



Amateur Radio Services in Jamaica

Recommendations for Amendments to the Regulation

A Consultative Document

2005, January

Introduction

The Spectrum Management Authority has recognized the need to update some of the regulations which now govern the operations of these services in Jamaica. Currently, operations are guided by the rules as set out in The Radio and Telegraph Control Act (Amateur Service Regulations) 1974 and (Radio Operators and Technicians Regulations) 1974, Act.

It is recognized that Jamaica is lagging behind in terms of the regulations which govern radio amateurs internationally. Indeed, at the WRC 03, several important changes were made to the international regulations which govern the operations of Amateur operators, under Article 25 of the Radio Regulations. It is the opinion of the local fraternity that the slow pace at which these issues have been addressed has had a negative impact on the growth of this group of spectrum users in Jamaica. Amateur Radio operators play a key role in the services they provide in situations of emergency and disasters, and therefore, it is important that the regulations which govern these users assist in promoting the growth of the Amateur radio service in Jamaica.

This paper will seek to highlight issues which have arisen as a result of changes in the Regulations and through discussions with the Jamaican Amateur Radio Association (JARA). A number of recommendations will be made, in keeping with international best practices and changes which are currently taking place worldwide.

Responding to the Consultative Document

The SMA invites responses to this Consultation document from all interested parties. Responses should be addressed to:

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This document will be placed on our Web Site www.sma.gov.jm. Responses are requested by **Friday, 2005, February 4**

Amateur Radio Services in Jamaica : Recommendations for Amendment to the Regulation

The Authority, through discussions with members of the local Amateur Radio Operators fraternity, as well as research on international developments which affect this group of spectrum users, has identified four main issues for review and action. These are:

- The examination process for Amateur Radio Operators.
- The Morse code requirements for the different classes of licences.
- International Agreements with respect to Amateur Radio Operators.
- The fees charged to Amateur Radio Operators and the tenure of the licence

In presenting the recommendations, the policy objective of the SMA will be to promote and encourage the development of Amateur Radio in Jamaica through;

- ✓ updating and simplifying the regulation for the Amateur and Alien Amateur Operators, thereby improving access to the spectrum for these users,
- ✓ encouraging self-regulation and efficient use of the spectrum, and where possible,
- ✓ bringing the licence conditions and qualification requirements in line with international practice.

A. The examination process for Amateur Radio Operators

Sections 17 to 22 of the Radio Operators and Technicians Regulations, establishes the guidelines under which the Post Master General may grant a licence on being satisfied that an applicant has the required knowledge and technical expertise to operate an Amateur Station. The Regulations require that all persons interested in operating an Amateur Radio Station take an examination of an oral, written, and practical nature.

Presently the SMA is responsible for the administration of these examinations on behalf of the Post Master General. This includes developing the examination paper, administering the examinations, marking papers and disseminating the results. A fee of \$500.00 per person is charged for administering the examination. JARA has repeatedly expressed concerns about the length of time taken to conduct examinations and issue licences. For its part, the SMA has not had adequate resources to deal with all aspects of the administration of these examinations as soon as persons are ready.

It is being proposed by JARA that the SMA appoints Volunteer Examiners/ a Volunteer Examination Body. This is similar to the situation in other jurisdictions:

- In the USA, the Federal Communications Commission (FCC) appoints Volunteer Examiners from the amateur radio fraternity and Volunteer Examiners Coordinators. These persons are responsible for the administration of the examinations and the presentation of the results to the FCC for official certification.
- In Australia, the Australian Communications Authority (ACA) has an agreement with the Wireless Institute of Australia regarding the administration of these examinations.

- In New Zealand, the Ministry has appointed authorized examiners, individuals and organizations. The New Zealand Association of Radio Transmitters (NZART) is the main organization which is responsible for all information relating to examinations. An individual or organization can apply to become an authorized examiner. A list of these persons/institutions is published and an annual audit of examiners is conducted.

This is also similar to the situation which currently exists in Jamaica with respect to GMDSS certificates. Examinations are administered by the Caribbean Maritime Institute and results submitted to the SMA for the processing and granting of Certificates. Such an arrangement saves time and administrative costs for the SMA, as well as ensures a more timely process in the granting of these licences. Persons do not have to wait until the regulator (SMA) can conduct the examination.

B. The Morse code requirements for the different classes of licences.

The present Jamaican regulations require Morse code for all three levels of licences as follows: Class A – 15 wpm; Class B – 10 wpm; Class C – 5 wpm

At the WRC 03, it was agreed that Morse code would no longer be an international requirement for an Amateur Radio licence, though individual administrations may require it. Many countries have or are in the process of reducing to 5wpm or removing the Morse code requirements entirely. A report issued in 2003 by the Wireless Institute of Australia gave the following examples of decisions made in other jurisdictions.

