



The New Zealand Association of Radio Transmitters Incorporated

AMATEUR RADIO LICENCE FEES

A Submission to the Ministry of Economic
Development in response to the Ministry's papers
of December 2004:

"REVIEW OF RADIOCOMMUNICATIONS FEES 2004"

Introduction

This Submission is made on behalf of NZART Council and is in response to the *Review of Radiocommunications Fees* and the *Draft Fees Schedule and Discussion Papers* that appeared on the Ministry's web page during December 2004 at <http://www.med.govt.nz/rsm/formsfees/review/index.html> and which invited a response.

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Past history

There have been earlier submissions about fees, in particular the NZART submission dated 30 March 2003 in response to the Ministry's paper of March 2003: "REVIEW OF RADIO SPECTRUM FEES". Much material in that submission is still relevant.

The present fees

Schedule 6 of the Radiocommunications Regulations 2001 (replaced in 2003) sets the current licence fees. These are shown in two separate categories: *amateur (operator)* and *amateur (repeater and beacon)*. Each category will be considered here in turn.

The amateur (operator) licence fee

The present licence fee is \$35.00 per year including GST, an outcome from the 2003 review. From discussions with officers of the Ministry at various times in recent years, it has been the expectation that this fee is to be reduced to zero and that there would be opportunity for direct on-line access by Ministry-authorised individuals outside the Ministry to administer the amateur (operator) database.

The MED's Manager Radio Spectrum Management Group of the day, referred to the Ministry's new life-time licence in her address to the NZART Annual Conference at Nelson during the Queen's Birthday weekend 2002. The conference comprised representatives from NZART Branches from all over New Zealand. So the expectation of a "free annual licence" has in effect already been publicly announced and recorded.

NZART supports the idea of one authorised person acting as the central administrator of amateur licences, callsigns and certificates. The entering of the details of newly-qualified persons including the issuing of a licence and/or a qualification certificate, dealing with callsign issues and any actions necessary to the records of existing licensees, could be done by an authorised person on-line from NZART Headquarters in Upper Hutt. The NZART Examination Coordinator, being also the NZART General Secretary, is suggested as the licensing administrator.

Amateur (repeater and beacon) licence fees

At present, repeaters and beacons attract no licence fee. After long negotiations, this was decided more than a decade ago. When amateur repeaters were first introduced they were charged the same licence fee as for amateur operator licences. It was found that there was extreme difficulty in collecting these repeater licence fees from the users.

All radio amateurs use, or have the opportunity to use, repeaters and beacons. It was an added and unfair burden for the builders of repeaters and beacons to meet the annual fee expense. Eventually after long on-going discussions with officers of the then administration, the cost was distributed across all radio amateurs by removing the repeater and beacon licence fee requirement and recognising that a small component was included in the licence fee of all amateur operators.

If such fees were re-introduced, difficulties will return that will again make the collection and payment of fees for repeater and beacon licences impractical and impossible.

The original annual "per-channel" fee proposed in the Ministry's 2003 fee review was preposterous and after discussions the idea of restoring a licence fee was abandoned.

The installed amateur radio repeaters throughout the country have more than proved their worth in support of communities at time of emergency and should be supported for amateur radio "society and social need" reasons.

The present amateur (operator) licence fee is seen by radio amateurs as being nothing more than an "annual rental" for a callsign. If this annual individual operator licence fee is removed as is proposed, the callsign becomes a life-time attachment to a person, providing access to amateur radio bands including uninhibited access to the input frequencies of repeaters. Human nature being what it is, a further payment after an initial once-only personal licence fee charge is not expected by the individual and could not be made to work in practice.

By their very nature, repeaters and beacons are available to be used by all radio amateurs. Beacons are only used by listeners who are generally at a considerable distance from the installation and distant from those who provided it and maintain it. If a fee is set for these devices, the difficulty becomes one of its collection. The thinking is: Why should a radio amateur, who already has an individual free licence, make any contribution at all?

The Radio Regulations prevent any charge being made for "messages" passing through a repeater should that be possible. A "user charge" is not possible from either a regulatory or from a practical sense. By the very nature of amateur radio, there is uninhibited access to the

input frequencies of repeaters by all licensees. The idea of “closing” repeaters by making secret access signal encoding a requirement is not possible or permitted because of the ban on the encoding of signals by operator licensees. Such access constraint would have serious repercussions at the time when a repeater is to be used for an emergency task.

NZART supports a once-only charge for new repeaters and for new beacons to cover the initial engineering certification when that work is done by the Ministry’s resources and staff. Should NZART use its own Approved Radio Certifier for this work, such charges seem unnecessary and as history has shown, meeting this expense would become an unrealisable burden hence cannot be supported. NZART has professionally skilled and experienced volunteer Approved Radio Certifiers who are confident and competent in this work.

The nature of the Amateur Service

By definition and by international treaty to which New Zealand is a party, the Amateur Service is unique. Amateurs are involved in radio for their own individual and personal interest in radio and without pecuniary interest. Quite distinct from other services, and except for its well-known and agreed necessary emergency functions, amateur radio is not permitted to be used to support some other activity or for the promotion of any business or commercial or money-making enterprise.

The Amateur Service is by law non-pecuniary, i.e. non-profit-making. Unlike other services that can pass costs on to others, there are no "others". The definition is clear and should be compared with the definitions of other services in the International Radio Regulations to see the distinction:

1.56 *amateur service*: A radiocommunication service for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.

1.57 *amateur-satellite service*: A radiocommunication service using space stations on earth satellites for the same purposes as those of the *amateur service*.

The International Radio Regulations are effectively part of New Zealand law; see Section 111 of the Radiocommunications Act 1989, and Schedule 1.

A Summary

NZART supports the concept of an approved person outside the Ministry administering the amateur (operator) licence database. NZART offers its Examination Coordinator and General Secretary for this task with a once-only fee to be set by NZART Council and retained to meet the operating expenses. The once-only fee to be kept small to encourage youngsters into Amateur Radio. A public announcement of the coming of “free operator fees” was made by the Ministry in June 2003.

NZART supports the concept of an Approved Radio Certifier outside the Ministry administering the amateur (repeater and beacon) licence database. No annual fee is seen to be necessary or to be possible in practice. Should the Ministry’s resources be used for this work, a once-only initial fee for new installations is expected to be required.

It is understood that the Canadian administration went through a similar review some time around the year 2000 and eliminated all fees involved with amateur radio licences. A major reason is the special character and the “social purpose” of the Amateur Service.

Government encouragement for the Amateur Service should be given in the national interest given the government's expressed intent to foster the "knowledge economy".

Amateur radio has a role to play in the technological education of the population. The imposition of fees on top of the voluntary effort and costs to establish repeaters and beacons would place unnecessary constraint on activities and would certainly preclude participation in the "high tech" world in which we must participate to ensure progress as a nation.

Appreciation

The opportunity to make this submission on this very important topic is appreciated.

A meeting could be arranged for further discussions and before any decisions are made if considered to be necessary.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Fred Johnson". The signature is stylized and written over a horizontal line.

Fred Johnson MNZM
NZART Administration Liaison Officer

10 January 2005
