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## **Submission to the Australian Productivity Commission in respect of the Review of the Radiocommunications Act 1992 and related Acts**

### **The Control of Third Party Traffic between the Amateur Radio Network and Public Telecommunications Network**

*I have viewed a submission to the Commission encouraging a change of legislation to allow the establishment in Australia of high frequency Amateur Radio data stations that provide automatic Internet access using WinLink 2000 technology.*

*The submission seeks favorable consideration towards permitting unlimited data flow between the Internet and Amateur Radio Service stations located in Australia and overseas, this being the practice in many other countries including the USA and New Zealand.*

*WinLink 2000 is sighted as a current interconnect medium for this purpose and the primary argument given for its particular implementation is to provide a mantle of safety for yachts cruising Australian and surrounding waters.*

*May I draw the attention of the Commission to the fact that a long range high frequency radio email service already exists in Australia at <http://www.pentacomstat.com.au>. Coast radio station Penta Comstat VZX provides an email gateway as part of <http://www.sailmail.com>, the low cost worldwide HF email service specifically conceived for cruising yachts by the SailMail Association.*

*I am quite familiar with both the WinLink 2000 and SailMail technology, since both originate from the same author in the USA with whom I have frequent correspondence. My company is also the South Pacific distributor for the German SCS brand modem essential for both services.*

*WinLink 2000 is a service strictly limited to use by amateur radio equipped stations in countries that permit it. Users of the equipment on the shipboard end must be bone fide licensed amateur radio operators; a very small minority in the yachting world. SailMail on the other hand is a service available to all yacht owners having a conventionally licensed HF marine radio and who subscribe to SailMail.*

*The WinLink 2000 network, where it exists, is run on a no cost voluntary basis. SailMail charges an annual membership fee of US\$200.00 with fee email access via all stations, a comparable cost to that charged by many Internet service providers for a land based service. The cost to a yacht for the modem and accessories mating an existing HF radio is identical for either service.*

*No argument should sight WinLink 2000 or SailMail as providing a safety service for mariners, since both are 'store and forward' data systems that rely on the irregularities of the Internet. Messages can take up to several hours to be delivered. While both services have credible records of having saved lives, they cannot be put forward as even a token gesture toward filling the void in coastal and offshore safety communications for small craft that will occur when Telstra Maritime stations cease operation during 2002. That is a separate subject worthy of its own in depth investigation by the Australian Productivity Commission.*

*The case put forward for WinLink 2000 operations highlights the existence of pre world war British Post Office regulations imposed on the amateur radio fraternity of that day and inherited in current legislation. This is the prohibition of Third Party Traffic handling by Australian Licensed Amateurs. Severe limitations are currently imposed regarding the handling of messages for, or permitting conversations by, third parties through Australian amateur radio stations. Unlike other countries who take a modern realistic approach, Australia bars Amateurs from radio-internet or radio-telephone interconnection to handle email messages or telephone calls for other parties.*

*The term 'Third Party Traffic' is now an almost historical statement. Control of the content and routing of world data or voice services has been proven to be beyond the capacity of anyone, be they governments, organisations or individuals. Modern technology does not differentiate between voice and data in the passage of information. They are the same to the point where voice is transmitted digitally on many circuits. Therefore, there is no difference between an Amateur station being able to pass an email to the Internet as there is in connecting a radio call to the telephone network. Both are identical, use the same services and must be governed by the same legislation.*

*I believe it appropriate and timely that the Australian Productivity Commission supports a change to the Telecommunications Act along the following lines.*

**'Australian Licensed Amateur Radio Stations may handle voice and data traffic for third parties providing that the operator of the station or any party associated with the station does not receive payment or remuneration in any form for handling the traffic or providing the service.'**

*The world's telecommunications networks are now essentially privatised and governments no longer control communications across international boundaries or receive payment for such. The small amount of revenue that may be lost in allowing Amateur stations to handle third party traffic is minuscule compared to the benefits of having a modern Amateur Radio Service at the ready, to step in and handle communications breaches in the event of natural disasters and the like. Prohibiting the receipt of monies for the service prohibits Amateur stations from setting themselves up and operating on a commercial basis, in keeping with the history of Amateur radio which has been a major contributor to the development of modern radio communications.*

*I do not support a WinLink 2000 'thin edge of the wedge' proposal, only a complete resolution of the basic third party traffic handling limitations currently imposed on Australian Amateur Radio Operators and which is inhibiting their development of this valuable hobby and service to others.*

*Yours faithfully,*

Marc Robinson - VK2BUA - Director  
Philip Collins & Associates Pty Ltd