

Your response

Question	Your response
<p>Question 1: Please provide feedback on the additions, amendments and clarifications we have made to the wording of the licence condition to implement our decisions on the scope of the licence condition in our October 2020 Statement, giving reasons for your response.</p>	<p>Confidential? – N</p> <p><u>Definitions</u></p> <p>The definition of “general public” in the context of the Amateur Radio Service is overly restrictive in that it only accounts for a single licensee or operator responsible for the transmitter. Where there are multiple operator stations, who is to be considered the licensee for each transmitter and is an ‘off duty’ operator in the vicinity now to be defined as ‘general public’ when they do not have a microphone in their hand?</p> <p>No definition is provided for a place accessible to the general public, even though there is a legal definition of such in other legislation i.e. “Public place includes any highway and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise”.</p> <p>The statement in response to the first consultation recognises that family members in a Radio Amateur household, or non-paying passengers on a maritime leisure craft will trigger the requirement to comply with the ICNIRP public limits. Since neither of these locations are ‘a public place’ then what consideration have Ofcom made of the normal ‘duty of care’ that exists between occupiers and visitors? This definition also does not recognise that volunteers do not necessarily fall under the ‘trade, business or profession’ provision of clause.</p> <p>RAYNET-UK welcomes the addition of a new licence condition explaining that licensees will not need to comply with the ICNIRP general public limits if both the following two conditions are met:</p> <ul style="list-style-type: none">• Condition 1: radio equipment is being used for the purpose of seeking emergency

	<p>assistance or reporting or responding to an emergency situation including for search and rescue activities and maritime emergency communications.</p> <ul style="list-style-type: none"> • Condition 2: compliance with the ICNIRP general public limits is likely to result in or create an immediate and serious threat to the safety of the public or public health. <p>However this deals with 'live' incidents and does not take into account the use of equipment for training and exercising purposes.</p> <p>Clause 1(2) of the Amateur Radio Licence is naturally unique to our service in stating; "1(2) The Licensee may use or permit the use of the Radio Equipment by a member of a User Service during any operation conducted by a User Service or during any exercise relating to such an operation in each case for the purpose of sending Messages on behalf of the User Service."</p> <p>To gain the best value from training activities these may be 'no notice' activities to provide the best training experience , however the relatively narrow way Ofcom proposes an exemption from the ICNIRP guidelines for emergencies may be seen as limiting these activities.</p>
<p>Question 2: Please provide feedback on the additions and clarifications to our 'Guidance on EMF Compliance and Enforcement', giving reasons for your response.</p>	<p>Confidential? - N</p> <p>Paragraphs 5.23 and 5.24 on Page 44 of the Ofcom statement responding to the first consultation imply that the EMF calculator can be used to assess sites with multiple transmitters by aggregating the total power on all frequencies in use, then calculating the compliance distance on each frequency in use. This approach thankfully does not persist into the Guidance on compliance as it does not reflect that the limits on maximum permissible exposure in ICNIRP are based on frequency as well as time and this aggregation will lead to a massively conservative approach. If the EMF calculator is to be used for this purpose then it must show the field strength at a user provided distance so that an assessment can be provided to meet A.2.28 b) and demonstrate that the</p>

	<p>EMF at that point is <5% of the General Public limits.</p> <p>Paragraph A 2.28 a) as written removes the shared site exemption if the licensee is 'authorised' transmitter powers exceeding 100W eirp. A distinction should be made between the authorisation and the actual capability of the installed equipment.</p>
<p>Question 3: Please provide feedback on the trial version of our EMF calculator, giving reasons for your response.</p>	<p>Confidential? - N</p> <p>The calculator uses inappropriate wording in the concept of 'safe' distance. Existing terminology as found in the Control of Electromagnetic Fields (EMFs) at Work (CEMFAW) Regulations 2016 such as 'Action Limits" or "Exposure Limit Values" or even the ICNIRP 'reference levels' steps away from the concept of 'safety' which naturally raises concerns amongst non-practitioners.</p> <p>The calculator should make clear that is is only one route to compliance and a perceived 'failure' is actually a trigger to undertake a more detailed set of calculations to confirm compliance with the ICNIRP limits.</p> <p>The calculator is solely concerned with a single transmitter configuration and establishing a compliance distance. To assist with demonstrating that an exemption exists for a shared site then it should also show the field strength at a user specified distance from the transmitter.</p>