**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]* | *[IHO to complete]* | *[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 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.]* | *[IHO to consider how these certificates are to be supplied and whether an appropriate commercial charging mechanism can apply]* | *[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 test data sets]* | *[IHO to complete]* | *[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 guidance notes]* | *[IHO to complete]* | *[IHO to consider if anything is to be charged for and if so how often (e.g. one-off fee, monthly, annually etc)]* |
|  | *[Requests from notified bodies/type approval process]* | *[IHO to complete]* | *[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]* | *[IHO to consider how any support and maintenance services might be needed and whether an appropriate commercial charging mechanism can apply]* | *[IHO to consider if anything is to be charged for and if so how often (e.g. one-off fee, monthly, annually etc)]* |
|  | *[•]* | *[•]* | *[•]* |

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)