

Ofcom Consultation 2014 – Response

Q1. NO

The availability of 5MHz and 470kHz frequencies to Full Licensees on a Secondary User basis, without the need for yet another and separate NoV would be welcome (particularly in respect of the establishment of reliable NVIS propagation across the UK - a facility particularly needed, for example, by RAYNET and other support groups).

HOWEVER, the existing Licence Terms provide all necessary protection for the Primary User in terms of interference. additional clauses are unnecessary and duplicate protections already in place (See your Proposal Para 2.27.4).

Additionally, a significant change to the Full Amateur Licence is being drawn into the proposal as part of the inclusion of the 5MHz and 470kHz frequencies. This additional requirement is a major departure from the spirit of **all** existing Amateur Licence Terms & Conditions. If executed in their present form, they would not only place an additional and discriminatory burden on Full Licensees using these additional frequencies but also create a precedent which could be expanded unnecessarily to other frequencies and licensee groups “on the back of” this small additional provision.

I would wish to see Para 2.26.6 omitted entirely.

Additionally, to obviate discrimination between Spectrum Users, ALL RF Spectrum Users should have the right to enjoy the use of their allocated parts of the spectrum free from significant interference produced either deliberately or inadvertently or through negligence by both other Spectrum Users and “electronic equipment” that is NOT intended to radiate or conduct as ‘mains borne’ interference, “signals” which are not licensed.

Whilst I agree that “*The (amateur) station must not cause interference to....other wireless telegraphy equipment*” , I believe strongly that protection from interference from other wireless telegraphy equipment users and users of electronic equipment which is not intended to radiate spuri should be not only a reasonable expectation for the amateur station but also to all other Spectrum Users.

Due to the nature of the Spectrum and the harmonic character of interfering signals, if an amateur station observes interfering signals, this will often highlight an issue early that, if ignored, may also extend to interfere with communications between other spectrum users.

Q2 YES.

I am not clear if Ofcom fully understands its own extant procedures in this matter (Paras 2.32 & 2.33 and Footnote 25) since some 10 years ago I “took over” responsibility for my local Amateur Radio Club Call Sign (via an NoV) when I became Secretary. Prior to this date, the call sign was allocated (via an NoV) to another member who has since left the Club.

This ‘transfer’ did not cause any difficulty, and I am aware that currently a Raynet licence is being ‘transferred’ in a similar fashion.

However, I do understand that if a situation arose where a lack of cooperation between the parties concerned were to apply, this proposed change would expedite the transfer.

Q3 YES.

Whilst Paras 2.43 to 2.49 provide a significant level of anecdotal detail, it is my understanding that the intention here is to embed a clause in all Amateur Licences to enable revocation where a person has been convicted of an offence under the WT Act.

In this context, I am agreeable since users who have demonstrated their inability to follow the rules of the WT Act and who have been made aware of the impact of their actions in this respect should not be able to hold a licence.

Q4 YES.

Revalidation, as the Proposal notes concede, is a relatively new requirement. Indeed, the “first phase” of revalidations regrettably coincided with preparations for the London 2012 Olympics and in consequence, Ofcom determined to ‘extend’ the Validation Period to ‘leapfrog’ these preparations.

This relocation of the revalidation date was unfortunate in that it disturbed the revalidation “pattern” before it had become established.

It was also regrettable that many amateurs subsequently reported problems revalidating on-line due to issues identifiable to within the Ofcom website section concerned.

I agree that up to date records are important and that where, through an oversight, a licensee omits to revalidate, it is in everyone's best interests to remind the subject to carry out the necessary procedure and not – in a draconian way – seem to await such an opportunity to 'automatically' revoke her/his licence.

In this context, some years ago I received notice as part of an NoV Document for a Special Callsign which I hold, that Ofcom would advise when the validity of that Callsign was about to 'time out'. It later became clear that Ofcom had changed its Policy on this without advising NoV holders and that no such advice was planned.

In view of the relative ease with which we can, today set up automated emails, I would strongly commend the Agency reconsider the value of such automated emails as a means of reducing its own workload in the context of revalidations.

Q5 YES.

I agree with the inclusion of the enabling phrasing in para 2.56, in that it apparently conveys a consistency across other WT licence Documents.

However, I would not wish to see this acceptance used as a means of returning to the imposition of charges for Amateur Licences unless such charges brought with them additional protection and support systems for licensees.

Q6 NO.

I have great difficulty in understanding from whence comes the need for any change to be entertained in this matter. Your Para 2.59 is, in itself, crystal clear in conveying in detail the status quo...

"Currently, under Clause 13 of the Licence, licensees must transmit their call sign and any applicable modifier at prescribed times and intervals.

