

Paragraphs 3.93-3.98 discuss whether wi-fi providers should be exempt from the regulations. They assume carrier grade wi-fi, from carriers such as BT Openzone. But many wi-fi networks are not provided by carriers, but on an ad-hoc basis by individuals. For example, a pub landlord attaches a wireless router to his residential broadband connection, writes the password on the wall and that enables wifi availability in his pub. He has no control over the content his users download, but as far as his ISP is concerned he is a normal domestic user. He is providing a useful service to the customers of his pub, and as such should not be prevented from doing so by fear of reprisals if unknown users download copyright material. This is a common scenario in many kinds of small establishment - pubs, cafes, B&Bs, hotels, etc etc.

In such cases, it would not be practical to identify users - both the lack of affordable hardware with support for logins, and staff time to check ID and issue passwords. Thus the only alternative would be to discontinue the wifi service.

This would have a serious impact on the availability, and social utility, of free wifi in the UK.