

COMMONWEALTH OF DOMINICA**ARRANGEMENT OF REGULATIONS**

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SCHEDULE

2012

TELECOMMUNICATIONS

S.R.O. 39

2012 TELECOMMUNICATIONS S.R.O. 39

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS No. 39 of 2012.

REGULATION

MADE BY the Minister under section 74 of the
Telecommunication Act, 2000 (No.8 of 2000).

(Gazetted 22nd November, 2012.)

1. These Regulations may be cited as the -

Short title.

TELECOMMUNICATIONS (AMATEUR RADIO) REGULATIONS, 2012.

2. In these Regulations -

Interpretation.

“Amateur Radio Advanced Licence” means a licence to a radio amateur who uses a two-way radio to communicate with other radio amateurs in the specified bands for advanced amateurs with the specified power limitations set out in Table C in the Schedule to these Regulations;

“Amateur Radio General Licence” means a licence to a radio amateur who uses a two-way radio to communicate with other radio amateurs in the specified bands for general amateurs with the specified power limitations set out in Table B in the Schedule to these Regulations;

“Amateur Radio Examination” means an examination administered by a recognized Club for the purpose of determining whether a person qualifies for the grant of a licence under these Regulations;

“Amateur Radio Novice Licence” means a licence to a radio amateur who uses a two-way radio to communicate with other radio amateurs in the specified bands for novice amateurs with the specified power limitations set out in Table A in the Schedule to these Regulations;

“amateur radio operator licence” means any class of licence granted under regulation 4;

“amateur radio station” means transmitting and receiving equipment for amateur service at the main station address of a licensee or a temporary location;

“amateur service” means a radio-communications service for the purpose of self training, intercommunication and technical investigation by amateurs with interest in radio technique and technologies solely with a personal aim and on a non-pecuniary basis;

“call-sign” means a station or address designator represented by a combination of characters or pronounceable words that is used to identify such entities as a communications facility, station, command, authority, activity or unit;

“club” for the purposes of these Regulations, means any group, society, association or organization of any type of radio;

“main station address” means the address of the licensee specified in the licence;

“Peak Envelope Power” or “PEP” means the average power supplied to an antenna by a transmitter during one radio frequency cycle at the crest of the modulation envelope taken under normal operating conditions;

“radio amateur” means any person who is the holder of a valid amateur radio operator licence;

“special event” means any event recognized as such by the Commission.

3. (1) The Minister may grant the following Amateur Radio Operator Licences to qualified or approved persons for the operation of radio communications equipment solely for the purpose of self-training, intercommunication and technical investigation in radio techniques with a personal aim and not for pecuniary interest -

Amateur Radio Station Licence.

- (a) Amateur Radio Novice Licence;
- (b) Amateur Radio General Licence;
- (c) Amateur Radio Advanced Licence; and
- (d) any other class the Minister may adopt, after consultation with ECTEL.

(2) The Commission may, on the recommendation of ECTEL, adopt criteria for the qualification of persons applying for any class of Amateur Radio Operator Licence specified in subregulation(1).

(3) Except where a person is directly supervised by an amateur radio operator for teaching purposes, an operator shall not permit the use of any radio communication equipment by any other person not holding a valid Amateur Radio Operator Licence.

(4) The Minister may, on the recommendation of ECTEL, adopt any form for an Amateur Radio Operator Licence the Minister considers appropriate.

(5) An Amateur Radio Operator Licence is not transferrable.

4. (1) An amateur radio operator shall not use an amateur

Commission to approve equipment.

radio station unless such equipment has been approved by the Commission for that purpose.

(2) Subject to the Act and these Regulations, the Commission may inspect, examine or test any amateur radio station, to ensure compliance with these Regulations, any relevant licence, any guidelines issued by the Commission or other provisions of law.

Applications for an
Amateur Radio Station
Licence.

5. (1) A person who wishes to obtain an Amateur Radio Station Licence shall make an application to the Commission and shall, unless exempted by the Commission in writing, satisfy the Commission that he -

- (a) has passed the relevant Amateur Radio Examination set by the Commission or any Club recognized by the Commission for this purpose; or
- (b) is in possession of a valid Amateur Radio Operator Licence acceptable to the Commission; and
- (c) is at least 10 years of age.

