



Consultation on a proposal to reform ship radio licensing

A lighter, electronic licensing process

Consultation document

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Section 1

Summary

Ofcom proposes to reform ships radio licensing in order to reduce the regulatory burden on radio users. Key proposals are as follows:

1. To make ship radio licences valid for the life of the vessel (they are currently renewable annually);
2. To make electronic licences (probably issued as Adobe PDF®¹ documents) available free of charge.

These proposals are consistent with the level of regulatory intervention required to manage ships' radio spectrum and also with the UK's international obligations.

Ofcom is aware that ships' radio equipment exists primarily for the safety of human life and vessels at sea. We hope that these reforms would help to encourage more boat users to fit licensed ship radio equipment.

This consultation also examines some alternative options for the reform of ship radio licensing and we welcome your views on whether you agree with our analysis and conclusions. Other options considered include:

1. the transfer of the licensing function to the Maritime and Coastguard Agency (MCA);
2. to make ships' radio WT Act licence exempt;
3. to maintain the existing licensing regime.

¹ The Adobe PDF® format produces graphically rich, platform-independent content. PDF® is a registered trademark of Adobe.

Section 2

Background

Why do I need a licence?

Ofcom as the regulator, is responsible for the licensing of radio installations and use on all UK, Channel Islands and Isle of Man registered ships, and ships in territorial waters. The requirement for licensing stems from the International Telecommunication Union (ITU) Radio Regulations (RRs). Article 18 and in particular Recommendation 7 of the RRs, stipulate the requirement for a ships' radio licence. This requirement is incorporated within the Wireless Telegraphy Act 1949 (WT Act)² as amended. In addition, there are other Statutory Instruments relating to ships' radio and where relevant these are referred to in the subsequent sections of this document.

A similar requirement is made on all other administrations (regulatory authorities). This means that whether a vessel is operating within UK territorial waters, on the high seas or within the territorial waters of another administration, it is necessary to be in possession of a valid ships' radio licence.

Regulatory authorities may ask to inspect the ship's radio licence and have the power to detain the vessel if the documentation is not in order.

What is the purpose of a ship radio licence?

The purpose of the licence is:

1. To ensure that details of the licensee and of the vessel are recorded. This will include the call-sign and the Maritime Mobile Service Identity (MMSI) number (if requested). This information is potentially useful to Search and Rescue organisations and may also be used by law enforcement personnel when tracing owners of recovered vessels;
2. To ensure that ships' radio equipment satisfies relevant (internationally recognised) standards. This minimises the possibility of interference and ensures interoperability;
3. To ensure that only competent persons operate ship radio equipment. The ship radio licence stipulates that the user of the radio must have a relevant marine radio operator's certificate of competence and a valid Authority to Operate. This ensures that distress and calling channels are used for their intended purpose and in accordance with internationally agreed operating procedures;
4. To provide documentary evidence that the radio equipment carried on board satisfies international requirements. This is particularly important when operating within the territorial waters of other administrations;
5. To provide a vehicle for capturing the name of the Maritime Radio Accounting Authority (MRAA) (this information does not appear on the ship radio licence).

² In accordance with Section 6 of the WT Act 1949 (c.54)

Other regulations applicable to shipping

In the main, there are four types of vessels:

1. The International Convention for the Safety of Life at Sea (SOLAS Convention) vessels which have stringent carriage³ requirements including that radio equipment is carried on board. This applies generally to the larger vessels and in particular certain categories of passenger vessels (carrying more than 12 passengers). Many SOLAS vessels undertake international journeys;
2. Certain classes of fishing vessels governed by Merchant Shipping Radio Fishing Vessels Installation Regulations 1999;
3. "Code vessels" (e.g. Pilot boats, Charter yachts etc.) governed by the Merchant Shipping Small Work Boats and Pilot Boats Regulations 1998 and the Merchant Shipping (Vessels in Commercial use for Sport or Pleasure) Regulations 1998 as amended;
4. "Voluntary Fit" vessels for which radio use is non-compulsory (e.g. pleasure craft etc.).

For SOLAS vessels (approximately 800 registered in the UK), the radio equipment is governed by the Marine Equipment Directive⁴ which is incorporated in the UK by Regulations (SI 1999 No. 1957⁵ and MSN 1734⁶). These prescribe the relevant standards and the (type approval) mechanism that the radio equipment must undergo for compliance and is overseen by the Maritime and Coastguard Agency (MCA). This equipment is "wheel marked" to denote compliance with the Directive.

