MHz to 7.200 MHz incorrectly retains the wording "Available on the basis of non-interference to other services inside or outside the UK".</p> <p>3. Representations were received on the use of the 75875 – 76000 MHz band, where the status of allocations for both the Amateur Service and Amateur Satellite Service should not have been changed from "Primary" to "Secondary".</p>	<p>In accordance with the decision in the Amateur Radio Statement, Ofcom has decided to amend this column of the table to align it with the terms which currently apply when a licensee applies for an individual licence variation to use these bands. In particular:</p> <p>a. For the 0.472 – 0.479 MHz band, we are removing the wording "Available on the basis of non-interference to other services inside or outside the UK."</p> <p>b. For the 5 MHz band, we are removing the wording "or outside"</p> <p>The decision in the Amateur Radio Statement was to update this entry in line with the international allocation of the band. This is exclusively to Amateur radio. It follows that the restrictions (concerning interference to other services) should be removed.</p> <p>Ofcom accepts this point and has reverted to the original wording, where the status for both the Amateur Service and Amateur Satellite Service has now been restored to "Primary".</p>
<p><u>Conditions for use of the 472 kHz to 479 kHz band [Notes to Schedule 1]</u></p>	<p>In relation to both these groups of representations, Ofcom has</p>

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<p>Representations were received in relation to:</p> <p>1. Paragraph f(iv)</p> <p>Concerns that Amateur Radio licensees may not have adequate protection from interference; and</p> <p>2. Paragraph f(v)</p> <p>Concerns that this paragraph did not make provision for test transmissions.</p>	<p>decided to retain the wording of the variation as proposed in the First Notification. This is because, as set out in the Amateur Radio Statement, a decision has been made to transpose the existing terms and conditions that apply with respect to the use of this spectrum band where licensees apply for a variation on an individual basis.</p>
<p><u>Conditions for use of the 5 MHz band [Notes to Schedule 1]</u></p> <p>Representations were received as to whether or not paragraph g(v) was superfluous, given that the requirements already appeared to be included in paragraph g(iv).</p> <p>Other representations were received with regard to the drafting of certain paragraphs in Notes to Schedule 1(g) more generally, for example, the requirement in note g(xi) that stations may only be operated when the licensee can be contacted by telephone in close proximity to the Radio Equipment.</p>	<p>Ofcom agrees that paragraph g(v) can be removed from the Licence, and that doing so will be consistent with the current terms which apply when licensees apply for a variation to use this band on an individual basis;</p> <p>Ofcom has decided to retain the wording of the variation as proposed in the First Notification. This is because, as set out in the Amateur Radio Statement, a decision has been made to transpose the existing terms and conditions that apply with respect to the use of this spectrum band where licensees apply for a variation on an individual basis.</p>
<p>Representations were received suggesting updates to various expressions used in the "Interpretation" section and elsewhere in the Licence.</p>	<p>Ofcom has corrected the reference to 'Public Health England', as they are under a duty to protect the public throughout the UK from radiation. However, where the representations received did not relate to one of the proposals to vary the Licence contained in the First Notification, Ofcom has decided that it would not be appropriate to modify the Licence in the manner suggested at this stage.</p>