- South African Telecommunications Regulatory Authority has agreed to 5wpm.
- Radio Amateurs in Canada have asked Industry Canada to adopt 5wpm.
- The US Federal Communications Commission is to adopt 5wpm from April 15.
- Britain, Sweden and Gibraltar are already using the 5wpm standard.
- Germany, Switzerland, The Netherlands, India, Israel, and Papua New Guinea are actively considering 5wpm.
- Radio societies in Scandinavia are closely monitoring developments and are yet to make their views or intentions known.
- Ireland is opposed to 5wpm, believing it is "impractical", and will stick with 12wpm.
- The majority view in Hong Kong was to cancel the requirements for accessing amateur frequency bands below 30 MHz.

JARA has made the following recommendation:

Class A and B – 5 wpm with an additional electronic theory question for Class A to distinguish between the two classes. Class C – no Morse code required.

C. International Agreements and Operations of Overseas Amateurs

The current Regulations state that a licence may be issued to “any Commonwealth citizen who is the holder of a valid Amateur Radio Operator’s licence or Certificate issued in a Commonwealth country.....” In addition, Section 32 speaks of the granting of reciprocal amateur radio operating privileges, where there is a valid agreement between Jamaica and the other country. On the websites of the FCC and Industry Canada, Jamaica is included among those countries with reciprocal agreements with USA and Canada. There is no further information with regards to other countries.

Over the years, a number of international agreements have been formulated with a view to reducing the cost and time for administration in relation to the licensing of Alien Amateur Radio Operators, i.e. amateur who wish to operate in another country, usually for a short-period of time and facilitating the operations of amateurs across borders. This approach also reduces the need for separate bi-lateral arrangements. Jamaica is not a signatory to any of these conventions.

- **Inter-American Convention on the International Amateur Radio Permit (IARP)**

This allows for the issue of an International Amateur Radio Permit, which allows citizens of member states of CITELE (of which Jamaica is a member) to operate temporarily in the Amateur Service of any other CITELE member state, without need for further review. This agreement came into force in February 1996 and sought to “facilitate progress in streamlining procedures and cutting costs”. Countries which have signed this agreement include: Argentina, Brazil, Canada, El Salvador, Panama, Peru, Trinidad & Tobago, United States, Uruguay and Venezuela.

- **Amendment to the Inter-American Convention on the International Amateur Radio Permit**

In June 2003, an amendment was made which granted holders of European Conference of Postal and Telecommunications Administrations (CEPT) amateur licences the same privileges as those granted to holders of IARP on a reciprocal basis. Signatory countries are: Argentina, Brazil, Canada, El Salvador, Panama, Peru, Trinidad & Tobago, United States, Uruguay and Venezuela.

These arrangements allow temporary operations in other member (CITELE and CEPT) states **without having to obtain additional licences and without having to pay additional duties, taxes and fees. International Permits are normally granted for one year at a time, renewable. Persons in possession of an international permit are required to abide by all the rules and regulations of the country being visited.**

In Australia, reciprocal licences are issued to visiting amateurs. The ACA is taking steps to create a “class licence” for visiting amateurs. This would allow these persons (from

other participating CEPT countries) to operate a station **without** having to obtain an individual licence.

Currently, Alien Amateurs are required to obtain a temporary licence when visiting Jamaica. They are charged a fee of US\$10.00 for the processing of their application.

(see www.citel.oas.org/iarp.asp for more information)

D. Spectrum Fees

To become a licensed Amateur Radio Operator, an individual pays \$500.00 for the examination. If successful, the annual spectrum licence fee is \$500.00 per annum. Presently, this group of users is not charged Regulatory fees. This exemption was made in keeping with international best practices for Regulators to exempt these groups and also because of the role they play in national emergencies. **It is being proposed that the current policy of exemption from Regulatory fees remain unchanged.**

A view has been expressed that a review of the licence fee is in order, the current fee being in place since 1998. The rationale for amending the fee should take into consideration, the cost of processing licences for Radio Amateurs as well as the value of the spectrum being utilized. A comparison was made with fees (US\$) charged in other jurisdictions.

