

Title:

Mr

Forename:

Jeffrey

Surname:

Smith

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?:

confidentiality not wanted

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?:

no comment

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circumstances where the licensee no longer represents the club, will help ensure that a club's call sign remains with the club?:

no comment

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':

no comment

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?:

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?:

no comment

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 comment

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 comment

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 hope that all amateurs will be treated equally in all respects. I note this because in the preamble to the OFCOM consultation document concerning changes to the Amateur Radio Licence there is the clear and unambiguous declaration that a full equality assessment has been carried out.

However to plan to remove the Regional Secondary Locator from the call-signs of some amateurs but retain it for Intermediate Licence holders clearly means that there will be a discrimination between different classes of licence holder. I am aware that some correspondents have noted that the qualification applies to the individual and not his or her main station address; nevertheless if a breach of the licence occurs it is to the main station

address that officialdom will arrive, in whatever form.

Accordingly I believe that the Regional Secondary Locator, applying to the main station address should be retained. With that expectation I now return to the claim that a full equality assessment has been carried out. Much of the Equality Legislation deals with disability, religion or belief, race, marital status etc, usually referred to as the 'protected characteristics'. Obviously the Regional Secondary Locator would not fall into any of those categories.

However, hidden away in the latter parts of the Equality Act 2010 there lurks the following: Section 29 Provision of services, etc (6) 'A person must not, in the exercise of a public function that is not the provision of a service to the public or a section of the public, do anything that constitutes discrimination, harassment or victimisation.

Now the legal beagles may well try to have a field day on the words 'do anything' and try to determine if changing the rules is a service, but I believe that OFCOM may well end up responsible for 'do anything that constitutes discrimination'. Accordingly I believe they should either maintain the Regional Secondary Locator for EVERY licensed amateur or for NONE. Personally I believe OFCOM should maintain for EVERY licensed amateur. It may well be the case that the OFCOM Rep responsible for checking the Act of Parliament lost the will to live after ploughing through countless pages of sex, sexual orientation, disability etc etc and fell asleep long before reaching Section 29. Nevertheless I am satisfied that S.29 will apply

ComReg who are the only other regulator attached to the UK by a land border, and who license many UK residents, seem content to maintain a clear reference to the main station address. It works well for them and repeating the old adage 'If it ain't broke don't fix it' then I urge OFCOM to retain the Regional Secondary Locator not least to ensure that all licensed amateurs are treated equally.

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?:

no comment

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

no comment