**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 OEMA.
* For the new OEMA, the IHO is seeking a comprehensive review of all the services it currently provides to OEMs 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 OEMA.
* The purpose of the table below is to provide a structure for the IHO team to use. It serves to capture key details of the review, identifying the services offered to OEMs and the commercial models to be applied under the new OEMA, which includes (but is not limited to) clarifying 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 an OEM, 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 Proprietary Information, being the following:*   * *Manufacturer ID (M\_ID);* * *Manufacturer Key (M­\_KEY);* * *Scheme Administrator Certificate;* * *Public Key;* * *User Permit;* * *Hardware ID (HW\_ID);* * *Cell/Data Permits;* * *[other?]]* | *[IHO to consider the extent to which these can be broken down and charged for as separate line items]* | *[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)]* |
|  | *[Supply of catalogue files]* | *[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 complete]* | *[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 OEM 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)