These include:

- a) during initial calls, or calls to establish contact with another Amateur;*
- b) at least once every 15 mins when the period of the communication is longer than 15 mins;*
- c) whenever the frequency of transmission is changed, at the beginning of transmission on the new frequency;*
- d) by the same type of transmission that is being used for the communication; and*
- e) on the same frequency that is being used for communication."*

It is therefore implausible for Ofcom to assert simultaneously and in the same Paragraph, that *"Stakeholders have questioned the frequency with which they should give out the call"* ...and from this suggest the need for change.

The Amateur Radio Fraternity is very clear on individual licensees' need to identify their station when on air and is fully conversant with the frequency and modulation types to be used for these identifications.

Further, there is not only 'no need' to specify modulation types (eg 'voice' and 'Morse code') but the inclusion of such terms in a formal document condemns it to be unable to 'keep up' with technological changes 'around the corner'. To simply retain the current phrasing (d) above, ensures that all current and future modulation types are catered for without the need for further changes to the formal Documentation.

This is a clear case of "if it aint broke, don't fix it!" ... and it ain't broke! .. but it will be weaker if you try!

Q7 NO.

This is another clear case of "if it aint broke, don't fix it!"

It most definitely 'ain't broke' but will shatter into a myriad of shards if you were to change it! ...

The Amateur Radio Fraternity, both in the UK and World Wide, is very clear on the meaning of not only Regional Identifiers and suffixes as used in the UK but those in similar use in other countries.

In this context it is almost unbelievable to read in Paras 2.66 and 2.67 ... *On the basis of the feedback Ofcom has received from the Amateur Radio Community...* that any change in the status quo might be deemed to be needed.

RSIs and suffixes are a very important part of the way that Amateur stations operate and identify themselves - both on a day to day basis and particularly within Contests and Award programmes. Systems that identify stations, their location and status using RSIs and suffixes have been built up over the past 50 plus years and are enshrined in normal procedure.

Since, as 2.65 clearly identifies, *"Amateur Radio has global reach"*, it is of the utmost importance that **no change** to this practice is made to the Licence documents and their provisions since such action would, in one fell swoop, undo 50 plus years of embedded practice and create enormous confusion both within the UK amateur fraternity and among amateurs and support organisations, testers and Contest and Award programme Administrators worldwide.

Q8 NO

The current clause regarding RSIs and suffixes should be retained and applied to all Amateur Licensees equally.

The proposal contained in Paras 2.75 to 2.80 is wholly unnecessary and seriously discriminatory in its proposed impact since it aims to apply one set of parameters to Foundation and Full Amateur licensees and a separate set of parameters to Intermediate ones.

Additionally, in view of the intent voiced in Paras 2.59 ff and 2.65ff to remove confusion and to clarify station identification, this particular aspect of the Proposals would have the completely opposite effect and would impose a discriminative impact on Intermediate licensees since were 2.65ff to be enacted, Intermediate licensees would be 'robbed' of the discretion enjoyed by other Amateur licensees in respect of their use of RSIs.

Not only, therefore, is no change necessary, to make such a change would instantly generate both within the UK and worldwide, a level of confusion as to the meaning of **all** UK callsigns that would beggar belief.

It bears adding in this context that there is a factual error in para 2.75 of the Proposal:

"... This format was chosen some years ago, as it stood apart from the series of call signs being used for Full and Foundation licences respectively"

The error is that, at the time the 2x0xxx and 2x1xxx call signs were initially issued (under the auspices of the Radiocommunications Agency), the licence (referred to as the "Novice" licence) was the **ONLY** alternative to the Full Amateur Licence. There was no Foundation Licence at that time as Para 2.75 suggests .

Q9 YES.

Over time and with the incorporation of other Regulations, including those arising through CEPT agreements, this aspect of the UK Licence Terms appears from the explanation in the Proposal to have become akin to "a ball of wool the cat has been playing with".

It would be helpful to clarify - without imposing new Restrictions as part of the process, the applicable Regulations, separating those applicable to UK Full licence holders from those applying to Club callsigns and holders of Reciprocal Licences.

Q10 YES.

As a Full Licensee AND a Member of RAYNET, I feel the current Licence conditions DO impose a restriction on to whom messages may be addressed. While this is generally interpreted with latitude for the benefit of User Services and the community (since in practice and to comply with the Licence, there is universally a licensed amateur controlling the User Service representative's station) it would be helpful to clarify the Regulations to show support of the RAYNET facility and avoid misunderstandings by User Services.

In terms of encryption, in the event of an evacuation, for example, where the identities of persons evacuated to a 'Rest Centre' were needed to be transmitted over the air, it can hold issues in terms of personal security and the Data Protection Act where this data is transmitted in plain language or using publicly available data transmission software.

Therefore, for the purposes of RAYNET operations where requested by the User Service, I agree that encryption methods should be permitted.

However, I would further counsel that, in order to be able to operate under encryption in a live scenario when required by a User Service, the revised wording of the Regulations in the Amateur licence should permit members of RAYNET groups, under the authority of their local Controller (and not specifically a User Service) to pass encrypted messages to each other as part of the Group members' training procedures.