A summary of the Principal Acts and Regulations on Merchant Shipping can be viewed on http://www.mcga.gov.uk/c4mca/mcga-guidance_regulation/mcga-dops_pr_guidance_regulations_-_msn.htm.

Ship radio equipment not intended for use on SOLAS vessels is subject to the Radio Equipment and Telecommunications Terminal Equipment Directive (RTTED)⁷ which is incorporated in the UK by the RTTE Regulations⁸ as amended. Such radio equipment is not subject to the same stringent requirements as in the case of SOLAS vessels. RTTED equipment is CE marked⁹ to denote compliance with all applicable Directives. In the case of the RTTED equipment, to enable use of the equipment on UK vessels, the equipment must also comply with relevant UK Radio Interface Requirements. These detail "high level" parameters such as frequency and maximum power to ensure interference free operation. In general, as the equipment operates on internationally harmonised bands and to international standards, there is no conflict between the SOLAS and RTTED equipment. However, as the SOLAS equipment is subject to more stringent requirements and in some cases possess

³ In accordance with The International Safety of Life at Sea Convention 1974 as amended

⁴ Council Directive 96/98/EC on marine equipment as amended and Commission Directive 2002/75/EC as amended.

⁵ SI 1999 No. 1957 The Merchant Shipping (Marine Equipment) Regulations 1999

⁶ http://www.mcga.gov.uk/c4mca/mcga-guidance_regulation/mcga-dops_pr_guidance_regulations_-_msn.htm

⁷ Directive 1999/5/EC of the European Parliament and of the Council on Radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity

⁸ The Radio Equipment and Telecommunications Terminal Equipment Regulations S.I. 2000/730 as amended.

⁹ The "CE Mark" indicates that the product satisfies the requirements of all applicable European Directives.

additional functionality, such equipment can also be used on Voluntary fit vessels, although RTTED only certified equipment is not permitted for use on SOLAS vessels.

A similar ship radio licence is issued to all types of vessels with no distinction being made between SOLAS, Fishing or Voluntary Fit vessels. In the case of RTTED certified equipment, it is a condition of the licence that the equipment must comply with the relevant UK Radio Interface Requirement.

Section 3

Ship radio licensing today

Ship radio licence¹⁰ classes

The Ships' radio licence covers the installation and use of all the maritime radio equipment carried on board the vessel. This ranges from MF/HF equipment through VHF/UHF and satellite communications equipment in the 1.6 GHz band, to radar frequencies in the 9 GHz band. In addition to details of the licensee and of the radio equipment carried, the licence also shows the name of the vessel, the call sign and the Maritime Mobile Service Identity number. The MMSI is currently required for some satellite terminals and also for radios using Digital Selective Calling (DSC).

The applicant is also asked to provide a 24 hour emergency contact Number, gross tonnage and the maximum number of crew and passengers (although these details do not appear on the licence). The ITU regulates international call signs and MMSI numbers and makes block allocations of these to each administration.

Whilst the licence is applicable only to one specific vessel, we also issue a Ship Portable radio licence which applies only to portable ship VHF radio equipment, Personal Locator Beacons (PLBs) and Emergency Position Indicating Radio Beacons (EPIRBs). Once licensed, these devices can be used on board any vessel operating within territorial waters. This licence product is primarily intended for use by Pilots and Delivery Skippers on vessels temporarily under their control. This licence is prescribed a "T" numbered call sign and is not part of the international series.

The ship radio licensing process

Licences are issued on application and are renewable annually. The licence must be amended whenever any licence details change (e.g. when the vessel changes hands, or the frequency band of the radio equipment changes or when new equipment is added). There is also a requirement to register EPIRBs and PLBs with the MRCC (Falmouth)¹¹.

Although Ofcom is responsible for Ship radio and Ship Portable radio licensing, the processing function has been contracted out to the Royal Mail Radio Licensing Centre (RLC) in Bristol. RLC act as our Agents.

Relevant licensing information is sent by the RLC to the ITU (Geneva) and to the HM Coastguard (Falmouth) subsequently referred to as the Coastguard. The Coastguard reconciles the EPIRB registry database with the ship licensing information that is sent to them by the RLC. The ITU provides a global database listing the vessel name, call sign, MMSI number and EPIRB Identity Code, from which it is possible to view all vessels that have been notified. This is known as the Maritime Mobile Access and Retrieval System (MARS) database. The MARS database is available online at <http://www.itu.int/ITU-R/terrestrial/mars/index.asp>. Administrations are granted

¹⁰

http://www.ofcom.org.uk/licensing_numbering/radiocomms/licensing/classes/maritime/?a=87101

¹¹ The Marine Rescue Coordination Centre (MRCC) is part of the MCA which is an executive Agency of the Department for Transport (DfT) and has overall responsibility for the safety of ships at sea. See also The Merchant Shipping (EPIRB Registration) Regulations 2000 SI 2000/1850.

special access through a protected password in order to view further details of the licensing information on MARS relating to a particular vessel (e.g. licensee's name, telephone number etc.).

A licensee wishing to use the Public Correspondence facility (Telephone calls via a Coast Station) must nominate a Maritime Radio Accounting Authority (MRAA). This information is also passed to the ITU by RLC/Ofcom but does not appear on the ship's radio licence.

Section 4

The future of ship radio licensing

Proposal to introduce a lighter, electronic licensing process - licences for life

Ofcom proposes to introduce the following reforms to ship radio licensing:

1. To remove the requirement for radio users to purchase a new licence each year by issuing ship radio licences which remain valid for the life of the vessel. Licences would only be reissued where amendments to licence details were necessary (e.g. changes of ownership, vessel name, type of radio equipment etc.). The call sign would remain with the vessel until such time as the vessel was scrapped or the licence was revoked;
2. To provide an online, web-based, self-service licensing service as an alternative to the postal service;
3. To issue electronic licences (probably PDF® documents) to users of the online, web-based, self-service licensing service free of charge. The licensee would be free to print a hard copy of the licence to be kept on board the vessel;
4. We would continue to provide a postal service for applicants who do not have access to the internet or who prefer not to use the internet. The use of this service would not be free of charge since a fee would be applied to cover administrative costs;
5. Ofcom would continue to supply the MCA and the ITU with ship's radio licensing information.

This proposal would not alter the requirement for radio operators to hold the relevant marine radio operator's certificate of competence.

Ofcom will continue to advise licence holders of changes to their licence terms and conditions where necessary. The existing licensees would continue to receive notifications of any changes to licence terms and conditions by post free of charge although they could elect to receive electronic notifications if they wished. Future licence holders would have the option to accept electronic notifications (in which case the licence would be issued free of charge) or to make a postal application for the licence and receive postal notifications (in which case an administrative charge would be payable). Existing licence holders who wish to amend their licence would also have the option to accept electronic notifications (in which case the amended licence would be issued free of charge) or to make a postal application for the licence and receive postal notifications (in which case an administrative charge would be payable).

The purpose of the administrative charge would be to cover the direct costs associated with providing the postal service - there would be no charge for the use of the radio spectrum. Ofcom would consider a range of factors when determining the administrative charge including the cost of providing a dedicated customer support team, the cost of processing licence fee payments and postal costs (both for the licence and for future notifications). Whilst there would be some residual cost associated with the delivery of the on-line service, Ofcom believes that these costs would be sufficiently low that it would not be necessary to seek to recover these from licensees.

The level of the administrative fee would be the subject of a separate (Spectrum Pricing) consultation after which the administrative charge would be detailed in the WT (Licence Charges) Regulations.

The licensee would be responsible for ensuring that licence details were amended as and when necessary. Ofcom considers that the provision of a zero-cost, web-based, self-service licensing system would help to ensure that licensees would keep their licences up to date.

We estimate that 20% of ships' radio equipment is currently unlicensed nationally and hope that this reform would encourage greater use of licensed ships' radio equipment.

Ofcom can impose a range of sanctions for breaking licence conditions and is currently considering a consultation on the introduction of fixed penalty fines for the illegal use of certain types of radio. This will be the subject of a joint consultation with the DTI.

The change from annual to lifetime licences would not confer any other additional rights to the use of frequencies or bands - Section 5 provides more information on this.

