

The Manager
Spectrum Licensing Policy Section
Australian Communications and Media Authority
PO Box 13112
Law Courts
Melbourne VIC 8010
SLPSConsultations@acma.gov.au

Dear Sir/Madam,

The author of this submission thanks the ACMA for the opportunity to review and provide comment on the ACMA's "Proposed changes to amateur licensing arrangements – Non-assigned amateur stations".

The ACMA states^{#1} that it uses evidence to inform and fulfil its regulatory responsibilities with the aim to:

- a) Improve the transparency of the ACMA's decision-making process
- b) Assist stakeholder involvement in regulatory issues and decisions
- c) Contribute to effective and appropriate regulatory outcomes.

There is no evidence provided by the ACMA which supports the proposal that a "No Interference, No Interference Protection" Class Licenced regime satisfies:

- a) the government's aim of deregulation;
- b) reducing regulatory burden;
- c) the ACMA's obligations to manage access to spectrum;
- d) minimising costs for licensees;
- e) preserving current operational utility;
- f) allowing Australia to continue to meet its obligation relating to the regulation of the amateur radio service under the International Telecommunication Union (ITU) Radio Regulation (RR);
- g) reducing risk to the community;
- h) reducing the conditions applying to the operation of non-assigned amateur stations;
- i) removing unnecessary restrictions;
- j) simplifying the amateur licensing regime;
- k) allowing all amateur users greater flexibility in using frequency bands, emission modes and equipment;
- l) promoting certainty and flexibility;
- m) maintaining the existing licence conditions for amateur stations that are necessary to ensure interference management adequately balances the cost of interference while allowing amateur licensees to better utilise available frequency bands; and
- n) promoting or encouraging self-regulation by the amateur radio community.

In fact, analysis of the proposed "No Interference, No Interference Protection" Class Licence document clearly identifies that, for the most part, the contrary is the case. It is also noted that no regulatory impact assessment appears to have been provided to support any of the claims made by the ACMA, specifically but not limited, to reduced regulatory burden or minimisation of costs for licensees

^{#1} "Evidence-informed regulation The ACMA Approach" © 2010 <https://www.acma.gov.au/-/media/Office-of-the-Chair/Information/pdf/ACMA-EvidenceInformed-Regulation-The-ACMA-Approach.PDF>

^{#2} - <https://vkradioamateurs.org/rasa-interim-position-on-acma-proposed-changes/> and <https://vkradioamateurs.org/acma-proposed-changes-faq/> and <https://vkradioamateurs.org/amateurs-need-facts/>

I have personally undertaken a detailed analysis (amounting to 7 pages of itemised observations of issues) of the ACMA's proposed documents and statements identifying inconsistencies, errors of fact, significant risks to amateur radio operations and extensive potential cost impacts which do not appear to have been appropriately considered by the ACMA in the preparation of their documents.

As such and on the basis of the above, I do not support the ACMA's proposal to change the amateur radio licencing arrangements from its current form to a Class Licence based system and therefore, reluctantly, can only support Option A at this point in time. Should the ACMA be willing and able to address the identified shortcomings, as detailed in the WIA's submission document (whether by apparatus or class licencing arrangements), then I would encourage the ACMA to work with the WIA's representatives towards this goal for the mutual benefit of the ACMA and the Australian Amateur Radio community.

I note that it remains of great concern that the ACMA continues to engage with another supposedly representative organisation that appear to continue to misinterpret and misinform^{#2} the community, without basis, as to the specifics of this consultation and the potential impacts and repercussions thereof.

Thank you again for the opportunity to actively participate in the Public Consultation process. I trust that the above demonstrates the evidence-based approach required by the ACMA for submissions and provides an opportunity to continue to advance Amateur Radio in Australia.

Your faithfully,

Cameron McKay