**Explanatory note**

* The IHO is currently in the process of drafting a new Original Equipment Manufacturer Agreement (‘**OEMA**’) and a new Data Server Agreement (‘**DSA**’), outlining the IHO’s requirements for the use of, and compliance with, the Data Protection Schemes.[[[1]](#footnote-1)] The IHO has identified that the current OEMA and the DSA are not fit for purpose.
* The IHO recognises that key commercial arrangements and considerations necessary to produce the new OEMA and DSA are yet to be finalised.
* This document concerns the new DSA.
* For the new DSA, the IHO is seeking a comprehensive review of all the services it currently provides to data servers as the scheme administrator of the Data Protection Schemes, in order to inform its view on the commercial arrangement and the relevant terms to be included in the new DSA.
* The purpose of the table below is to provide a structure for the IHO team to use. It serves to capture the key details of the review, identifying the services offered to data servers and the commercial models to be applied under the new DSA, which includes (but is not limited to) clarifying any administration fees, introducing possible annual subscription fees for participation in the Data Protection Schemes, and looking at the potential opportunity to charge for any maintenance and support services.

**Table (for clarifying services and commercials):**

|  |  |  |  |
| --- | --- | --- | --- |
| **No** | **Services**[[[2]](#footnote-2)] | **Description of Service**  (e.g. details of what the IHO is providing a data server, and details of how it is providing it) | **Commercials**  (e.g. fees, term, territory, payment method etc.) |
|  | *[Providing access to Data Protection Schemes]* | * *Process of an Application Procedure participating in the Data Protection System* * *Providing information of OEM participants and update any changes of OEM participants including revocation.* | * *Registration fee (one-off, but except for re-joining)* * *Annual subscription* |
|  | *[Supply of Certificates, being the following text files:*   * *"certificate" (Data Server Certificate), "metadata", "publk" and "ssk" for use with the S-63 Data Protection Scheme* * *“S-100 Data Server Certificate” for use with S-100 Data Protection Scheme.]* | * *Providing IHO SA certificates* * *Reviewing the digital certificate request against to relevant IHO standards and regulations* * *Providing signed the certificate if appropriate.* | * *Included in the registration fee and annual subscription* |
|  | *[Supply of test data sets]* | * Providing *Test Data Sets for S-63/S-100* * Informing the updates of the test data sets | * *Annual subscription* |
|  | *[Supply of guidance notes]* | * Providing guidance documents for participating the data protection scheme * Providing a note for the Test Data Sets and digital certificate request | * *Annual subscription* |
|  | *[Requests from notified bodies/type approval process]* | * *??* | *[IHO to consider if anything is to be charged for and if so how often (e.g. one-off fee, monthly, annually etc)]* |
|  | *[Supply of support and maintenance services]* | * Guiding an application process * Providing technical assists related to the data protection scheme * Providing a list of technical experts who can assist the issue. | * *Annual subscription* |
|  | *[•]* | *[•]* | *[•]* |

1. **Note to IHO**: The IHO currently makes use of two data protection scheme, the S-63 security scheme and the S-100 security scheme, which it currently deploys for encrypting, securing and compressing electronic navigation chart (‘**ENC**’) data (together the ‘**Data Protection Schemes**’). [↑](#footnote-ref-1)
2. **Note to IHO:** We have included the text in square brackets for example purposes only, and it is based on our discussions and our understanding of the services provided under the data server agreement. Please review and confirm based on your internal discussions and also provide the additional information relating to “Description of Service” and “Commercials”. [↑](#footnote-ref-2)