

## VISITOR'S TEMPORARY RADIO AMATEUR LICENCE

*This Licence is being granted by the Malta Communications Authority in exercise of its powers under the Electronic Communications (Regulation) Act (Cap. 399 of the Laws of Malta).*

Name of Licensee:	Mr. Andreas Fieber
Address:	Radeland 6 D-27283 Verden Germany
Passport Number (DE):	L2C [REDACTED]
Licence Type Reference:	MCA/L/11-0407

### Article 1. Definitions

1.1 Any reference in this Licence to the "Act" is a reference to the Electronic Communications (Regulation) Act (Cap. 399 of the Laws of Malta), and subject to Article 1.2 of this Licence, the provisions of the said Law shall apply to this Licence.

1.2 In this Licence, unless the context otherwise requires:

"Authority" means the Malta Communications Authority;

"Call sign" means 9H3CC;

"the Commencement Date" means 10 February 2012;

"the Expiry Date" means 3 March 2012;

"the Licensee" means Mr. Andreas Fieber of Radeland 6, D-27283 Verden, Germany, Passport number (DE): L2C [REDACTED]

"R&TTE Regulations" means the Radio Equipment and Telecommunications Terminal Equipment and the Mutual Recognition of their Conformity Regulations, 2002 (SL 427.41);

"Radio Amateur service" means a radiocommunication service for the purpose of self-training, intercommunication and technical investigations carried out by amateurs, that is, by duly authorised persons interested in radio technique solely and with a personal aim and without pecuniary or interest;

"Radio Amateur station" means the radiocommunications apparatus, including the accessory equipment, necessary at one location for carrying out a radio amateur service;

"the Radio Regulations" means the Radio Regulations annexed to, or regarded as being annexed to the most recent International Telecommunication convention of the International Telecommunication Union currently in force; and

"Unwanted Emissions" means spurious emissions and out-of-band emissions as defined in the Radio Regulations.

## **Article 2. Grant of Licence**

2.1 In accordance with the Electronic Communications (Regulation) Act (Cap. 399 of the Laws of Malta) and with the Radio Regulations, this Licence is herewith issued to the Licensee for the purpose of establishing and operating a Radio Amateur Station subject to the conditions stated in this Licence.

## **Article 3. Licence Duration**

3.1 This Licence shall commence on the Commencement Date and shall remain in force until the Expiry Date, unless otherwise lawfully terminated in accordance with the Act and/or this Licence.

3.2 This Licence shall cease to have effect on the Expiry Date.

## **Article 4. Use of Radio Frequency Spectrum**

4.1 The Licensee is authorised to use the Radio Amateur Station exclusively on the radio frequencies laid down in Annex 1 to this Licence and subject to the terms, conditions and limitations stated in this Licence, unless otherwise previously authorised in writing by the Authority.

4.2 The Licensee shall at all times ensure that the said radio frequencies are used efficiently in accordance with the Authority's direction.

4.3 The Licensee shall ensure that:

- (i) the emitted frequency of the radiocommunications apparatus comprised in the Radio Amateur Station is as stable and as free from Unwanted Emissions as the state of technical development for amateur radio apparatus reasonably permits; and
- (ii) whatever class of emission is in use, the bandwidth occupied by the emission is such that not more than 1% of the mean power of the transmission falls outside the nominal modulated carrier bandwidth.

## **Article 5. Non-Interference**

5.1 The Licensee shall comply with any directives and, or decisions, however so described, issued by the Authority in relation to harmful interference.

- 5.2 The Licensee shall ensure that the Radio Amateur Station at all times complies with the technical and performance standards generally accepted by the Industry, or as may be prescribed by the Authority, or accepted by the Authority as being adequate to ensure that such system does not cause harmful interference with, seriously reduce the quality of, or repeatedly disrupt the lawful use or operation, of any other electronic communications networks and, or services.
- 5.3 The Licensee shall ensure that its Radio Amateur Station does not cause harmful interference with, seriously reduce the quality of, or disrupt the lawful use or operation of, any other electronic communications networks and, or services.
- 5.4 Neither the Authority, nor the Government of Malta, shall be held responsible in any manner whatsoever by the Licensee for any harmful interference that may hinder the use or operation of its Radio Amateur Station.
- 5.5 If any undue interference to other services or networks is caused by the radiation of unwanted emissions from the Radio Amateur Station, then the Licensee shall suppress the unwanted emissions to the degree satisfactory to the Authority.

**Article 6. Exposure to Electromagnetic Fields**

- 6.1 The Licensee shall comply with any radiation emission standards adopted and published by the International Commission for Non-Ionising Radiation Protection (ICNIRP) and any other appropriate standards as may be specified by law or by the Authority.
- 6.2 The Licensee shall comply with any decisions however so described issued by the Authority in relation to electromagnetic radiation and shall ensure that the Radio Amateur Station at all times complies with the technical and performance standards generally accepted by the Industry, or as may be prescribed by the Authority in line with national and European Community Law, or accepted by the Authority as being adequate to ensure the limitation of exposure of the general public to electromagnetic fields.
- 6.3 The Licensee shall ensure that its Radio Amateur Station is not installed or operated at a location and in a manner such as to be the cause of the aggregate non-ionising radiation emissions exceeding the limits published by the ICNIRP or any other appropriate standards as may be specified by law or by the Authority.

