

**Ofcom's proposals to amend the Wireless Telegraphy
(Automotive Short Range Radar) (Exemption) (No.2)
Regulations 2005**



**Joint response from the Radio Society of Great Britain,
UK Microwave Group, Amsat-UK**

December 17th 2007

Introduction

This response is a joint one to the above Ofcom discussion document from the Radio Society of Great Britain (RSGB, www.rsgb.org.uk) and its national affiliates who have microwave spectrum interests - Amsat-UK (www.uk.amsat.org), UK Microwave Group (UKuG, www.microwavers.org).

RSGB is recognised as one of the leading organisations in the world in the field of amateur radio. It collaborates with its fellow national societies via the International Amateur Radio Union (IARU) through IARU Region-1 (www.iaru-r1.org).

Amateur radio is a science based technical hobby enjoyed by over three million people worldwide. From a statutory point of view it is fully recognised by the International Telecommunication Union (ITU) as a Service and is listed in the ITU Radio Regulations as the Amateur Service and the Amateur-Satellite Service.

Having participated and provided previous submissions to the 24GHz and 79GHz Car Radar process, we thank Ofcom for this further opportunity to contribute. We attach considerable importance to developing both terrestrial and satellite based amateur systems within our 24GHz Primary allocation, and encouraging technology development in the higher millimetre-wave bands.

We would be pleased to provide any additional information on request or participate in any future discussions, both with Ofcom and any other stakeholder who has an interest in these bands.

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RSGB, Amsat-UK & UKuG, December 2007

Regulations Comments

Introduction

We recognise that this amendment is principally to protect the Radio Astronomy service which is adjacent to the Primary 24GHz amateur allocation. As such it is effectively part of the broader context of encouraging development and migration of Automotive SRR applications to the more suitable 79GHz millimetre-wave band

Whilst we don't support 24GHz SRR, we fully support this update to the regulations. However the relatively late timing of this proposed amendment does raise some issues which we address below.

Comment on Draft Regulations

We note and support the primary purpose of the proposed amendment which would enable Ofcom to mandate the automatic de-activation zones around the nominated observatories for newer 24GHz SRR systems as per the EU decision.

The amended wording (as replicated in the appendix) in general seems consistent with mandating automatic mechanisms only, after the specified date. Likewise we recognise it is an opportunity to update 1949 WT Act references to the recent 2006 edition.

What is not specified in the current Ofcom draft regulation and its related RIA is the actual date that will be inserted into the regulations and its associated regulatory implications.

The EU Decision clearly specified that this be 30 June 2007 (the 'transition date') in Article-2.

Given the current date is ~6months after this, it raises issues that we would appreciate Ofcom comments on:-

- a) If the UK Regulations incorporate the 30-June-2007 date, this would maximise compliance with the EU Decision, but be a rare example of retrospective legislation (though with low market impact)
- b) If set at say January-2008 after the close of this exercise, it makes UK Law inconsistent with the EU Decision

Preparation for 2009 Changes

We would also highlight that in addition to the 2009 24GHz SRR progress review that Ofcom refers to, another regulatory amendment to tighten high angle radiated emissions is also due by end of 2009 to maintain compliance with Article-4, Para-3 of EU decision 2005/50/EC. We would appreciate a more timely start to implement this.

General Comment

This is but one of many examples of timed or sunset clauses spread around various radio regulations. We would appreciate Ofcom comments on whether a coordinated calendar of all such dates could be made publicly available to enable a lower burden and more timely action for both stakeholders and regulators in future.

RSGB, Amsat-UK & UKuG, December 2007

Appendix

In brief the main regulatory change as drafted in the discussion document is:-

(4) Replace regulation 4(7) in its entirety with:

“(7) Equipment operating in the frequency band between 22.21 gigahertz and 24.00 gigahertz must where the equipment has been established or installed in a vehicle put into service in the Community before [date] —

(a) automatically deactivate so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone; or

(b) be capable of manual deactivation so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone.”

(5) After regulation 4(7) insert the following paragraph:

“(8) Equipment operating in the frequency band between 22.21 gigahertz and 24.00 gigahertz must where the equipment has been established or installed in a vehicle put into service in the Community on or after [date] automatically deactivate so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone.”

RSGB, Amsat-UK, UKuG - December 2007.