Question 1: *Do you agree with the proposal to introduce a lighter, electronic licensing process? If not, please explain why.*

Question 2: *Do you agree with the proposal to issue licences which remain valid for the life of the vessel? If not, please explain why.*

Question 3: *Do you agree with the proposal to issue electronic ship radio licences free of charge? If not, please explain why?*

Question 4: *Do you agree with the proposal to apply an administrative charge when processing postal applications for ship radio licences? If not, please explain why.*

Alternative 1 – Transfer of licensing to the MCA

We considered whether it would be feasible for the MCA to undertake the licensing functions and identified two ways in which this could be achieved:

1. We could make the use of ships' radio WT Act licence exempt under licensing exemption regulations but with the added provision of the MCA being responsible for collecting the equivalent licensing information and then issuing a "registration document" with identical licensing details. This document would serve the purpose of a licence and would be available for inspection by the relevant authorities (e.g. at foreign ports). In addition to changes to the licensing exemption regulations, the Licensing Charges regulations (The Fees Order)¹², and the Limitation of Licence Numbers regulations¹³, additional legislative changes would be necessary under the Merchant Shipping Act¹⁴ to enable the MCA to issue a licence. The licence fees would be collected by the

¹² The Wireless Telegraphy (Licence Charges) Regulation S.I. 2002/1700 as amended

¹³ The Wireless Telegraphy (Limitation of Number of Licences) Order S.I. 2003/1902

¹⁴ The Merchant Shipping Act 1995 (c.21)

MCA and all previous licensing related functions would be carried out by the MCA.

2. Alternatively, we could contract out the WT Act licensing function to the MCA. In this case an Order under the Deregulation and Contracting out Act¹⁵ together with a contract between Ofcom and the MCA would be necessary in order to detail and formalise the respective responsibilities. In this case the licence fees would be collected by the MCA and transferred to Ofcom.

The transfer of licensing to the MCA would not reduce the regulatory burden on radio users.

A marginal advantage of this alternative would be that the MCA would become a “one stop shop” for some ships’ radio users (primarily SOLAS vessels). Other than this, we do not see any significant advantage to the ships’ radio user.

Question 5: *Do you agree that the transfer of licensing to the MCA would not offer any significant advantage, over the existing licensing system?*

¹⁵ The Deregulation and Contracting out Act 1994 (c.40)

Alternative 2 – WT Act licence exemption

By this we mean the deregulation of ships' radio licensing through the inclusion of maritime radio equipment in the Licensing Exemption regulations, removing the requirement for a WT Act ships' radio licence.

The WT Act licence exemption of ships' radio has the following implications:

1. Changes would be required to the Licensing Exemption regulations¹⁶, the Licensing Charges regulations (The Fees Order)¹⁷, and the Limitation of Licence Numbers regulations¹⁸;
2. There would be no licence document available for inspection by foreign administrations (this would subject UK vessels to the possibility of detention at foreign ports);
3. Ofcom would no longer hold a database of vessel details and radio equipment carried. This information is currently provided to the Coastguard for Search and Rescue purposes;
4. It would still be necessary to allocate call-signs and MMSIs where necessary;
5. There would still be the need for conditions to be attached to the licensing exemption regulations, such as the need for the radio equipment to conform to acceptable standards, the need for a relevant operator's certificate and to ensure that the radio equipment is only used when on-board a vessel;
6. There would be no charges for radio use to the boat user;
7. There would be no record of MRAAs which would create potential difficulties for Public Correspondence calls.

Until such time as the ITU Radio Regulations are changed, a licence document is required when operating within the territorial waters of foreign administrations. Vessels that do not have a valid ships' radio licence risk detention at foreign ports. Because of this, Ofcom would need to make WT Act licences available for vessels that would enter foreign territorial waters. Only vessels operating on in-shore waters and on the high seas could operate without a ships' radio licence.

This reform has already been adopted in the US, Australia and New Zealand. These countries have large coastlines and are geographically isolated from neighbouring countries. We question whether this reform would be a viable option for the UK given our proximity to our European neighbours.

Question 6: *Do you agree that WT Act licence exemption for vessels that remain within UK territorial waters is not currently practical?*

Question 7: *Do you agree that WT Act licence exemption remains a worthwhile long term objective? If not, please explain why.*

Question 8: *Do you believe that WT Act licence exemption would have an impact on maritime safety? If so, please explain why.*

¹⁶ The Wireless Telegraphy (Exemption) Regulations S.I. 2003/74

¹⁷ The Wireless Telegraphy (Licence Charges) Regulation S.I. 2002/1700 as amended

¹⁸ The Wireless Telegraphy (Limitation of Number of Licences) Order S.I. 2003/1902

Alternative 3 – Maintain existing licensing regime

Ofcom is committed to implementing the least intrusive regulatory mechanisms consistent with policy objectives. Ofcom believe that the requirement to renew the ships' radio licences each year goes beyond what is required to satisfy policy objectives and results in an unnecessary regulatory burden for ships' radio users.