Regulator/Country	Licence Fee (US\$)
Jamaica	\$8.00 (approx)
St. Vincent & Grenadines	Application Fee - \$9.38 (all classes) \$9.38 (novice/general), advanced class \$18.76, foreign \$26.27
Netherlands Antilles	\$14.00
FCC	\$20.80 per call sign
Kenya	Annual Fee - \$24.76
United Kingdom	Annual Fee - \$28.71 (free for persons under 21 and over 75 years.
New Zealand	Initial Fee - \$46.02 Annual Fee - \$23.00
Australia	1 year – 39.57 2 years – 74.56 3 years – 110.24 4 years – 145.21 5 years – 180.28

Recommendations

Examinations

1. That the SMA formally designates the Jamaica Amateur Radio Association and/or any other established Amateur Radio Association as the official examination body/bodies responsible for all aspects of the administration of the examination.
There are some options re the appointment of examiners:
 - (a) The appointed body/bodies to appoint qualified examiners from its membership, using criteria stipulated by the SMA.
 - (b) The SMA to appoint qualified examiners from the membership of the appointed examination body/bodies.
2. Independent individuals can apply to become appointed examiners, providing they meet the criteria set by the SMA.
3. The role of the SMA would be to issue licences on the recommendation of the examination body/bodies or appointed individuals having been presented with all the supporting documents for the granting of such licences.
4. The SMA would also stipulate the rule of conduct for these individuals/organizations and monitor such conduct. These would include inter alia, rules in relation to the qualifications required to be an examiner and the conduct of examinations
5. The amended Regulations will establish the guidelines for the appointment and conduct of the examiners and the examinations, including the role of the Regulator in conducting annual audits of examiners and examination bodies (similar to section 97.509 of the FCC Regulations)
6. The official examination body/bodies would be responsible for the dissemination of all information in relation to syllabus and examinations, in keeping with ITU requirements.

Morse code Requirements

1. That the Regulations with respect to the Morse Code requirements be amended to reflect the following:
 - Class A and B – 5 wpm with an additional electronic theory question for Class A to distinguish between the two classes.
 - Class C – no Morse code required.
 - Higher requirements (15 wpm) can remain as an option for reciprocal licensing purposes, that is, for Jamaican operators when visiting other countries that may still have this requirement.

International Agreements

1. Based on current trends, it is recommended that Jamaica should become signatory to the International Amateur Radio Permit (IARP) Convention and the amendment, and take the necessary steps to sign the relevant Protocols. This is subject to confirmation of Jamaica's obligations on signing of this Convention.

2. By these agreements, the SMA would issue international permits to Jamaican Amateurs, which would allow them to operate in other member states who are signatory to the agreement. The SMA would permit entry and operation of an alien amateur station (provided the individual has a valid international licence) without the need for additional licensing to persons from countries which are also signatory to the agreement.
3. To monitor the entry of persons with international permits, the SMA would require that persons intending to temporarily operate an Amateur station in Jamaica advise the Authority of the time and place and work and provide proof of valid international permit.
4. A general provision of this IARP is that no fees or taxes can be levied on the holder of the IARP other than by the issuing state.
5. Persons who do not hold an international permit would be required to apply to the SMA following the established procedure and pay the required processing fees.

Fees for Spectrum licences

Based on the table previously presented, licence fee payable by operators in Jamaica is considerably below most other countries surveyed. It is proposed that the fee for licences be adjusted to reflect the value of the spectrum being used and to meet the minimum administrative cost of preparing the licences. It is difficult to introduce variables such as bandwidth and location, power etc. in order to determine a value for the spectrum, given that amateur licences are considered to be “unassigned”. Therefore, we have utilized “benchmarked” fees in order to propose the adjustments.

Recommendations

- Introduce an Amateur Permit Application Processing Fee of \$1,000.00. This is half of the amount charged for PRS with one station, since Amateur frequencies are “unassigned”.
- Apply an increase to licence fees which would bring them in line with fees charged in other jurisdictions, while still remaining reasonable.

Application Processing Fee	-	\$1,000.00 per call sign
First Year Licence Fee	-	\$1,200.00 per call sign
Total Fee in Year 1	-	\$2,200.00 per call sign
Annual Licence Fee (after 1 yr)	-	\$1,200.00 per call sign

The annual fee is equivalent to approximately US\$19.42 per call sign at an exchange rate of US\$1.00 = \$61.80.

Fees for international licences will be developed after Jamaica signs the IARP Conventions and in consultation with the Amateur fraternity.

Amateur radio operators will continue to be exempt from the payment of Regulatory fees.

Alien Amateurs

A similar increase would apply to the fee for the processing of Alien Amateur Permits, for those who are not in possession of an International Amateur Permit or a permit from a country with which Jamaica has a reciprocal agreement. The processing fee would move to US\$20.00. Those with international permits would still be required to advise the Authority when they intend to operate in the island. Some collaboration with the Customs Authority would also be required in these cases. This will be applicable after Jamaica signs the necessary conventions.

Licence Tenure

It is being recommended that the tenure for spectrum licences for Amateur Radio operators be extended to a maximum of five years. In addition to reducing the administrative burden on the SMA, it has been observed that some amateur operators do make advance payments on licence fees.

**Prepared by:
Spectrum Management Authority
2005, January**