

2nd IHO-HSSC Meeting
Rostock, Germany, 26-29 October 2010
Paper for Consideration by HSSC
Comments on Paper HSSC2-05.2B

Submitted by:	International Centre for ENC's (IC-ENC)
Executive Summary:	This paper highlights a number of issues related to the proposal to amend S-63, and invites HSSC to seek clarification from the WEND WG on whether the existing "single purchase" option within S-63 is appropriate and properly executed before taking a decision.
Related Documents:	IHO S-63 Data Protection Scheme

Discussion

1. The proposal in HSSC2-05.2B from Greece, in effect, seeks to amend S-63 to allow Research Units to purchase ENC's at a single point in time, to be used indefinitely (for non-navigation use), with no updating.
2. Currently, IC-ENC members require the RENC to ensure that Value Added Resellers (VARs) only offer a fully SOLAS compliant service with weekly updates. Beyond this, if a VAR wishes to offer updates less frequently, or data without updates, then they must approach the producing nation directly for supply terms. The rationale behind this is that HO's are producing and supplying ENC's through RENC's to be used for navigational purposes.
3. Even so, the S63 standard in its current form includes a mechanism which would enable a registered Data Server to license ENC data on a permanent (i.e. one off purchase, no end date) rather than subscription basis. Section 4.3.3 describes the "Service Level Indicator" field where a Data Server has the option to define a "single purchase permit" rather than a "subscription permit".
4. I assume that the Research Unit referenced in the proposal (National Technical University of Athens (NTUA)) has been unable to find a Data Server and / or ENC display system which makes use of this "single purchase permit" option.
5. Given the existing licensing policies of many Hydrographic Offices, it is reasonable to assume that there are either no OEM systems currently available which can handle "single purchase" permits, or no Data Servers who offer services which issue such permits (or both). If this is the case, and NTUA wishes to develop their own system / service, then it is unclear why S-63 has to be changed to accommodate this given there are the necessary provisions in place already. NTUA simply has to apply to be an OEM / Data Server as appropriate.
6. At the same time, it is also reasonable to question whether or not S-63 should be making such provision given the current status of licensing policies among IHO Member States. Where Data Servers are issuing "subscription permits", S-63 requires manufacturers of display systems to include several warnings to identify situations where out-of-data is being displayed, and these were deliberately included in the interests of protecting safety of navigation. However, whilst S-63 defines the "single purchase permit" option, it fails to refer to it again in terms of method of operation.

7. It is therefore unclear from S-63 how IHO Member States expect manufacturers to develop different modes of operation to take account of navigational and non-navigational applications. Against this background, there is a risk that the controls defined in S-63 for navigational purposes may be compromised by a poor implementation by a manufacturer of the single-purchase option. By updating S-63 to make specific reference to a category of user who will make use of this single-purchase option without first addressing these issues, as proposed in the paper HSSC2-05.2B, is likely to heighten this risk.

Conclusions

8. In the view of the IC-ENC administration the IHO should proceed with caution before making changes to S-63, which is an important standard designed to protect the integrity of ENC data, and safety of the end-user.

9. IHO, through the relevant bodies should first clarify whether it wishes to support an S-63 based “single purchase” option for ENC data. If not, arrangements should be made to amend the standard to remove the “single purchase” option currently described.

10. If IHO does support this option, it should then define:

- What conditions of operation should apply with this option as distinct from the existing “subscription” based option which is already well defined and widely implemented.
- What licensing terms and conditions should apply to encourage a harmonized approach by all Member States.
- What changes are required to S-63 to directly support the conclusions above, without undermining the protocols already in place for subscription based licensing.

Recommendations

11. As the matters discussed earlier are policy-related rather than technical, it is logical for them to be considered by the WEND WG, through the IRCC, and for any conclusions to be passed to the DPSWG via the HSSC to determine how any required changes to S-63 might be incorporated. DPSWG can then refer any revision to HSSC for subsequent endorsement in the normal manner.

Action Requested of the Committee

12. The Committee is requested to:
- a. Take **Note** of this paper, and
 - b. Take any action as it considers appropriate