

Additional comments:

Mainly, as I've commented at greater length in my answer to question 1: a clear table has been converted into a typical-of-Ofcom very lengthy and impenetrable set of sections.

Obviously, the regulations must be made, as they are a requirement on us. (I just don't think this is a good way to publish the information!)

Question 1: Do you have any comments on the drafting of the Proposed Regulations?:

Presumably the division of section 5 (2) (b) into three lines is based on previous experience; it seems excessively complex if not.

5 (4) - "condition" should probably be "conditions".

6 onwards: OfCom have proposed the use of words rather than a table, on the grounds that "this format will make the requirements clearer for stakeholders and is consistent with what we have done previously in this area". I disagree with the suggestion - I think a table, with footnotes if necessary, would be considerably easier to follow. The wordy version includes considerable repetition of phrases which, in a table, would become column headings. It also makes it far more difficult, in my opinion, to understand the differences between the powers etc. permitted in general (section 6 and 7), for location devices (part 3: 8 to 11), vehicles (4: 12 to 15), aircraft (5: 16 to 19), sensors (6: 20-24), and material analysis (7: 25-27).

Unfortunately, I agree that the proposed approach is indeed consistent with what OfCom (and its predecessors) have done in this type of regulation/legislation - but I don't think that's a positive point! It reinforces the reputation of stuffiness. Seriously, the only advantage I can see to the proposed almost-endless repetition is that it would be slightly more difficult to _cite_ a particular section if table(s) were to be used instead; I feel this small (and not insurmountable) disadvantage would be more than outweighed by the improved transparency of a table (or a few tables).

[(Section 7 includes one of the longer sentences I've seen recently, even from OfCom! I do understand it, but several shorter might be better ... (-:)]

7 (a) and (b): I think "is" should be "are". [And probably any repetition of similar in later similar sections.]

Question 2: Do you have any comments on the technical aspects of the Proposed Regulations:

5 (3) - I think "undue" needs either removal or definition. (Ditto 9 (3), 13 (3) ...)

Question 3: Do you have any comments on the defined terms in Regulation 3 of the Proposed Regulations?:

spurious newline within "automotive vehicle";

under "e. i. r. p.", suggest delete "or isotropic";

"equivalent transmission level" - I suggest this term be modified in some way (such as "50MHz-equivalent ..."): obviously the term would need amending wherever used. Something similar for "peak power" also;

does "location tracking systems type 1" need the "type 1" (i. e. are any other types of location tracking systems involved in the proposed regulations - if not, the "type 1" just adds unnecessary wording which in addition further obscures the readability/flow of already [by necessity] heavy-going language);

under "material sensing device", remove the word (is it even a word!) "radiodetermination" - if it is thought necessary to expressly convey this information, add ", by means of radio waves" (note the comma!) before the final semicolon; and

I feel the term "onboard aircraft", even though defined here, could be confusing, and would suggest using "within-aircraft" and/or "intra-aircraft" wherever it was to be used.

Question 4: Do you have any comments on the Regulatory Impact Assessment?:

No.