

THE WIRELESS INSTITUTE OF AUSTRALIA (WIA)

Ballot for 2 Letter Callsigns

Purpose

This paper:

- sets out a proposed process for the equitable allocation of amateur callsigns with two letter suffixes (2 letter callsigns) in accordance with the Principles specified by the Australian Communications and Media Authority (ACMA); and
- invites comment from the amateur community on the proposed process.

This paper will be published in the April issue of the WIA magazine “Amateur Radio” and will be placed on the WIA website www.wia.org.au at the beginning of April. It will be further publicised on at least three occasions in April during WIA broadcasts. This paper will also be published on the ACMA website www.acma.gov.au

Subject to the approval of ACMA, following the consultation process the WIA will publish a final document setting out the process for allocating 2 letter callsigns. It is expected that this will occur in early May 2008. The final document will be published on the WIA website and will also be available on the ACMA website.

Background

In 2003-04, the Australian Communications Authority (ACA) carried out a Review of Amateur Service Regulation (the Review). The ACA conducted extensive consultation with the Amateur community throughout the Review process. The findings of the Review were published in *Outcomes of the Review of Amateur Service Regulation*. A key Outcome of the Review was the decision to consolidate amateur licence options and certificates into three options: foundation, standard and advanced. This outcome was implemented on 20 October 2005.

Prior to these reforms, only holders of amateur unrestricted licences were eligible to hold a 2 letter callsign. One result of the new arrangements was that Amateurs who previously held amateur limited and amateur intermediate licences became eligible to hold a 2 letter callsign under the new arrangements. This resulted in a high level of demand in some states and territories that could not be met by available supply. Accordingly, on 19 October 2005 ACMA suspended the issue of 2 letter callsigns until an equitable arrangement for their allocation could be put in place.

On 7 February 2008, ACMA introduced several more outcomes of the Review. These reforms included a series of changes to Amateur licence conditions and the introduction of a class licence to authorise amateurs visiting from overseas. In addition, to streamline services for Amateur licensees, ACMA decided to delegate certain statutory functions and administrative services associated with Amateur licensing to the WIA.

As part of these arrangements, ACMA has requested that the WIA manage a fair and transparent ballot process for the allocation of 2 letter callsigns in all states and territories in

Australia (the “Ballot”). 2 letter callsigns will be available on an equitable basis to all qualified operators who are eligible to participate in the Ballot.

1. Principles

The WIA is required by ACMA to give effect to certain broad principles and conditions in regard to how the Ballot should operate. These are:

***Eligibility.** This should be limited to holders of amateur (advanced) licences (or a certificate of proficiency that would entitle the holder to an amateur (advanced) licence. Applicants should only be able to apply for a callsign in the state or territory in which they reside.*

***Equity.** Ballot process to be impartial (with an independent or ACMA representative present). Amateurs should only be eligible to participate in the ballot if they do not already possess a 2 letter callsign. In addition, each applicant should be limited to one 2 letter callsign.*

***Preference.** The ballot process should enable amateurs to express their preferences for individual callsigns prior to the Ballot. A list of available 2 letter callsigns should be made available to applicants prior to entry.*

***Charges.** The WIA may charge an entry cost for the ballot that is reasonably related to the cost of the process.*

***Outcome.** The WIA is to finalise results of the Ballot and advise ACMA the names of applicants who were successful in the Ballot together with the 2-letter callsign they should be issued with if an application to vary their licence is submitted.*

2. Request for comment

The WIA is seeking comment on the proposed process for the Ballot. Topics for discussion include eligibility requirements, the pre-Ballot review, the Ballot methodology, the application process, the timeframes involved or any other matter relating to how the Ballot process is proposed to operate. Comment is invited as follows:

By mail addressed to: 2 Letter Comment
The Wireless Institute of Australia
PO Box 2175
Caulfield Junction
Victoria 3161

By email addressed to: 2lettercomment@wia.org.au

By facsimile to: 2 Letter Comment
03 9523 8191

All comments must be received by the WIA on or before 4 pm Australian Eastern Standard Time (AEST) **Wednesday 30 April 2008**. Any comment received after that time may not be considered.

