

Reference: 00918092

Simon Calder  
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Jessal Visavadia  
Information Rights Advisor  
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1 July 2020

Dear Simon Calder

**Freedom of Information: Right to know request**

Thank you for your request for information in relation to Amateur Radio.

We received this request on 4 June 2020 and have considered it under the Freedom of Information Act 2000 ("the Act").

The answers to your questions are as follows:

*1. How many times have Ofcom taken action/prosecuted Amateur Radio Operators since 2003*

Based on the data currently available to us, we can confirm that there have been two prosecutions of individuals holding a radio amateur licence issued under the Wireless Telegraphy Act 2006 ("WTA amateur licence"), one in 2010 and one in 2019.

Please note that our current case records management (CRM) system was introduced towards the end of July 2016. Although we have access to some data prior to July 2016 in our former CRM system, this data is not complete and so there may be additional prosecutions before July 2016 that are not identified above.

*2. Do Ofcom Monitor Amateur Radio Operators Power Levels in accordance with there license?*

Ofcom does not monitor the power levels of individuals holding a WTA amateur licence.

However, WTA amateur licences only authorise the transmission of powers up to a specific level. If an amateur is using powers levels in excess of those authorised under its licence, this would constitute a breach of licence and may cause interference with other users. If Ofcom received a complaint and a subsequent investigation found a licensee to be in breach of its licence then there are a range of enforcement options available to Ofcom (which can include revoking licences, issuing financial penalties and instigating criminal or civil proceedings, some of which may require equipment to be closed down).

Information relating to protecting and managing the airwaves is [here](#). Information relating to spectrum enforcement is available [here](#).

3. *Has Ofcom gave any amateurs since 2003 any "warnings" or "cautions" if so please give a number of how many have been issued*

Based on the data currently available to us, we can confirm that there have been two formal warnings issued to individuals holding a WTA amateur licence for breach of the WTA, one in 2015 and one in 2020. Based on the data currently available to us, we also confirm that we have not issued any cautions to individuals holding a WTA amateur licence.

As mentioned above, our current CRM system was introduced towards the end of July 2016. Although we have access to some data prior to July 2016 in our former CRM system, this data is not complete and so there may be additional warnings or cautions issued before July 2016 that are not identified above.

I hope this information is helpful. If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) quoting the reference number above in any future communications.

Yours sincerely,

Jessal Visavadia

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

#### **Timing**

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Corporation Secretary  
Ofcom  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF