

**Title:**

Mr

**Forename:**

David John

**Surname:**

Keston

**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:**

Although now retired, I spent 18 years of my working life with BSI Testing & was also convenor of an IEC Working Group, amending standards; so am better placed than some to fight through this difficult to read document. I also understand the dramatic legal difference in the words 'should' & 'shall' unlike probably a lot of Radio Amateurs (& some Ofcom staff?)

I am somewhat dismayed by the apparent lack of thought/understanding of the implications of some of the proposed changes, by those that drafted this consultation.

I understand the brief from your senior management & the government for 'Light Touch' regulation & in principal would support that. I have always believed in the adage that 'rules are for the guidance of wise men & adherence of fools'. However where such 'Light Touch' results in removal of a requirement without any real guidance (do what you like?) then confusion and anarchy results.

At the very least there should be very strong guidance/recommendations in your guidance document; which I believe is still in preparation?

We would have more sympathy with some of the proposals, if Ofcom were performing their 'Statutory duties' of policing the spectrum properly and performing 'Market Surveillance'. Since they are blatantly NOT performing these duties adequately; expecting Radio Amateurs to 'do their job for them' is totally inappropriate; specifically paragraph 2.26.3.

**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?:**

No - Not as proposed. These bands should be made available to all Full Licensees but under the same basis as other bands where we are the 'Secondary User'.

The phrase 'electronic equipment' in para 2.26.3 must be removed. Otherwise we have a major shift of liabilities and responsibilities away from Ofcom & equipment manufacturers and onto Radio Amateurs. We cannot be held responsible for deficiencies in electronic equipment, a lot of which do not comply with statutory requirements, but are never investigated or taken off the market. (Please see my opening comments).

Para 2.26.6 seems completely inappropriate given the power levels we work with, as compared with the 100's of KW of commercial stations at these sorts of frequencies. Were these words borrowed from the experimental High Power license, often at VHF & UHF where there is a potential radiation risk?

(Was the junior clerk 'put on the job' rather than someone with some technical knowledge?)

**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

**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

**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?:**

Yes

**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?:**

No - Not as proposed. I agree that a specific requirement for 15mins max could be dropped as a legal requirement, but with strong advice to continue to 'follow the spirit' (a reference to the guidance notes perhaps?) That way there is no risk of 'revocation of the licence' for slipping to 16, or 18minutes, but Radio Amateurs would know that they should still aim for the 15min rule; so that we all know who is working who, after a reasonable period of listening. We do not want to encourage 'sloppy practices'.

The wording for Clause 13 b) as suggested in Para 2.61 could be:

"a valid call sign for the station be transmitted as frequently as is practicable (this should if possible be no longer than 15minutes - see guidance notes) during transmissions to ensure that the station is clearly identified;"

**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 - any change to current requirements and accepted practice would be utterly confusing for both UK & international Radio Amateurs. Overseas operators & many contests & award schemes treat Wales-GW, England-G, & Scotland-GM, for instance, as countries as separate as France Germany & Italy! We generally need to know where the station we are working is located, not where the licensed 'Home Station' is. There can never be any ambiguity as G8FMC (my call) was never issued to another as GM8FMC, or GW8FMC! The great thing about our call sign is that it is entirely unique throughout the world. (Unlike bank account numbers etc, until linked to a 'Sort Code').

Para 2.69 is utter rubbish! I repeat, G\*8FMC is completely unambiguous whatever the second letter being used at the time is. What is wrong with the RSL changing as one drives over a border etc? Clause 2(2) seems crystal clear to me. (Maybe a little less obvious for Intermediate Licensees?)

In case this is difficult in practice for some using data-modes (& allowing for those that just forget on the odd occasion) you could make this a 'Should' rather than a 'Shall' with VERY strong guidance.

I also question the legality of dropping the RSL's without first requesting such a change with the ITU? (who I am sure would refuse such a request if it is within their jurisdiction?)

Para 2.74 is just plain wrong; your proposals will create problems where there were little or no problems before!

**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?:**

No, I think this will create confusion, as everyone needs to know where the station is located at that time of use. The home or 'main station' address can easily be found if any authority requires it.

Ideally all call signs should be treated the same and RSL's used when away from the 'main station'.

Since someone 'dropped the ball' when 2E0ABC etc was first allocated, you do have a problem! Obviously 2\*0ABC should have been allocated, clause 2(2) instructing the owner to use 2W0ABC in Wales & 2M0ABC when in Scotland etc.

(What a cock-up; how could such a basic thing go ahead unchecked? If I had run my Standards Writing Working Group in such a shoddy manner BSI would probably have fired me!)

**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?:**

Yes

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

Yes