(2) Where an application under subregulation (1) is made by a person under the age of 18, the Commission shall ensure that the application is countersigned by the parent or guardian of the applicant or by another person approved by the Commission for that purpose.

(3) A person who countersigns an application under this regulation shall ensure that the applicant complies with the licence conditions until the licensee attains the age of 18.

General obligations of
Radio Amateur.

6. An amateur radio operator shall ensure that-

- (a) in cases of emergency, he or she only communicates with a radio station that is in the amateur radio service

in order to transmit a message that relates to the emergency on behalf of a person, government or relief organization;

- (b) the station shall not be operated at any location or in any geographic location that is expressly prohibited by its licence, the Commission or law in effect in Dominica;
- (c) except where the person operating the station is directly supervised by the Amateur Radio Operator for teaching purposes, the station is in all cases operated by the Operator or any other person holding a valid licence and under the supervision of the Operator;
- (d) the station is operated in accordance with good engineering and amateur practice;
- (e) messages transmitted through an amateur radio station is in plain language and relate solely to the licensee's experiments or personal affairs, not being business affairs, or to the personal affairs of the person with whom the licensee is communicating;
- (f) no harmful interference is caused by any equipment operated under the licence and immediately cease transmission if requested by a duly authorized representative of the Commission or other authorized person;
- (g) he or she identifies him or herself by the call sign assigned to him or her by the Commission under regulation 8, at the beginning and end of each communication and every ten minutes during any given communication;

- (h) for at least one year, he or she keeps a log of all transmission periods showing the date and time of each period of transmission, the station communicated with and the radio frequency and type of emission employed;
- (i) any record under (h) is made available for inspection by the Commission or any authorized representative of the Commission, on request;
- (j) he or she gives written notice to the Commission of any change in his or her main station address within 15 days of making the change; and
- (k) he or she complies with the provisions of the Act, these Regulations, his or her licence, and any other law.

Prohibited activities in relation to amateur radio station.

7. (1) A person shall not -

- (a) use an amateur radio station for transmitting news, speeches, advertisements, communications of a business or non-experimental nature, messages for pecuniary reward or messages for or on behalf of a third party, except that messages for or on behalf of a third party may be transmitted in cases of national emergencies or national disasters;
- (b) except with the written authorization of the Commission, use an amateur radio station to call, transmit or send messages to any station other than an amateur radio station;
- (c) commence a transmission without listening in on the radio frequency to determine that no interference is likely to be caused to any other station which may be functioning;

(d) use encryption devices or equipment in the operation or use of the station; or

(e) use the station to transmit obscene language.

(2) Nothing in these Regulations prevents the use of an amateur radio station by any means of radio communications at its disposal to -

(a) provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available;

(b) attract attention, make known its location and condition and obtain assistance in times of distress; or

(c) assist a station in distress in the exceptional circumstances described in paragraph (a).

8. (1) The Commission may assign a call-sign to an Amateur Radio Operator for use with or in connection with the operation of an amateur radio station or for the purpose of having access to an amateur radio service.

Call-Signs.

(2) The Commission shall ensure that the assignment of a call-sign complies with the table of allocation of international call-sign series contained in a current edition of the International Telecommunications Union Radio Regulations.

9. (1) The Commission may, in its sole discretion, recognize a Club for the purpose of administering an approved Amateur Radio Examination to –

Qualifying examinations.

(a) a person interested in applying for a licence; or

(b) an existing licensee.

(2) The Commission shall not recognize a club under subregulation (1) unless the Commission has approved a syllabus for the examination under subregulation (1).

(3) The Commission may, after consultation with ECTEL and an approved Club, from time to time adopt standards for the preparation of curriculum, setting of examinations, evaluation and certification of examination results by a recognized Club, and may, in its sole discretion, determine the relevant pass mark for an examination.

(4) A recognized Club shall notify the Commission of persons authorized to instruct others in matters of amateur radio operations and or supervise approved Amateur Radio Examinations.

(5) Notwithstanding sub-regulations (1) to (4), the Commission may administer an Amateur Radio Examination where no Club has been recognized by the Commission for that purpose.