3. Pre-Ballot review

A number of amateurs have “lost” their 2 letter callsigns since 19 October 2005 as a result of their failure to renew their apparatus licence prior to or during the embargo. Some of these amateurs have sought re-allocation of their previous callsign on the basis that their failure to renew was due to exceptional circumstances.

ACMA has agreed to the WIA’s request to consider cases for review prior to the commencement of the Ballot. Under this process, ACMA will consider allocating to some applicants the 2 letter callsign that was “lost” as a result of exceptional circumstances. Any 2 letter callsign re-allocated as a result of this process will be not be included in the Ballot.

The *Radiocommunications Act 1992* (the Act) imposes the obligation to renew a licence on the licensee. Section 129 of the Act allows licensees to renew their licences during the period six months before the licence is due to expire and 60 days after it expires. Accordingly, ACMA will **only** consider applications for review that demonstrate **exceptional circumstances** as the reason for failure to renew.

For the purposes of the pre-Ballot review, exceptional circumstances are considered to be circumstance(s) that significantly affected the ability of the individual to apply for renewal of their licence. For example, serious illness or bereavement, overseas travel or other significant incidence that occurred at the time the licence was due to be renewed. It is recommended that applications for preliminary review contain documentary evidence of the exceptional circumstances involved, where appropriate. Please note that applicants who apply for preliminary review without demonstrating **exceptional** circumstances will **not** be successful.

Applications for review must be received by ACMA on or before **4 pm AEST Wednesday 30 April 2008**. Applications should be sent to the following address:

2 Letter Review
Australian Communications & Media Authority
PO Box 13112
Law Courts
Melbourne VIC 8010

Please note that amateurs who have previously applied for “lost” callsigns will need to apply again as part of this process.

ACMA will advise every applicant of the result of their application. This advice will contain a date by which successful applicants must apply to renew or vary their licence. Failure to do so by that date will result in the callsign being included in the Ballot.

4. Callsigns of deceased amateurs

When ACMA is advised of the death of an amateur, that amateur’s callsign is not re-allocated for at least 2 years after the date of death. During this 2 year period ACMA may allocate that callsign to a particular qualified person at the request of the personal representative or the next of kin of the deceased amateur. Unfortunately, it often happens that neither ACMA nor the WIA is advised of the death of an amateur and so the licence is simply allowed to lapse.

Friends, the personal representative or next of kin of any amateur who died on or after 1 March 2006 are urged to ensure that either the WIA or ACMA is aware of the death of that person. This may be done by mail, facsimile, email, or telephone to the WIA office. Appropriate evidence may be requested, such as a copy of a published death notice.

Any 2 letter callsign belonging to an amateur whose death occurred on or after 1 March 2006, where ACMA or the WIA is aware of the death, will be excluded from the Ballot. Any callsign belonging to an amateur whose death occurred on or after 1 March 2006, where ACMA or the WIA are advised of the death before **4 pm AEST Wednesday 30 April 2008**, will also be excluded from the Ballot.

These arrangements will not restrict the right of the personal representative or next of kin of a deceased amateur requesting the allocation of the deceased amateur's callsign to a particular person who is qualified to hold the callsign.

Any 2 letter callsigns not allocated at the request of the personal representative or next of kin of a deceased amateur will become available in due course for re-allocation outside the Ballot process.

5. Persons eligible to apply

Any person who:

- 1** holds, or who is qualified to hold, an amateur licence (amateur advanced station);
and
- 2** resides permanently in Australia;
and
- 3** does **not** already hold a 2 letter callsign in any state or territory in Australia;
and
- 4** is **not** a person who is, or in the past 2 years has been, or is currently elected to be or is appointed to be a director, officer or employee of the WIA or the spouse or partner of any such a person

is eligible to participate in the Ballot for the state or territory in which the person resides.

6. List of available callsigns

ACMA will provide the WIA with a list of available 2 letter callsigns by state and territory. At this stage, it is expected that the WIA will publish that list on its website on or after 10 June 2008.

7. Ballot invitation

At this stage, it is expected that the WIA will prepare a general notice calling for applications from amateurs wishing to participate in the Ballot in the June 2008 issue of the WIA's magazine "Amateur Radio". The Notice will invite applications from eligible amateurs wishing to participate in the Ballot in the state or territory of their residence. The notice will also be placed on the WIA website and will also be publicised on at least 3 occasions during WIA broadcasts.

This notice will include an application form. The application form will require the applicant to:

- provide their first and second preference from the list of available callsigns in their state or territory of residence;
- state that no other 2 letter callsign is held; and
- state that the applicant agrees to be bound by the rules of the Ballot.

All applications will require payment of a fee (to be determined). In accordance with the Principles specified by ACMA, this fee will be reasonably related to the cost of holding the Ballot.

8. Applications for the Ballot

At this stage, the expected closing date for receipt of applications for the Ballot will be **4 pm AEST Monday 30 June 2008**. Applications should be sent to the WIA.

An application for participation in the Ballot delivered by hand to the WIA office must be delivered by no later than 4 pm EST on the closing date. The WIA will treat mail received by postal delivery or by clearance from the Post Office box on the following day as being received in time. The WIA is not obliged to clear the box more than once on that day.

All applications for the Ballot must be accompanied by a cheque or money order for the Fee or a credit card authority in respect of the Fee.

Any application for participation that is not delivered by the time specified or is incomplete or is not accompanied by a cheque or credit card authority for the Fee will be disregarded.

9. Processing of applications

All complete and eligible applications will be recorded on a secure electronic database after the closing date. A ballot number will be assigned to each application in the order in which they are received on a state or territory-by-state or territory basis. For example, the first application received from New South Wales will be attributed the Ballot number 2001. Similarly, the second application received from Victoria will be attributed the Ballot number 2002.

Under this process, the identity of the applicant will be not be known before the Ballot. The Ballot number will be used to link the details recorded on the database for identifying callsign preferences.

10. Ballot methodology

The Ballot will be conducted on a day and at a place to be announced. At this stage, it is expected that the Ballot will be conducted no later than Friday 11 July 2008.

An application number will be drawn out of a barrel in sequence until all available callsigns have been allocated or no further applications remain. The Ballot for all states and territories involved in the process will be conducted on the same day.

The WIA will ensure the presence of at least two independent witnesses at the Ballot. An ACMA representative may also be present on the day.

As each successful applicant is identified, the eligibility of the applicant will be verified against the ACMA database. If the callsign is available, the first preference of that applicant will be allocated to that applicant. If the first preference of that applicant is not available, the second preference of that applicant will be allocated to that applicant. If the second preference of that applicant is not available, the application will be held until all other applicant preferences have been exhausted, at which point the remaining callsigns, in alphabetical order, will be allocated to the applicants whose preferences could not be met in the order in which they were originally drawn.

ACMA will be provided with a list of all successful applicants and the callsign recommended to be allocated to each applicant.

11. ACMA licence variation process

The WIA will advise all eligible applicants of the Ballot outcome within 3 working days after the Ballot day. Applicants will be advised of the Ballot outcome whether they are successful or not.

Successful applicants will be provided with an application for variation of an apparatus licence and will be advised to complete the form and return it to the WIA or ACMA within 14 days, accompanied by a cheque for \$41 made payable to “ACMA” or a credit card authority for \$41 in favour of the WIA or ACMA.

The WIA will forward all applications for variation of an apparatus licence received by the WIA to ACMA.

At this stage, it is expected that the Ballot process will be complete by **Wednesday 20 August 2008**. Any 2 letter callsigns not the subject of an application for the variation of an apparatus licence received by ACMA by this date will be returned to the list of available callsigns and thereafter will be allocated to applicants for licences or applicants for variations of licences on a basis to be determined, having regard to the number of callsigns involved and the number of people seeking the allocation of such callsigns.

12. Summary of proposed milestones and timeframes

Step	Date
Comment closes on Ballot process	30 April 2008
Applications close for pre-Ballot review	30 April 2008
Last date for advice of exclusion of callsign due to death	30 April 2008
WIA publish process for allocating callsigns <u>including final dates</u>	early May 2008
ACMA advises applicants result of pre-Ballot review	end May 2008
List of available callsigns released	mid June 2008
Ballot closes	end June 2008
Ballot conducted	mid July 2008
Applicants advised of ballot outcome	mid July 2008
Ballot process completed	end of August 2008