Since there is no spectrum management requirement for issuing annually renewable ships' radio licences, Ofcom does not propose to maintain the current licensing system.

Question 9: *Would you prefer to see the current licensing system maintained without change? If so, please explain why.*

Section 5

Spectrum management

Maritime radio equipment is designed to satisfy international standards and operates on internationally harmonised frequencies. The issuing of a licence does not involve any direct spectrum management functions or frequency co-ordination issues. Providing that the applicant has filled in the application form correctly with all the relevant licensing details that are requested on the application form, that the appropriate fee is paid, and that there is no valid reason that a licence should not be granted, the applicant will receive a licence.

The change from annual to lifetime licences would not confer any other additional rights to the use of frequencies. Ofcom intends to continue to decide the allocation of maritime frequencies and bands in line with international agreements, which may also provide some reciprocal arrangements for radio use for vessels of other nations. The use of frequencies and bands may get changed from time to time, but it is currently normal practice to make such changes only where the relevant international discussions are held and we would anticipate adequate notice of any change to then be given, unless there is some urgent reason (such as a local or national emergency) for making changes.

The change from annual to lifetime licences would not alter the way in which Ofcom deals with any breach of licence condition which leads to interference to other authorised services.

Section 6

Spectrum pricing

In the consultation on spectrum pricing we indicated that any changes in spectrum pricing for maritime radio would be subject to further consultation. At this point Administrative Incentive Pricing (AIP) is not considered appropriate for vessels as these bands are allocated exclusively on an international basis and in addition, it is not possible to charge foreign vessels for use of the spectrum.

Section 7

Regulatory impact assessment

The analysis presented in this section when read in conjunction with the rest of this document, represents a Regulatory Impact Assessment (RIA), as defined by section 7 of the Communications Act 2003. You should send any comments on this RIA to us by the closing date of this consultation. We will consider all comments before deciding whether to implement our proposals.

RIAs provide a valuable way of assessing different options for regulation and showing why the preferred option was chosen. They form part of best practice policy-making and are commonly used by other regulators. This is reflected in section 7 of the Act, which means that generally we have to carry out RIAs where our proposals would be likely to have a significant effect on businesses or the general public, or when there is a major change in Ofcom's activities. In accordance with section 7 of the Act, in producing the RIA in this document Ofcom has had regard to such general guidance as it considers appropriate, including related Cabinet Office guidance.

Regulatory impact assessment table

Options	Costs	Benefits	Risks
<p>Proposal to introduce a lighter, electronic licensing process - licences for life</p>	<p>Boat users would no longer pay a WT Act licence fee. This would result in a loss of revenue for the Consolidated Fund (Treasury).</p> <p>The main costs associated with this Option would be the design, implementation and maintenance of a web-based self-service licensing system together with the provision of resources to process non-web-based licence applications.</p> <p>There would also be costs associated with the transfer of the licensing database from the RLC.</p>	<p>Reduced regulatory burden for ships' radio users.</p> <p>On-line users would be able to apply for and amend licence details for re-issue electronically at no cost without the time delay associated with the postal service.</p> <p>A licence would be available for inspection by foreign administrations.</p> <p>Ofcom would continue to hold a database of vessel details and radio equipment carried. This information is currently provided to the Coastguard for Search and Rescue purposes.</p> <p>This option would reduce Ofcom's operational costs.</p>	<p>There is a risk that the licensing database will become less accurate over time. This issue has been addressed in the main text.</p>