Exemptions.

10. (1) The Commission shall recognize -

(a) a valid Amateur Radio Operator Licence issued by another ECTEL state; or

(b) a valid Amateur Radio Operator Licence issued by a non-ECTEL state with which Dominica has agreed reciprocal amateur radio operating privileges.

(2) Where the Commission recognizes a licence under sub-regulation (1), a radio amateur shall not be required to apply for a licence to operate an amateur radio station in Dominica.

(3) Any person under sub-regulation (1) shall register with the Commission prior to operating an amateur radio station in Dominica.

11. Notwithstanding Regulations 5 and 10, the Minister may grant a licence to an applicant from a non-ECTEL state who has not passed an amateur radio examination, where the Minister is satisfied that the qualifications for obtaining a licence in that state would entitle a person to the grant of a licence under these Regulations.

Approved Amateur
Radio Station Licences.

12. (1) The Minister may grant a temporary licence on behalf of a Club to a designated member of that Club for the purpose of participation in a special event.

Special events.

(2) A temporary licence under sub-regulation (1) shall be valid for 7 days, subject to renewal by the Commission for an additional 7 days.

(3) The Commission shall ensure that any person granted a licence on behalf of a Club possesses at least an Amateur Radio General Licence.

13. Notwithstanding anything contained in these Regulations, and with the written authorization of the Commission, an amateur radio operator may accept compensation for serving as an instructor in amateur radio operations, where the station is transmitting for teaching purposes.

Special exceptions.

14. The Commission shall ensure that an amateur radio operator pays all applicable fees in accordance with any fees prescribed from time to time.

Fees.

15. (1) Subject to the payment of the fee prescribed, a licence shall continue in force for the period specified in the licence unless revoked by the Minister.

Duration and renewal.

(2) An amateur radio operator shall pay to the Commission by the expiration date of the licence, the fee prescribed to keep the licence valid.

Frequencies.

16. The Commission shall ensure that an Amateur Radio Operator is assigned the frequency bands and operates at the power levels and emissions specified in the Schedule.

Licensee to comply with the law.

17. Nothing in these Regulations or any licence granted under these Regulations exempts an Amateur Radio Operator from complying with any relevant provision of law relating to the use, sale, installation, or importation of radio communications equipment or with the terms of the Act, or any other law.

Revocation.

18. The Minister may, on the recommendation of the Commission, suspend or revoke an Amateur Radio Operator Licence where the Operator fails to comply with these Regulations, and, if the licence is revoked, may cause the former Operator's name and call-sign to be published in the *Gazette*, a local newspaper of wide circulation or any website maintained by the Commission.

Power to issue Guidelines.

19. For the purpose of giving effect to these Regulations, and acting on the recommendation of ECTEL, the Commission may publish guidelines on any aspect of these regulations on its website.

SCHEDULE
Table A - Novice Class Frequency Privileges

Frequency Segments (MHz)	PEP (Watts)	Modes of Operation
3.675 - 3.725	50	CW
3.800 - 3.850	50	Voice (SSB)
7.100 - 7.150	50	CW
7.200 - 7.230	50	Voice (SSB)
28.1 - 28.3	50	CW, Data
28.3 - 28.5	50	Voice (SSB)
144.0 - 145.0	50	Voice (EM)
145.0 - 148.0	50	CW, Voice (SSB) 1

Table B - General Class Frequency Privileges

Frequency Segments (MHz)	PEP (Watts)	Modes of Operation
1.800 - 2.000	1500	CW, Data, Voice
3.500 - 3.750	1500	CW, Data
3.775 - 4.000	1500	Voice (SSB)
5.3305	50	Voice (SSB)
5.3465	50	Voice (SSB)
5.3555	50	Voice (SSB)
5.3715	50	Voice (SSB)
5.4035	50	Voice (SSB)
7.000 - 7.150	1500	CW, Data
7.150 - 7.300	1500	Voice (SSB)
10.100 - 10.150	1500	CW, Data
14.000 - 14.150	800	CW, Data
14.150 - 14.350	800	Voice (SSB)
18.068 - 18.110	500	CW, Data
18.110 - 18.168	500	Voice (SSB)
21.000 - 21.200	800	CW, Data
21.200 - 21.450	800	Voice (SSB)
24.890 - 24.930	500	CW, Data
24.930 - 24.990	500	Voice (SSB)