**Article 7. Call Sign**

- 7.1 The Licensee shall transmit the Call Sign at short intervals when transmitting from the Radio Amateur Station.

**Article 8. Conditions of Use of the Radio Amateur Station**

- 8.1 The radiocommunications apparatus comprising the Radio Amateur Station shall be maintained so as to remain compliant with the provisions of the R&TTE Regulations.

- 8.2 The provision of Article 8.1 above does not apply if the radiocommunications apparatus comprising the Radio Amateur Station is a result of kits of components assembled by radio amateurs and/or a result of modified commercially available apparatus.
- 8.3 The Radio Amateur Station shall be used in accordance with the parameters laid down in Annex I to this Licence and subject to the terms, conditions and limitations stated in this Licence, unless otherwise previously authorised in writing by the Authority.
- 8.4 The Radio Amateur Station shall be used only:
- (i) by the Licensee; or
  - (ii) in the presence of and under the direct supervision of the Licensee; or
  - (iii) by any person who holds a valid authorisation to establish and operate a Radio Amateur Station.
- 8.5 The Licensee shall ensure that persons authorised to operate the Radio Amateur Station observe the terms, conditions and limitations of this Licence.
- 8.6 The Licensee shall not install or use the Radio Amateur Station in any aircraft or other airborne vehicle.

#### **Article 9. Information**

- 9.1 The Licensee shall facilitate and ensure access to any information that the Authority may, in accordance with its functions at law, request.
- 9.2 The Licensee shall promptly provide the Authority, in such a manner and at such times as the Authority may reasonably request, any information related to the installation and use of the Radio Amateur Station, or any other information that the Authority considers necessary to ensure compliance with this Licence and, or with the provisions of any law, or for statistical purposes.

#### **Article 10. Further Compliance**

- 10.1 The Licensee shall comply with:
- a) any orders, decisions or directives, however so described, of the Authority;
  - b) the Radio Regulations which complement the Constitution and the Convention of the International Telecommunication Union currently in force; and
  - c) all the articles of this Licence.
- 10.2 Nothing in this Licence shall absolve the Licensee from any legal requirement to obtain any other permissions, authorisations or licences, however so described, as may be necessary for the provision of the service and for the exercise of its rights and the discharge of its obligations under this Licence:

Provided that failure on the part of the Licensee to comply with any other requirements shall not exempt the Licensee from any failure to discharge its obligations under this Licence:

Provided further that the Licensee shall be solely responsible for all costs, expenses and other commitments, however so described, whether financial or otherwise, in respect of the Licence and the provision of the service, and the Authority shall bear no responsibility for any such costs, expenses or commitments however so described.

#### **Article 11. Termination**

- 11.1 Without prejudice to any other measures, including the imposition of fines however so described, that may be taken at law for the non-observance of the conditions of this Licence, this Licence may be withdrawn at any time by the Authority if any of the conditions laid down at law or in any part of this Licence are not observed.
- 11.2 This Licence shall automatically be terminated with immediate effect and returned by the Licensee to the Authority, in any of the following cases:
- a. upon the expiration of the term of the Licence;
  - b. upon renunciation by the Licensee;
  - c. upon revocation of this Licence in accordance with the articles of this Licence and, or of law; or
  - d. in accordance with any provisions of the Act and/or Article 12.2 of this Licence;

#### **Article 12. Rights and Remedies of the Authority**

- 12.1 In addition to its power to terminate this Licence in accordance with Article 11 above, the Authority shall, in accordance with its powers at law, have the power to impose administrative fines on the Licensee for any non-compliance with the conditions of this Licence.
- 12.2 The Authority may add to, or amend or revoke any of the terms and conditions of this Licence, including the radio frequency spectrum described in this Licence, when such additions or amendments are necessary as a result of any international obligations entered into by the Authority or by the Government of Malta, or by the need to ensure compliance with the Act or any other law, or by the need to ensure efficient frequency planning:

Provided that the Authority shall not be held responsible in any manner whatsoever for any damages suffered or expenses incurred by the Licensee as a result of any amendment of the terms or conditions of this Licence:

Provided further that the Authority should inform the Licensee in advance and take into account its views if relevant impact is foreseeable on the Licensee and circumstances so permit, granting a reasonable timeframe for the implementation of the relevant additions and, or amendments to the conditions.