Options	Costs	Benefits	Risks
<p>Alternative 1 – Transfer of licensing to the MCA</p>	<p>There would be a cost associated with the various legislative changes required under this option (e.g. Exemption Regulations, an Order under the Merchant Shipping Act together with amendments of Orders under the WT Act, or an Order under the Deregulation and Contracting out Act, and other contractual arrangements between Ofcom and the MCA).</p> <p>There would also be costs associated with the transfer of the licensing database from the RLC to the MCA.</p> <p>All other ongoing costs would be borne by the MCA/DfT/Treasury.</p>	<p>A marginal advantage of this alternative would be that the MCA would become a “one stop shop” for some ships’ radio users (primarily SOLAS vessels).</p>	<p>There is significant uncertainty in respect of the possibility of the legislative changes and moreover if this can be overcome, implementation of this process is likely to take over two years.</p>
<p>Alternative 2 – WT Act licence exemption</p>	<p>Vessels operating on in-shore waters and on the high seas would no longer be required to pay a WT Act licence fee. This would result in a loss of revenue for the Consolidated Fund (Treasury).</p> <p>It would still be necessary to maintain a WT Act licensing system for vessels intending to travel within foreign territorial waters.</p>	<p>Reduced regulatory burden for vessels operating on in-shore waters and on the high seas.</p> <p>This option would reduce Ofcom’s operational costs.</p>	<p>There is a risk that unlicensed vessels may enter foreign territorial waters with a consequent risk of detention.</p> <p>Ofcom would no longer be able to provide the Coastguard with details of vessels operating on in-shore waters and on the high seas. This information is currently provided to the Coastguard for Search and Rescue purposes.</p>

Options	Costs	Benefits	Risks
Alternative 3 – Maintain existing licensing regime	The main costs associated with this option would be the maintenance of Ofcom's existing operational costs (including the cost of the licensing service contract).	This option would not result in any benefit to ships' radio users.	No risks have been identified.

Section 8

Responding to this consultation

How to respond

Ofcom invites written views and comments on the issues raised in this document, to be made by **5pm on Tuesday 3 May 2005**.

Ofcom strongly prefers to receive responses as e-mail attachments, in Microsoft Word format, as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 2), among other things to indicate whether or not there are confidentiality issues. The cover sheet can be downloaded from the 'Consultations' section of our website.

Please can you send your response to maat@ofcom.org.uk

Responses may alternatively be posted or faxed to the address below, marked with the title of the consultation.

Joe Darrell
Maritime & Aeronautical Team
Operations
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA

Fax: 020 7981 3061

Note that we do not need a hard copy in addition to an electronic version. Also note that Ofcom will not routinely acknowledge receipt of responses.

It would be helpful if your response could include direct answers to the questions asked in this document, which are listed together at Annex 3. It would also help if you can explain why you hold your views, and how Ofcom's proposals would impact on you.

Further information

If you want to discuss the issues and questions raised in this consultation, or need advice on the appropriate form of response, please contact Joe Darrell on 020 7981 3147.

Confidentiality

Ofcom thinks it is important for everyone interested in an issue to see the views expressed by consultation respondents. We will therefore usually publish all responses on our website, www.ofcom.org.uk, ideally on receipt (when respondents confirm on their response cover sheet that this is acceptable).

All comments will be treated as non-confidential unless respondents specify that part or all of the response is confidential and should not be disclosed. Please place any

confidential parts of a response in a separate annex, so that non-confidential parts may be published along with the respondent's identity.

Ofcom reserves its power to disclose certain confidential information where this is necessary to fulfil its functions, although in practice it would do so only in limited circumstances.

Please also note that copyright and all other intellectual property in responses will be assumed to be assigned to Ofcom unless specifically retained.

Next steps

Following the end of the consultation period, Ofcom intends to publish a statement by the end of June 2005.

Please note that you can register to get automatic notifications of when Ofcom documents are published, at http://www.ofcom.org.uk/static/subscribe/select_list.htm.

Ofcom's consultation processes

Ofcom is keen to make responding to consultations easy, and has published some consultation principles (see Annex 1) which it seeks to follow, including on the length of consultations.

If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at consult@ofcom.org.uk. We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, whose views are less likely to be obtained in a formal consultation.

If you would like to discuss these issues, or Ofcom's consultation processes more generally, you can alternatively contact Philip Rutnam, Partner, Competition and Strategic Resources, who is Ofcom's consultation champion:

Philip Rutnam
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA
Tel: 020 7981 3585
Fax: 020 7981 3333
E-mail: philip.rutnam@ofcom.org.uk

Annex 1

Ofcom's consultation principles

Ofcom has published the following seven principles that it will follow for each public written consultation:

Before the consultation

1. Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. If we do not have enough time to do this, we will hold an open meeting to explain our proposals shortly after announcing the consultation.

During the consultation

2. We will be clear about who we are consulting, why, on what questions and for how long.
3. We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened version for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.
4. We will normally allow ten weeks for responses to consultations on issues of general interest.
5. There will be a person within Ofcom who will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organisations interested in the outcome of our decisions. This individual (who we call the consultation champion) will also be the main person to contact with views on the way we run our consultations.
6. If we are not able to follow one of these principles, we will explain why. This may be because a particular issue is urgent. If we need to reduce the amount of time we have set aside for a consultation, we will let those concerned know beforehand that this is a 'red flag consultation' which needs their urgent attention.

