

Title:

Dr

Forename:

Martyn

Surname:

Johnson

Representing:

Self

Organisation (if applicable):

Email:

What additional details do you want to keep confidential?:

No

If you want part of your response kept confidential, which parts?:

Ofcom may publish a response summary:

Yes

I confirm that I have read the declaration:

Yes

Additional comments:

Question 1:Do you agree with the proposal to include, as a matter of course, the 470 kHz and 5 MHz bands into the Licence for all Amateur Radio (Full) licensees?:

I agree that the requirement to obtain an individual NoV is unnecessary if the NoV would be granted unconditionally in response to a simple request. However I do not agree that the fine details of restrictions associated with specific frequencies should form part of the main licence text. In doing so, there is a risk that restrictions intended to be temporary will become unjustifiably permanent clauses in the licence. It may also imply a burden on examination candidates to commit every detail to memory.

I would suggest that a simpler solution is to publish a notice of variation which applies to all appropriate licence holders.

Question 2: Do you agree that expressly linking a Full (Club) Licensee's authorisation to use the spectrum to his or her representation of a named club, and by adding a further ground for revoking the Licence to include circumstances where the licensee no longer represents the club, will help ensure that a club's call sign remains with the club?:

Yes, this is a good idea.

Question 3: Do you agree that Ofcom should include a further ground of revocation in the Licence as proposed above in order better to align Clause 4 with the definition of 'Disqualified Person'?:

Yes.

Question 4: Do you agree that the word 'automatically' should be removed from Clause 4(5) of the Licence, in relation to the revocation of the Licence for failure to comply with the revalidation requirements?:

Yes, the text of the clause should reflect the actual procedure adopted, which itself seems entirely reasonable.

Question 5: Do you agree that Clause 15 of the Licence should be updated to reflect the wording included in Ofcom's General Licence Conditions Booklet?:

I have no objections to this proposal.

Question 6: Do you agree that Clause 13 of the Licence should be amended to allow for a simpler, more flexible approach for identifying Amateur Radio stations?:

I do not agree with this proposal in detail, though I would in principle support the intention to allow a simpler and more flexible approach.

The present regulations are clumsily drafted, and are open to various interpretations with varying degrees of pedantry. They also contain "loopholes" which would allow a station's identity to be effectively obscured whilst still remaining within the letter of the regulations.

The proposed replacement text seems well intentioned. However the use of the phrase "as frequently as is practicable" requires a subjective interpretation. In the absence of more specific guidance, it seems inevitable that there will be unhelpful variations in the procedures that are adopted and taught to newcomers. I believe that a common sense approach is required here, but that the licence should continue to define a practice which is considered sufficient to comply. This should include specific guidance on the length of time a station may transmit between identifications.

Question 7: Given the current uncertainty amongst Radio Amateur licensees in relation to Clause 2(2), do you believe that it would be a practical solution for Ofcom to remove this Clause and to insert additional wording into Clause 13, as proposed above?:

No, I do not accept the premise on which the question is based, and do not believe the proposal is satisfactory.

It is stated that Ofcom did not intend licence clause 2(2) to be interpreted as a mandatory requirement to use RSLs. Whatever Ofcom's intentions might have been, the clause contains the words "shall use", which in my opinion can have no other interpretation. Moreover this clause, or words to the same effect, have been in the licence for many decades, pre-dating the existence of Ofcom. A requirement to indicate the region in which the transmitter is located has been part of UK amateur culture for over 40 years to my personal knowledge, and in all probability a lot longer. Whilst Ofcom's recent intentions are clearly relevant, they are not the only factor to be considered.

Ofcom asserts that there is confusion about the meaning of the clause as it stands, but presents no quantitative evidence for the extent of this confusion. I have personally operated in five of the UK regions, and have made contact with many amateurs who routinely move between regions when operating portable or mobile. I have never been aware that there is any confusion over the identification requirements: everybody changes their prefix to correspond with their physical location. From time to time a station may inadvertently give the "wrong" prefix owing to a lapse of concentration, or if operating close to a border, genuine uncertainty over which region is actually correct. However these are simply human errors and are not indications of confusion over the interpretation of the regulations. I see little evidence that there is actually a problem to be solved.

