

SIXTEENTH MEETING OF
THE CANADIAN AMATEUR RADIO ADVISORY BOARD (CARAB)

Date: April 26, 2001

Place: NAV CANADA Facility,
Cornwall, Ontario

Chair: Kenneth Oelke, RAC President

Participants: RAC:

Dr. Kenneth Pulfer Vice-President, Government and International Affairs
Dana Shtun, P.Eng. Regional Director, Ontario South
Daniel Lamoureux Regional Director, Quebec
Rick Lord, P. Eng. Regional Director, Midwest
Ralph Webb First Vice-President
Tim Ellam Vice-President, Regulatory Affairs
Pierre Mainville Vice-President, Field Services

Industry Canada:

Michael Connolly Senior Director, Radiocommunication and Broadcasting
Regulatory Branch
Tom Jones Chief, Authorization, Spectrum Management Operations
Harold Carmichael Program Manager, Certificates and Examinations, Quebec Region
Hubert Pambrun District Director, Eastern Ontario
Darius Breau Manager, Operational Policies, Radiocommunication and Broadcasting
Regulatory Branch

(1) Review and Approval of Agenda

The agenda was approved as written. RAC requested that two items be added under new business: RAC antenna and support structure guidelines and call sign issuance for the Friendship Amateur Radio Society.

(2) Acceptance of the October 2, 2000 CARAB minutes of the meeting

The summary record of the last meeting was approved as written.

(3) Status Report by Industry Canada Regarding the Policy for Examinations of Disabled Amateur Candidates

At the last CARAB meeting, Industry Canada stated that they had used the information provided by RAC as the basis for drafting an information bulletin to be used as a guide to assist physicians in determining an individual's ability to take the amateur examination in a standard format. Mr. Jones stated that as a result of a number of other initiatives this particular one had not been completed, however Industry Canada had finalized a draft information bulletin which had been translated and was now being prepared for publication. The bulletin would likely be incorporated in an existing amateur information circular.

However, before doing so, Mr. Jones stated that Industry Canada would need to ensure that this bulletin was in accordance with the provisions of the Personal Information Protection and Electronic Documents Act which had come into force January 1, 2001. Although the information requested was for the use of physicians and not Industry Canada, as the form would be produced by the Department, it was incumbent upon them to ensure that this practice is in accordance with existing privacy and personal information guidelines.

(4) Status Report by Industry Canada - Implementation of the Privacy Commissioner's Decision

Several radio amateurs had contacted the Office of the Privacy Commissioner and expressed their concern with respect to the publication of their addresses in the Call Sign data base which is publically available via the internet. Industry Canada had arranged a meeting between the staff of the Privacy Commissioner's Office and RAC to discuss this matter further and offer possible solutions.

Industry Canada thanked the RAC for their efforts in addressing the concerns expressed by the Office of the Privacy Commissioner. In respect to these discussions, it has been agreed that, upon the request of an amateur operator, Industry Canada will remove their address information from the publically available Call Sign data base. Such requests would, however, have to be initiated by the amateur themselves. It was also concluded that this policy will not apply to amateurs who have accepted responsibility for a public undertaking, such as sponsoring the operation of a club or repeater station or requesting the availability of a special event call sign. It was agreed that the public nature of these particular functions make it essential that the sponsor be readily identified and contacted by other amateurs or the public. It is therefore reasonable to insist that individuals who agree to accept the responsibility that is contingent with the issuance of such special authorities, must provide address information to the public as a point of contact.

(5) Clarification of RIC-9 in Releasing the 2 Letter Call Sign of Deceased Amateurs

As is outlined in Radiocommunication Information Circular 9 (RIC- 9), after the waiting period has passed, Industry Canada will re-issue these call signs to other amateurs on a first-come, first-served, basis. In the case of immediate family members, these call signs may also be issued before the waiting period has expired, again on a first come, first

served basis to those amateurs who meet the eligibility requirements. In the past there had been cases where mutual exclusive demand for specific call signs manifested itself and therefore the amateur service centre had to deal with these competing requests on an ad hoc basis.

Mr. Hubert Pambrun stated that such situations of mutual exclusivity in amateur call sign demand appear to have sorted themselves out and there now appears to be no need to prescribe a specific policy with respect to mutually exclusive demand. Mr. Pambrun stated that the current procedure for handling such requests on a case-by-case basis has proven administratively efficient and is perceived as being fair and equitable by the amateur community.

RAC inquired how Industry Canada determined, now that an annual licence renewal no longer takes place, that an amateur operator is actually deceased and that the appropriate waiting period had passed for re-issuance of the call sign to take place. Mr. Pambrun indicated that it is the responsibility of the amateur requesting the call sign to provide this type of information. Generally speaking, Industry Canada will require that an obituary notice or a copy of the death certificate be provided by the applicant.

(6) Status Report by Industry Canada on RAC's Proposal to Drop 12 w.p.m. Morse Code Requirement

As discussed at the last CARAB meeting, Industry Canada published a notice in the *Canada Gazette* on January 6, 2001 requesting public comment on a proposal to eliminate the 12 w.p.m. Morse code examination for amateurs in order to hold full operating privileges in the high frequency (HF) bands. This proposal would give Canadian amateurs operating privileges similar to those that currently exist for amateurs in other countries. The public comment period has expired, and Industry Canada received a total of 367 replies to this notice, the majority of which were supportive of the proposal. All comments can be viewed on the Industry Canada Strategis Internet site. Industry Canada is currently examining all comments received and will shortly determine the course of action to be taken.

Industry Canada will announce its decision on this proposal through the publication of a *Canada Gazette* notice. It is anticipated that this notice will be published in mid-May, however Industry Canada will advise RAC when the publication date has been finalized. If the proposal is accepted, RIC-2, *Standards for the Operation of Radio Stations in the Amateur Radio Service*, will be amended concurrently with the publication of the *Canada Gazette* notice.

In their letter to Industry Canada, RAC also requested that in conjunction with the removal of the 12 w.p.m. Morse code requirement, Industry Canada also consider the augmentation of the amateur examination process in order to strengthen and expand the level of operator knowledge with respect to radio station technical and operating practices. Industry Canada stated that they recognize that the techniques and operations employed by radio amateurs are rapidly evolving and this needs to be addressed in the

context of operator certification. It should be noted however, that the proposal to drop the 12 w.p.m. Morse code is a stand alone initiative and its implementation is not contingent upon the adoption of any other initiatives.

(7) Status Report by Industry Canada on the Examination Generator

Industry Canada reported that the examination generator for use by accredited examiners to produce amateur operator examinations has been available since the beginning of the fiscal year. A mail-out had been conducted for accredited examiners in order to inform them of the availability of the new examination software. As well, Industry Canada has allowed for a phase in period of seven months to July 2001, before discontinuing the use of the old examinations in order that there be minimum inconvenience for accredited examiners.

Industry Canada stated that the feedback they had received to date has been largely positive with respect to the examination generator. Some problems had been encountered by amateurs in attempting to run the software on older operating systems. However these do not appear to be application related but rather a consequence of using older operating systems. Also some systems using less distinctive colour resolution settings may experience problems when reading the text. Industry Canada will be modifying the program font colour to enhance the contrast. Some errors have also been brought to Industry Canada's attention concerning incorrect questions or missing answers and these are being corrected as they are identified. Industry Canada stated that they intended to issue a revised version of the program in June.

(8) Status Report by Industry Canada on the CWTA Municipal Affairs Committee and Discussion of Proposed "Prudent Avoidance Policy", in Toronto

As discussed at the last CARAB meeting, the Board of Directors of the Canadian Wireless and Telecommunications Association (CWTA) created a committee to deal specifically with municipal issues and to monitor municipal activities related to various antenna siting policies. They have been working cooperatively with the Federation of Canadian Municipalities (FCM) on basic principles for establishment of a general consultative process related to the installation of antenna support structures. These discussions, however have been put on hold pending the outcome of ongoing industry meetings with the City of Toronto's Economic Development Division with respect to a proposed "Prudent Avoidance" policy.

A report commissioned by the City of Toronto has recommended that, as a pro-active measure, Radiofrequency Fields (RFF) emitted by radio stations in metropolitan Toronto should not exceed 1% of the level as outlined in Safety Code 6. Industry Canada stated that, it was their opinion that this recommendation appeared to have been arrived at strictly by subjective assessment rather than as the result of scientific study or objective discussion. Notwithstanding this, the City of Toronto had requested Industry Canada to perform an RFF measurement study in Toronto and, in the interest of facilitating a clearer public understanding of this technically complex subject, Industry Canada agreed to do

so. This study is ongoing and, as amateurs can no doubt appreciate, technically challenging, as one is in essence measuring ambient RFF levels over a large frequency range. Industry Canada expected that the measurement study will be completed in the next few months, and then further discussions will be held by the City of Toronto to ensure that the public and wireless industry have input into any planning protocol that results with regard to the siting of antenna structures. The work of the CWTA Municipal Affairs Committee in establishing a consultation protocol with the FCM remains pending, as they first await the outcome of the City of Toronto process. If developed in a constructive manner, the outcome of the City of Toronto process could be used as a guide for a national protocol with regard to antenna siting and land-use consultation guidelines.

Industry Canada stated that it would likely be appropriate that RAC, as the national organization for Canadian amateurs, be aware of the current discussions taking place in the City of Toronto and the “Prudent Avoidance” initiative in general. RAC stated that they were aware of the current situation with the City of Toronto and they would be following these discussions closely.

(9) Status Report by Industry Canada - Enforcement of Regulations

RAC has published a frequently asked questions (FAQ) document on their Web site to assist amateurs in dealing with enforcement cases, entitled *Enforcement of Amateur Regulations*. The document outlines general circumstances under which Industry Canada may consider taking enforcement action as well as the steps that amateurs should take to bring problematic situations to the attention of Industry Canada and constructively assist in moving the enforcement process forward.

Industry Canada applauded RAC for the good work on this initiative and pointed out that it was increasingly the situation whereby industry organizations such as the RABC and CWTA take pro-active measures such as this to provide their members with information on how to deal with government and private agencies. Notwithstanding that they have finite resources that can be applied to enforcement activities, in cases where there is flagrant disregard for regulatory compliance, Industry Canada is prepared to take appropriate action. Before the Department considers applying resources on such investigations, it is necessary for the amateur community to demonstrate to the local Industry Canada office that such action is necessary and desirable in order to regulate the non-compliant behaviour and that the amateur community has done their best to deal with the matter pro-actively.

(10) Status Report by Industry Canada and RAC on Safety Code 6

As discussed at the last CARAB meeting, amateurs, as well as all other radio operators in Canada, are required to comply with the Safety Code 6 guidelines for RFF. Amateurs should have a full understanding of the issues involved and it was suggested that perhaps RAC could apply their expertise to assist amateurs in developing a better understanding of these guidelines and how they apply to amateur operation. In this context, RAC had reviewed potential initiatives on their part and they have concluded that they could

provide a valuable service to amateurs by directing them to the extensive work that others have already done in this complex area. As an example, The American Radio Relay League has a very comprehensive publication, *RF Exposure and You*, which provides clear direction on how amateurs can determine that they are operating within RFF exposure limits and what actions they can take to address any potential concerns. RAC will continue to make this type of information available to amateurs through their Web site and provide links to other sources of RFF expertise.

(11) Status Report by Industry Canada - Reciprocal Operating Agreements - Thailand, Hong Kong, Mexico and IARP

Due to representations by RAC, Industry Canada has approached the administrations of Thailand and Hong Kong to determine if they were interested in establishing a reciprocal operating arrangement with Canada for amateurs. In both cases the respective administrations have indicated that such reciprocal operating agreements would require to be approved through diplomatic channels and Industry Canada is continuing to pursue this using the formal diplomatic process.

With respect to Mexico, it was pointed out that they concluded a reciprocal operating arrangement with Canada many years ago when Mexico acceded to the Lima Convention, or as it is formally known, the “Inter-American Amateur Radio Service Convention”. This Convention permits member states to issue authorizations to citizens of other countries allowing the temporary operation of amateur radio equipment while amateurs are in the territory of a signatory state. As per this convention, a temporary authorization must be issued by the host country and these authorizations may also be denied, limited or cancelled. While Mexico does have a reciprocal operating agreement with Canada via the Lima Convention, they are not a signatory to the IARP, which allows permit holders to operate in signatory countries without prior authorization. Therefore, until the Mexican Administration accedes to the IARP, Canadian amateurs will be required to apply for permits to operate in Mexico prior to their arrival.

(12) New or Other Business

(a) RAC Guidelines for Antenna and their Supporting Structures:

RAC has been working with the amateur community in order to assist amateurs in the municipal consultation process and has observed that some municipalities have enacted guidelines for installation of antenna and their supporting structures for the benefit of antenna proponents and the local community. As the Minister of Industry has jurisdiction for antenna and their supporting structures, they asked Industry Canada if it would be appropriate for RAC to develop such guidelines for amateurs, and if so, would Industry Canada support such an initiative?

Industry Canada stated that although the Minister has jurisdiction with regard to antenna and their supporting structures, this authority is exercised only when the legitimate interests of the municipality or land-use authority have been taken into consideration.

Any guidelines developed with respect to antennas and their supporting structures would need municipal involvement in the development and, if such a task were attempted on a national basis, it would require support from the Federation of Canadian Municipalities (FCM) as the national representative of local municipal authorities. Industry Canada has expertise in the area of technical characteristics of antenna propagation, however they do not have a similar competence in land-use issues and the impact of antenna and their supporting structures in the local environment. A balance needs to be reached with regard to both technical and land-use issues associated with the installation of antenna and supporting structures. Industry Canada pointed out that the City of Calgary is an example of where the municipality and antenna proponents have, through mutually beneficial discussions, appeared to have reached a balance and they have developed an antenna protocol that has proved beneficial for the community. Unfortunately, this type of proactive involvement has not appeared in other parts of the country.

RAC noted that there currently exists a need for municipalities and antenna structure proponents, such as amateurs, to commence a mutually beneficial dialogue in order that antenna siting issues could be addressed in a progressive manner. RAC suggested that they draft up antenna and supporting structure guidelines and approach the FCM in this regard in order to initiate discussion. Rather than simply note technical characteristics such as maximum antenna structure heights and antenna sizes, these guidelines should, no doubt, factor in other types of considerations accounting for diverse demographic characteristics, such as population densities and local land-use nuances. Industry Canada agreed that such an initiative had merit and both Industry Canada and RAC should be jointly represented at any future discussions with the FCM.

(b) Friendship Amateur Radio Service (FARS):

RAC mentioned that FARS was holding an event in Victoria this summer and that they had made an application to Industry Canada for use of a special call sign which had been turned down by the amateur service centre. It was discussed that in applying for such special event call signs, it is important that amateurs clearly explain the nature of the special event so that Industry Canada can authorize these special call signs in accordance with existing call sign issuance policy. Mr. Pambrun suggested that RAC advise those involved to re-submit their request to the amateur service centre for re-consideration.

(13) Preparation for the 17th CARAB Meeting - Date, Time and Place

RAC indicated that they will not hold their next board meeting until April of 2002 and therefore suggested that November 2001 was a good opportunity to hold the next meeting of the CARAB. Industry Canada agreed with this suggestion. The exact date and location of the next CARAB meeting will be held in abeyance, contingent upon future planning.