



# Australian National Sportfishing Association Ltd

ACN 063 293 514

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COMMITTED TO CONSERVATION AND INTEGRITY IN SPORTFISHING SINCE  
1967

23 February 2011

The Manager,  
Industry Partnership Section  
Operations Branch  
Australian Communications and Media Authority  
PO Box 13112  
Melbourne Vic 8010

Dear Sir,

Thank you for the invitation to comment on the proposals set out in the ACMA consultation paper.

By way of background, ANSA is one of the nation's largest peak recreational fishing bodies. ANSA has been in operation since 1967 and has a national network of several hundred affiliated fishing clubs and a personal membership base of some 3500 plus extended family networks. The majority of our members do own and operate recreational boats and many of our members hold positions on a variety of national, state and local safety bodies involved with boating and fishing safety. ANSA played an instrumental role in convincing the Federal Government to dispense with licensing requirements for 27 meg marine radios during the eighties.

## **Key Proposal 1**

**The ACMA preference is to remove the mandatory requirement for recreational boaters to hold a certificate of proficiency for communications in the VHF bands conducted within Australian territorial waters.**

ANSA wholly supports ACMA's preferred option for removal of the need for recreational boat operators to hold a current certificate of proficiency for communication on VHF bands within Australian territorial waters.

It is an acknowledged fact that very few recreational boat operators are aware of the need for a certificate of proficiency and even less actually go through the process of obtaining a licence certificate. Statistical research recently undertaken by ACMA has confirmed that the level of awareness and licence compliance is very low in proportion to the number of boat operators or marine radios sold via the retail market or installed in new boats as a standard accessory. This low level of awareness and licensing compliance mirrors the historic situation that prevailed during the time when it was also mandatory to hold a licence for 27meg marine radio operation.

The abolition of 27meg marine radio licensing back in the eighties was a very welcome initiative by the then Commonwealth Dept of Communication. However, it was regrettable

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that the requirement for 27 meg licensing was not done away with earlier at the same time as licensing of CB radios was dispensed with.

While there were many voices opposing the abolition of 27 meg marine radio licences, particularly by many of the volunteer marine safety / rescue peak bodies, and concerns expressed that the spectrum would be in chaos, the reality was that the marine communication process worked extremely well without regulation and in fact still does. Rather, the abolition of the need for 27 meg marine radio licences encouraged more boat operators to use their marine radios without the fear of possible prosecution. The expanded level of radio operation considerably enhanced boating safety practice particularly upon offshore waters.

One of the strong cases made for abolition of 27 meg marine radio licences was the need to encourage boat operators to make greater use of their radios in the interests of marine safety. The risk of prosecution for non licence compliance in days gone by was a serious impediment to the use of the marine radio network. Speaking from experience and involvement with many rescues it was amazing the number of boat operators who were not prepared to use their radios to seek assistance for fear of prosecution. Likewise the incidence of boat operators who would turn on and listen to their marine radios but not engage in 2 way communication was absurdly high.

Admittedly the increased volume of 27 meg communication traffic has placed considerable pressure on the channels available for marine use, particularly on week ends and public holidays and this has led to an increased usage of VHF as an alternate and supportive communication medium. Also many recreational boats are now venturing much further offshore and outside the range of 27 meg and invariably need to rely on VHF for ship to shore communication. There has been some speculation that the 27 meg spectrum will be phased out for marine use in the not too distant future. This would be a most unwelcome and retrograde development as there is a genuine need for both communication spectrums. Speaking from personal experience I use VHF for ship to shore communication with the rescue services and 27 meg for ship to ship communication. Most experienced boat operators who travel offshore would follow an identical practice.

Looking to the future communication needs of recreational boat operators, which will continue to grow in numbers, there exists a good case for expansion of the channels available for marine traffic. This will be an absolute necessity if ever the 27meg band was to be closed for recreational boating operation. Were it not for the proliferation of mobile phones, which are extensively used by boating operators for inshore communication, the spectrum would already be stretched well beyond its delivery capability.

### **Key Proposal 2**

**The ACMA considers an organisation with closer connections with the marine boating sector should have responsibility for marine radio operator qualification arrangements.**

While ANSA can understand the logic for ACMA wanting to hand over the role of responsibility for marine radio operator qualifications, the reality is that no other Federal or State agency or body has the capacity and capability to do the job any better than ACMA. There is very little incentive for state agencies to take on the added burden of providing an effective educational or compliance role. It is a matter of fact and regret that there is no

uniform policy or practice for marine and boating safety that applies across all states. There is little point in having a mandatory VHF radio qualification and an enforcement regime of sorts when there is no legal obligation to have a marine radio on board a boat across many states.

Many of the volunteer marine rescue services do offer education programmes for those who are interested in learning how to properly use marine radio equipment and this is to be applauded. However, the success of this process is that it is voluntary – both the educator and the student are there in a voluntary capacity. It would be a retrograde and impractical step if it were to be made mandatory for all boating operators to have to undertake a marine radio education programme via one of the marine rescue agencies or likeminded bodies. These bodies just do not have the resources required to undertake such a demanding and challenging task and they are ill equipped to undertake a compliance role.

From a practical perspective the operation of a marine radio is very straightforward – you simply turn it on, select the channels and communicate. Most modern day mobile phones are far more complex to operate and the general public seems to have adapted very capably to technological change. The essential difference between mobile phone and marine radio communication is that the former is conducted via a private medium whereas the latter is via an open public medium with its own unique and necessary protocols for use which are not widely known.

What is missing in the current proficiency process is an effective means of informing marine radio operators of the correct protocols for marine radio use. When purchasing a marine radio or taking delivery of a new boat with a radio fitted, it is rare to receive any advice on its use from the retailer. Likewise the packaging for marine radios contains very scant information on the requirements for use and operator protocols. It is little wonder that so many new and inexperienced boat operators are hesitant to use their marine radios to full effect because they are not aware of the protocols for operation – they turn on the switch, listen and that's it until by necessity they have a stab at 2 way communication and or someone explains the proper protocol.

Looking forward there needs to be much greater emphasis on public awareness for the proper use of marine radios and the marine band channels. This can be achieved by ongoing awareness initiatives via engagement with the print and electronic media mediums, preferably by both Federal and State agencies, and the mandatory inclusion of clear and effective instructions for marine radio use at the point of sale for such products – this should include operational protocols to complement the basic instructions for use that traditionally come with the product packaging.

Notwithstanding all of our best endeavours to educate boat operators on proper and appropriate marine radio use, there will always be that minority element who deliberately or unwittingly will abuse the marine radio communication process. No amount of education and training and ineffective policing will change the habits of irresponsible and irritating individuals. Compliance policing and enforcement is fine in theory but the reality is that it doesn't work other than in isolated instances. Better education and peer pressure continues to be the most effective way of curbing these obnoxious and at times dangerous activities.

In summing up, the future management strategy for marine radio use might be best optimised by acknowledging the differentiation between competent operator use and compliance /enforcement. A lot more can be done to enhance the competence, knowledge and awareness of protocols for marine radio use but there is little to support the case for mandatory user certification or the requirement to hold an operators licence of some description and for there to be a compliance regime to ensure licences are held. Likewise there is little that can be done in the area of compliance or prosecution to eradicate inappropriate marine radio use. Better education and peer pressure is the preferred way to meet this challenge and resources could be better utilised in that pursuit rather than policing the airwaves and checking on licences.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gunzen', written in a cursive style.

Executive Officer/ Director