Frequency Segments (MHz)	PEP (Watts)	Modes of Operation
28.000 - 28.300	500	CW, Data
28.300 - 29.500	500	Voice (SSB)
29.500 - 29.800	100	Voice (FM), Repeater Ops.
50.000 - 50.100	200	CW, Data
50.100 - 51.100	200	Voice (SSB)
51.100 - 54.000	100	Voice (FM), Repeater Ops.
144.000 - 144.100	200	CW, Data
144.100 - 144.300	200	Voice (SSB)
144.300 - 144.500	200	Satellite
145.800 - 146.000	200	Satellite
146.000 - 147.995	100	Voice (FM), Repeater Ops.
222.340 - 223.380	100	FM Repeater
223.380 - 224.000	100	Voice (FM)
432.000 - 432.125	150	CW, Data
432.125 - 438.000	100	Voice (FM), Voice (SSB) Satellite
442.000 - 450.000	100	Voice (FM), Repeater Ops.

Table C - Advanced Class Frequency Privileges

Frequency Segments (MHz)	PEP (Watts)	Modes of Operation
1.800 - 2.000	1500	CW, Data, Voice (SSB)
3.500 - 3.750	1500	CW, Data
3.750 - 4.000	1500	Voice (SSB)
5.3305	50	Voice (SSB)
5.3465	50	Voice (SSB)
5.3555	50	Voice (SSB)
5.3715	50	Voice (SSB)
5.4035	50	Voice (SSB)
7.000 - 7.150	1500	CW, Data
7.150 - 7.300	1500	Voice (SSB)
10.100 - 10.150	1500	CW, Data
14.000 - 14.150	1500	CW, Data
14.150 - 14.350	1500	Voice (SSB)

Frequency Segments (MHz)	PEP (Watts)	Modes of Operation
18.068 - 18.110	800	CW, Data
18.110 - 18.168	800	Voice (SSB)
21.000 - 21.200	1500	CW, Data
21.200 - 21.450	1500	Voice (SSB)
24.890 - 24.930	800	CW, Data
24.930 - 24.990	800	Voice (SSB)
28.000 - 28.300	800	CW, Data
28.300 - 29.500	800	Voice (SSB)
29.500 - 29.800	100	Voice (FM), Repeater Ops.
50.000 - 50.100	500	CW, Data
50.100 - 51.100	500	Voice (SSB)
51.100 - 54.000	100	Voice (FM), Repeater Ops.
144.000 - 144.100	200	CW, Data
144.100 - 144.300	200	Voice (SSB)
144.300 - 144.500	200	Satellite
145.800 - 146.000	200	Satellite
146.000 - 147.995	150	Voice (FM), Repeater Ops.
222.340 - 223.380	100	FM Repeater
223.380 - 224.000	100	Voice (FM)
420.000 - 432.000	100	Amateur TV
432.000 - 432.125	150	CW, Data
432.125 - 438.000	150	Voice (FM), Voice (SSB), Satellite
442.000 - 450.000	150	Voice (FM), Repeater Ops.
902 - 906	1.0	CW, Data
906 - 910	1.0	Voice (FM), Repeater Ops.
910 - 916	1.0	Amateur TV
916 - 918	1.0	Data
918 - 919	1.0	Voice (FM)
919 - 928	1.0	Voice (FM), Repeater Ops. Amateur TV
1240 - 1252	1.0	Digital Data
1252 - 1258	1.0	Amateur TV
1258 - 1260	1.0	Data
1260 - 1270	1.0	Satellite, Amateur TV

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Frequency Segments (MHz)	PEP (Watts)	Modes of Operations
1270 - 1295	1.0	Voice (FM), Repeater Ops., Amateur TV
1295 - 1300	1.0	CW, Data

Note:

“CW”: “Continuous Wave”

Made this 12th day of November, 2012.

AMBROSE GEORGE

Minister for Telecommunication