Given that adherence to the existing rule is almost universal, I feel that Ofcom must make a strong case for its abolition. The sole justification appears to be that the requirement is unnecessary for the purposes of station identification. This may be true, but the ability to determine the region from the prefix is immensely valuable to the amateur radio community world wide, primarily because the different regions are counted as different "entities" for a wide variety of awards which recognise achievements in amateur radio. Removing the link between region and prefix would be a major cultural upheaval.

Making the use of RSLs optional seems to me to be the worst possible outcome. The majority of established amateurs will undoubtedly continue with the current universal practice. Those most likely not to do so are newcomers who will be taught the new rules. There is a very real risk that they will face criticism and possible abuse for failing to follow the former rules. If Ofcom truly believes that the practice of varying prefix is confusing and unnecessary, then it should have the courage of its convictions and forbid it entirely. Whilst this would be extremely unpopular, it would at least be clear.

In my view, the proposal has no real benefits and many risks. In making the proposal, I feel that Ofcom has not understood the significance of the regional prefix within the amateur community.

Clarification of the conditions under which the "club" prefixes may be used is needed. The phrase "If the Radio Equipment is used solely by a Club" is unhelpful and does not reflect the

reality of the use of equipment. As the only clause in the licence which relates to the equipment rather than the operator, it is an anomaly. A far simpler rule would be to allow their use if the licence is a club licence. This is how they are actually used in practice.

Question 8: Do you agree with Ofcom's proposal to amend Clause 2(3) of the Licence to require Intermediate licensees to transmit a call sign that reflects the location of their main station?:

I disagree, not only because of my opinion on the matter of question 7, but also because as currently proposed it would appear to treat intermediate licence holders differently from others. Requiring intermediate licensees to reflect the location of their main station whilst giving others the option of varying their RSL is unjustifiable discrimination. With the sole exception of the justifiable requirement for the letter "E" in callsigns beginning "2" in England, the existing rules treat everybody equally. Moreover, there seems no inherent reason to assume that callsigns beginning "2" will invariably be associated with intermediate licences in the future.

The specific treatment of callsigns beginning with "2" appears to be more of an administrative matter than a real problem. In my experience everybody understands how the "2" callsign series work, but the simple concepts are explained very badly. The practice of issuing an "administrative" callsign which is not valid for use in actual transmissions seems to me to be ill-advised - such internal details need not and should not be exposed to customers. The new proposals appear to be very muddled. I strongly believe that the existing rules do not need to change, but that there would be much benefit in drafting them more clearly in plain English.

On the matter of the use of suffixes, I would accept that there is some confusion over whether the list of suffixes in the licence is intended to be complete, and whether the circumstances in which each may be used is a requirement or a recommendation. My view is that much of this confusion was caused by making the use of suffixes optional in the first place, and will not be solved by introducing further ambiguity. Clarification would be welcome.

Question 9: Do you agree that replacing Clauses 2(1) and 16(1) with a new Clause to simplify and bring together all of the licence conditions relating to the operation of radio equipment away from the Main Station address will make these provisions clearer?:

In principle, I would welcome clarification. It is impossible to determine whether a new clause will be clearer without actually seeing it.

I have a concern about any proposal to allow unconditional use of a club callsign from multiple locations simultaneously. At present, I think there is a widespread belief that it is not permitted, though I am personally unable to find any clause forbidding it. (In former times, it was implicitly forbidden by the requirement to maintain a single log book at the time of transmission, but this is no longer applicable.) There are clearly circumstances in which simultaneous use at separate locations would be beneficial. However there is also a risk that the provisions will be exploited by the members of a club operating in a "net", where each member chooses to use the club callsign. This would lead to a ludicrous situation in which a callsign appears to be in communication with itself or multiple instances of itself. This would

obscure the identity of the participants. I believe that care is needed to define circumstances in which simultaneous use is acceptable and those in which it is not.

Question 10: Do you agree that the proposed changes will clarify RAYNET operation under the Licence?:

Yes, I would welcome this change.