- 12.3 If any article of this Licence is declared to be unenforceable by any court of law or tribunal however so described, such declaration shall have no effect on the enforceability of the remaining articles of this Licence, all of which will remain in force until the termination of this Licence.
- 12.4 The Authority and any persons duly authorised by the Authority to Act on its behalf, shall have the right to carry out inspections and measurements on any site and equipment, being operated by the Licensee at any reasonable time, for the purpose of ensuring that the Licensee is abiding with any of the articles of this Licence and, or with any legal requirements:
- Provided that in cases of urgency the Authority may carry out any such inspections outside normal business hours.
- 12.5 All the articles under this Licence shall for the purpose of law be considered as decisions imposed by the Authority and any failure to abide with any such articles may, without prejudice to any other measures that the Authority may in accordance with law take, be sanctioned by the imposition of the appropriate fines in accordance with law.
- 12.6 The Act, any other applicable laws, directives and decisions however so described of the Authority shall apply to the Licensee for all purposes and shall form an integral part of this Licence.

Signed in duplicate.

  
/s/ Ing. Philip Micallef  
Executive Chairman

30 December 2011

**Annex I – Description of the Radio frequency spectrum and relevant technical parameters to be observed by the Radio Amateur Station**

Frequency (MHz)	Status of allocations to the Amateur service	Status of allocations to the Amateur-Satellite service	Maximum Peak Envelope Power in Watts (and in dB relative to 1 Watt)	Notes
0.1357-0.1378	Secondary	Not allocated	1 W (0 dBm) e.r.p.	
1.81 - 1.85	Primary	Not allocated	400 W (26 dBW)	RTTY not permitted
1.85 - 2	Secondary	Not allocated	10 W (10 dBW)	
3.5 - 3.8	Primary	Not allocated	400 W (26 dBW)	
7.0 - 7.1	Primary	Primary	400 W (26 dBW)	
7.1 - 7.2	Primary	Primary	400 W (26 dBW)	
10.1 - 10.14	Secondary	Not allocated	100 W (20 dBW)	Morse (CW) only
10.14 - 10.15	Secondary	Not allocated	100 W (20 dBW)	
14.0 - 14.25	Primary	Primary	400 W (26 dBW)	
14.25 - 14.35	Primary	Not allocated	400 W (26 dBW)	
18.068 - 18.168	Primary	Primary	400 W (26 dBW)	
21.0 - 21.45	Primary	Primary	400 W (26 dBW)	
24.89 - 24.99	Primary	Primary	400 W (26 dBW)	
28.0 - 29.7	Primary	Primary	400 W (26 dBW)	No transmissions in the band 29.3-29.51 to avoid interference with the amateur-satellite downlink.
50.0 - 52.0	Secondary	Not allocated	100 W (20 dBW)	
144.0 - 146.0	Primary	Primary	400 W (26 dBW)	
430.0 - 432.0	Primary	Not allocated	50 W (17 dBW)	
432.0 - 440.0	Primary	Not allocated	400 W (26 dBW)	
1240 - 1260	Secondary	Not allocated	200 W (22 dBW)	
1260 - 1270	Secondary	Secondary (E-s)	200 W (22 dBW)	
1270 - 1300	Secondary	Not allocated	200 W (22 dBW)	
2300 - 2400	Secondary	Not allocated	400 W (26 dBW)	
2400 - 2450	Secondary	Not allocated	400 W (26 dBW)	Stations must accept interference from ISM users.
5650 - 5725	Secondary	Secondary (E-s)	400 W (26 dBW)	
5725 - 5830	Secondary	Not allocated	400 W (26 dBW)	Stations must accept interference from ISM users.
5830 - 5850	Secondary	Secondary (s-E)	400 W (26 dBW)	Stations must accept interference from ISM users.
10000 - 10450	Secondary	Not allocated	400 W (26 dBW)	
10450 - 10500	Secondary	Secondary	400 W (26 dBW)	
24000 - 24050	Primary	Primary	400 W (26 dBW)	
24050 - 24250	Secondary	Not allocated	400 W (26 dBW)	Stations must accept

Frequency (MHz)	Status of allocations to the Amateur service	Status of allocations to the Amateur-Satellite service	Maximum Peak Envelope Power in Watts (and in dB relative to 1 Watt) <sup>1</sup>	Notes <sup>2</sup>
				Interference from ISM users.
47000 - 47200	Primary	Primary	400 W (26 dBW)	
76000 - 77500	Secondary	Secondary	400 W (26 dBW)	
77500 - 78000	Primary	Primary	400 W (26 dBW)	
78000 - 79000	Secondary	Secondary	400 W (26 dBW)	
79000 - 81000	Secondary	Secondary	400 W (26 dBW)	
81000 - 81500	Secondary	Secondary	400 W (26 dBW)	
122250 - 123000	Secondary	Not allocated	400 W (26 dBW)	
134000 - 136000	Primary	Primary	400 W (26 dBW)	
136000 - 141000	Secondary	Secondary	400 W (26 dBW)	
241000 - 248000	Secondary	Secondary	400 W (26 dBW)	
248000 - 250000	Primary	Primary	400 W (26 dBW)	

<sup>1</sup> The Peak envelope power is the average power supplied to the antenna by a transmitter during one radio frequency cycle at the crest of the modulation envelope taken under normal operating conditions.

<sup>2</sup> ISM is an abbreviation for Industrial, scientific and medical applications.