

Reference: 01440689

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25 April 2022

Freedom of Information request: Right to know request

Thank you for your request for information about an Ofcom charter for on air content (Amateur Radio Service). Your request was received on 5 April 2022 and we have considered it under the Freedom of Information Act 2000.

Your request

"At an online meeting in 2021 it was stated that Ofcom under its Charter was not responsible 'policing' of online content in the Amateur Radio Service transmissions.

Can you advise:-

- 1) Where in the Ofcom charter this statement is made;*
- 2) Does this restriction apply to just 'broadcasting' or does it also apply to all radio transmissions.*
- 3. Where a copy of the charter and any updates can be downloaded (I have tried a Google' search."*

Our response

We do not hold an Ofcom Charter. I have checked with the Ofcom colleagues who were at the on-line meeting you referenced. There is no recollection from the meeting of the term 'Ofcom Charter' being used nor is it mentioned in the note of the meeting.

The issue you raise about Ofcom not 'policing radio amateur transmissions' was covered in the meeting where Ofcom's functions and duties were explained. The Communications Act 2003 (CA 03) and the Wireless Telegraphy Act 2006 (WTA) set out Ofcom's functions and duties in relation to the radio spectrum.

In summary, Ofcom's duties include securing the optimal use of the radio spectrum for wireless telegraphy ([section 3\(2\) of the CA 03](#)), and the efficient management and use of the radio spectrum, noting current and probable future demand for the use of the radio spectrum ([section 3\(1\) and \(2\) WTA](#)). They do not include monitoring the content of radio transmissions.

With radio and TV broadcast services, Ofcom has statutory functions to manage complaints from listeners and viewers about radio and television programmes broadcast on both radio and TV services licensed by Ofcom.

If you have any further queries, then please send them to information.requests@ofcom.org.uk quoting the reference number above in any future communications.

Yours sincerely

Zach Westbrook

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact information.requests@ofcom.org.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF