

Eighteenth Meeting of the Canadian Amateur Radio Advisory Board (CARAB)

Date: April 25, 2002

Place: Industry Canada Headquarters
Room 1585D
300 Slater Street
Ottawa, Ontario

Chair: William Gillis, President, Radio Amateurs of Canada

Participants: Radio Amateurs of Canada:

Earle W. Smith Regional Director, Alberta/NT/NU
James Dean Vice-president, Regulatory Affairs
Robert Cooke Regional Director, Ontario South

Industry Canada:

Michael Connolly Senior Director, Radiocommunication and
Broadcasting Regulatory Branch
Tom Jones Chief, Authorization, Spectrum Management Operations
Michel Renaud Spectrum Management Officer, Quebec Region
Hubert Pambrun District Director, Eastern Ontario
Guy Roy Manager, Eastern Ontario District Office

(1) Review and Approval of Agenda

The agenda was approved as written. Industry Canada requested that an item regarding the recent supreme court decision on direct-to-home (DTH) broadcasting as well as the passing of a milestone, be added as items under new business.

(2) Acceptance of the November 13, 2001 CARAB meeting minutes

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

(3) Status Report by Industry Canada on the Examination Generator and Updating Corrections to the Web Site

Industry Canada reported that the current version of the examination generator used by accredited examiners to produce amateur operator examinations has not been modified since early last fall and a new version will be provided by the end of June 2002. Industry Canada stated that the feedback they have received to date regarding the examination generator system is positive. However there are still some problems with certain examination questions which must be addressed since there are errors in the way the questions and/or associated answers are generated. Industry Canada will be producing a revised version of the examination generator to correct the problem.

(4) Status Report Regarding the Possibility of RAC Taking Responsibility for Maintaining and Updating the Examination Generator and Amateur Question Banks

As mentioned at the last CARAB meeting, RAC inquired if Industry Canada had made progress with respect to having a third party take on responsibility, on a contractual basis, for the maintenance and upgrading of the examination generator as well as the amateur question banks. Industry Canada stated that they are currently doing a feasibility study regarding the potential for contracting the administrative work of the Amateur Service Centre to a third party. At this point the study is still underway so there is nothing concrete to report. The initial proposal is to determine the feasibility of bundling all amateur administrative activities together, including items such as maintenance of the examination generator and question banks, and then through a formal request for proposals selecting an organization to handle this work. At this point, it is yet to be determined if a third party will express an interest in such an all encompassing proposal. Depending upon the degree of interest demonstrated, it may be necessary to separate the work into several succinct administrative functions which could then be more easily handled by different organizations.

As a point related to examinations, it was mentioned that the scope of wireless technology in general is changing and there is a movement to new areas of public concern, such as radio frequency fields and antenna structure placement. RAC believes the examination structure of amateur radio needs to be fundamentally re-focussed in order for operators to be equipped to address these types of issues. At the same time, on the domestic and international front, less emphasis is being placed on traditional amateur radio vocations such as ability in Morse code, yet the amateur examination syllabus has remained relatively static for many years.

RAC stated that as amateur radio practices are changing rapidly, there is a need to involve the amateur community in a public dialogue with respect to the future direction of amateur radio. Industry Canada agreed that, like other wireless telecommunication services, the amateur service is experiencing a period of transition. Before initiating fundamental changes however, in the amateur training and examination process it is necessary to have a shared understanding of how

operator issues in the amateur service are evolving. RAC stated that the board members had some initial discussions in this regard and had contemplated the potential for releasing a white paper on the future direction of amateur radio in Canada. RAC stated that such a proposal was still in the discussion stage at this time. As they understood that Industry Canada supported such an initiative, they would continue deliberations on how best to focus their efforts toward bringing such an item to fruition.

(5) Status Report by Industry Canada on the Canadian Wireless and Telecommunications Association (CWTA) Municipal Affairs Committee and Follow-up on Discussion of Proposed "Prudent Avoidance Policy," in Toronto

Industry Canada stated that, although only a few recent incidents have caused local concern, antenna issues continue to have a high profile at the Ministerial level of the Department. As discussed at the last CARAB meeting, a report commissioned by the City of Toronto had recommended that, as a proactive measure, Radiofrequency Fields (RFF) emitted by radio stations in metropolitan Toronto should not exceed 1% of the level outlined in Safety Code 6. The City of Toronto had requested Industry Canada to perform an RFF measurement study in Toronto and Industry Canada agreed to do this in order to better quantify the RFF environment. The study has been completed and should be available shortly. In all cases the level of RFF measured was significantly below the Safety Code 6 limits and in many cases too low to be measured.

Industry Canada stated that they believe that the development of antenna protocols by land-use authorities in cooperation with the wireless industry is the most satisfactory way to proceed. It was noted that the Federation of Canadian Municipalities (FCM) and Canadian Pacific Railway had recently agreed upon a joint dispute resolution model to facilitate community involvement in CPR planned infrastructure projects and also to engage residents of a community in which CPR operates to resolve emerging concerns. Guided by the FCM and its National Transportation & Communications Committee, CPR realized the opportunity to organize dispute resolution tools into a predictable, accessible and universally applicable model. It is hoped that such a model will act toward resolving issues at the local community level and build mutually productive relationships that contribute to community development.

The Board of Directors of the CWTA created a committee to deal specifically with municipal issues, however their activities with respect to various antenna siting policies have been dormant of late, likely pending the outcome of the City of Toronto's Economic Development Division's proposed "Prudent Avoidance" policy. Industry Canada stated that, although federal jurisdiction prevails in antenna siting matters, they would like to see municipalities adopt standardized processes when dealing with antenna proponents. They believe that the FCM, as the national voice of municipal government in Canada, is well placed to provide

the leadership to encourage municipalities and industry to enter into protocol codes of conduct for such issues.

Industry Canada also noted that currently the potential health effects associated with radio frequency fields are of great concern to the public. At times this concern may manifest itself as uncertainty or as an additional factor raised when demanding an alternate siting of a proposed antenna structure. As well, regardless of the minuscule level of the risk involved from RFF exposure, it is not possible to extract absolute statements from the scientific community regarding their potential long term effects. It can however, be practically demonstrated that in the vast majority of cases, the levels of exposure to the general public to radiofrequency fields are far below those prescribed by health authorities. Industry Canada stated they believe the wireless industry should consider embarking on better public education in this regard to demonstrate that recommended safe levels of RFF energy are more than taken into consideration in wireless tower siting. In this respect radio amateurs are in a somewhat unique circumstance as their antenna structures tend to be placed in residential areas; they should have a good understanding of radiofrequency fields.

(6) Status Report by Industry Canada - Reciprocal Operating Agreements - Thailand and Hong Kong

Due to representations by RAC, Industry Canada had 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 the case of Thailand, their administration had previously indicated that such reciprocal operating agreements would require approval through diplomatic channels. Industry Canada is continuing to pursue this using the formal diplomatic process and we are hopeful that an agreement can be concluded between our External Affairs Department and the government of Thailand in the near future.

Regarding Hong Kong, Industry Canada indicated that the proposal was still being examined within Industry Canada by legal services staff who had requested clarification of the proposed text in the agreement. Hopefully this will be finalized shortly and Industry Canada will be able to proceed seeking the approval of the government of Hong Kong.

(7) New and Other Business

(7.1) Repeater Interference Problems

As mentioned at the previous CARAB, RAC has available on their Web site a FAQ (frequently asked questions) document entitled, Enforcement of Amateur Regulations to assist amateurs in dealing with intentional interference situations. RAC pointed out, however that situations still occur whereby intervention by

Industry Canada appears to be needed in order to resolve problems. A case in point is an amateur group in British Columbia that operates multiple amateur repeaters that serve amateurs in the lower mainland, Northwest Washington and the Southeastern coast of Vancouver Island. For reasons that remain unclear, over the years specific amateurs in the lower mainland area have targeted this repeater system for unflattering and unproductive communication. While these individuals are amateur operators, they tend to exhibit a contempt for the amateur radio community volunteers. This has created a negative atmosphere, and resulted in a situation whereby many amateur operators are unwilling to use the amateur repeater network.

RAC stated that the local Industry Canada office is aware of the problem, however they have limited resources to deal with such situations. Industry Canada agreed that it is the responsibility of the local Industry Canada office to undertake enforcement action and to determine the resources that can be dedicated to such investigations. Therefore it is always necessary that the amateur community demonstrate to the local Industry Canada office that they have done their best to first deal with matters pro-actively. As a national policy however, where it is demonstrated that flagrant disregard for regulatory compliance by amateur operators is consistently taking place, Industry Canada is prepared to dedicate resources to undertake appropriate compliance measures.

(7.2) RAC Brochure Mail Out

RAC indicated that they are considering producing a brochure for amateurs explaining the mandate and role of RAC and the services they provide for the amateur community. In order to make this information available to new amateurs, RAC asked whether it would be appropriate to approach the Amateur Service Centre and ask them if they could include this type of brochure in their mail out of items, such as amateur certificates.

Industry Canada stated that, as RAC is recognized as the national association in Canada representing the amateur community, the Department will support the inclusion of such information in the mail out of documents from the Amateur Service Centre. Outside of administrative issues, such as ensuring that bulk postage costs are not increased due to the addition of inserts, Industry Canada felt that this was an efficient way of assisting the RAC in publicizing their service functions, especially among new amateur operators.

(7.3) Supreme Court of Canada Decision on Direct-to-Home (DTH) Broadcasting:

Industry Canada wished to inform RAC that the Supreme Court of Canada had just released its decision confirming that the provisions in the Radiocommunication Act, section 9(1)(b), prohibit the unauthorized decoding of

both foreign and Canadian satellite television programming. This had been a long standing issue, involving different courts in different jurisdictions that had come to different conclusions over the last few years. The Attorney General of Canada intervened in this case to present the Government of Canada's position. This position was upheld by the Supreme Court, which supported the view that the decoding of both domestic and foreign DTH signals without the authorization of a lawful distributor in Canada is illegal.

Should amateurs wish to view the details of this matter it is available on the Spectrum Management and Telecommunications Web site at <http://strategis.gc.ca/ssg/sf05562e.html>.

(7.4) Passing of a Milestone:

Industry Canada wished to congratulate the new executive of RAC and Mr. William Gillis as RAC President. In the past Industry Canada stated that they had found their relationship with RAC to be a very positive and productive one, and the Department has no doubt that this will continue to be the case with the current executive.

Industry Canada also wished to acknowledge the passing of a milestone with the retirement of Hubert Pambrun, Eastern Ontario District Director, in June of this year. Hubert is currently the longest standing District Director for Spectrum Management within Industry Canada and was instrumental in putting in place the Amateur Service Centre and ensuring its success in dealing as a single point of contact with amateurs across the country.

RAC also wished to express their appreciation to Hubert for his efforts on behalf of the amateur community. They stated that it was always a pleasure to deal with Hubert and they believed that his efforts were in no small part responsible for the success of a single office approach in Canada for amateur administration activities.

(8) Preparation for the 19th CARAB Meeting - Date, Time and Place

RAC indicated that they will be participating in other planned activities in Ottawa during the third week of November of 2002 and suggested that this would be a good time to schedule the next CARAB meeting. Industry Canada agreed. Therefore, the next CARAB meeting will be held in Ottawa, during the week of November 18 to 22. The exact date will be finalized by RAC and Industry Canada in the future.