After the consultation

7. We will look at each response carefully and with an open mind. We will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

Annex 2

Consultation response cover sheet

- A2.1 In the interests of transparency, we will publish all consultation responses in full on our website, www.ofcom.org.uk, unless a respondent specifies that all or part of their response is confidential. We will also refer to the contents of a response when explaining our decision, without disclosing the specific information that you wish to remain confidential.
- A2.2 We have produced a cover sheet for responses (see below) and would be very grateful if you could send one with your response. This will speed up our processing of responses, and help to maintain confidentiality by allowing you to state very clearly what you don't want to be published. We will keep your completed cover sheets confidential.
- A2.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore Ofcom would encourage respondents to complete their cover sheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A2.4 We strongly prefer to receive responses in the form of a Microsoft Word attachment to an email. Our website therefore includes an electronic copy of this cover sheet, which you can download from the 'Consultations' section of our website.
- A2.5 Please put any confidential parts of your response in a separate annex to your response, so that they are clearly identified. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only so that we don't have to edit your response.

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

CONFIDENTIALITY

What do you want Ofcom to keep confidential?

Nothing

☐

Name/address/contact
details/job title

☐

Whole response

☐

Organisation

☐

Part of the response

☐

If there is no separate annex, which parts?

Note that Ofcom may still refer to the contents of responses in general terms, without disclosing specific information that is confidential. Ofcom also reserves its powers to disclose any information it receives where this is required to carry out its functions. Ofcom will exercise due regard to the confidentiality of information supplied.

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response. It can be published in full on Ofcom's website, unless otherwise specified on this cover sheet, and I authorise Ofcom to make use of the information in this response to meet its legal requirements. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

☐

Name

Signed (if hard copy)

Annex 3

Consultation questions

Question 1: Do you agree with the proposal to introduce a lighter, electronic licensing process? If not, please explain why.

Question 2: Do you agree with the proposal to issue licences which remain valid for the life of the vessel? If not, please explain why.

Question 3: Do you agree with the proposal to issue electronic ship radio licences free of charge? If not, please explain why?

Question 4: Do you agree with the proposal to apply an administrative charge when processing postal applications for ship radio licences? If not, please explain why.

Question 5: Do you agree that the transfer of licensing to the MCA would not offer any significant advantage over the existing licensing system?

Question 6: Do you agree that WT Act licence exemption for vessels that remain within UK territorial waters is not currently practical?

Question 7: Do you agree that WT Act licence exemption remains a worthwhile long term objective? If not, please explain why.

Question 8: Do you believe that WT Act licence exemption would have an impact on maritime safety? If so, please explain why.

Question 9: Would you prefer to see the current licensing system maintained without change? If so, please explain why.

Annex 4

Glossary

CE	The "CE Mark" is a mandatory mark for many of the products sold on the European market and indicates that the product satisfies the requirements of all applicable European Directives.
DfT	Department for Transport.
DTI	Department of Trade and Industry.
EPIRB	Emergency Position Indicating Radio Beacon.
ITU	The International Telecommunication Union. It has responsibility internationally for the Radio Regulations which govern the use of the radio spectrum.
MCA	The Maritime and Coastguard Agency. The MCA is an executive Agency of the Department for Transport.
MMSI	Maritime Mobile Service Identity. The MMSI is a nine digit number that uniquely identifies a ship and its country of registration.
MRAA	Maritime Radio Accounting Authority. These organisations collect and distribute telecommunication charges for non-emergency radio telephone and telex calls from ships into the international subscriber networks. They act as an intermediary between mobile subscribers and service providers/network operators.
MRCC	Maritime Rescue Coordination Centre
PLB	Personal Locator Beacon.
RLC	The Royal Mail Radio Licensing Centre. The RLC act as Ofcom's agents for ships radio licensing.
RTTED	The Radio equipment and Telecommunications Terminal Equipment Directive 1999/5/EC of the European Parliament and of the Council.
SOLAS	The International Convention for the Safety of Life at Sea (1974) as amended. Also used to denote a class of vessels – in general, those over 300 gross tonnage and vessels carrying more than 12 passengers.