



THIS CIRCULAR LETTER REQUIRES YOUR INPUT

IHB File N^{os}. S3/0104
CBSC

CIRCULAR LETTER 09/2016
25 February 2016

IHO PUBLICATION C-16: NATIONAL HYDROGRAPHIC REGULATIONS
REQUEST FOR UPDATED INFORMATION

References:

- A. IHO CL 41/2007 dated 26 April - *National Hydrographic Regulations*
- B. IHO CL 101/2007 dated 9 November - *National Hydrographic Regulations*
- C. IHO CL 09/2008 dated 24 January - *National Hydrographic Regulations*
- D. IHO CL 69/2015 dated 17 September – *Outcome of the seventh meeting of the Inter-Regional Coordination Committee (IRCC7)*
- E. IHO CL 23/2014 dated 24 February - *Implementation of a country information database at the IHB for the maintenance and publication of the IHO Yearbook*

Dear Hydrographer,

1. Under the IHO Capacity Building Programme, the compilation of national regulations related to the establishment and responsibilities of National Hydrographic Committees and National Hydrographic Offices (as defined in the IHO Publication M-2 - *The need for National Hydrographic Services*) was identified in 2007 as an important source of information to assist those countries which are in the process of developing their own hydrographic capabilities (see Reference A). The relevant documentation provided by the Member States is compiled in IHO Publication C-16 (formerly M-16) - *National Hydrographic Regulations* (see References B and C).

2. At its 7th meeting in June 2015, the Inter-Regional Coordination Committee (IRCC) considered, through the Chair reports of the Regional Hydrographic Commissions (RHC) and also in separate discussions, ways to improve access to hydrographic data collected for purposes other than charting. This resulted in the IRCC instructing its Marine Spatial Data Infrastructure Working Group (MSDIWG) to make certain revisions to IHO Publication C-17 - *Spatial Data Infrastructures: "The Marine Dimension" - Guidance for Hydrographic Offices*. The Committee also agreed on the need to update IHO Publication C-16.

3. The IRCC agreed on the following actions in relation to C-16 (see Reference D):

- Action 30: The IHB to issue a CL seeking Member States' input to the update of C-16 - *National Hydrographic Regulations* - including any regulations covering government rights of access to bathymetric data collected for commercial or scientific purposes.
- Action 31: The IHB to update IHO Publication C-16 - *National Hydrographic Regulations* - based on the input provided by Member States.

4. Additionally, during the review process of the current edition of C-16, a number of shortcomings have been identified with the current content and format of the publication, including:

- outdated regulations,
- lack of definition of the type of regulations to be included,
- inconsistent presentation with regulations translated by some, but not all, Member States,
- inconsistent format between different Member State entries, not facilitating use of the document, and
- provision of updated information is a significant burden on Member States.

5. The Directing Committee has also identified a need to move towards an integrated database (Country Information System - CIS) at the IHO Secretariat (see Reference E) and has prepared a revised layout structure for C-16, which is provided in Annex A. This layout will facilitate the integration of the information provided by Member States into the CIS, from which comprehensive reports can be generated. For ease of maintenance, Member States are invited to complete the relevant information in English with links pointing to their national regulations in their own language.

6. Member States are requested to provide their inputs for the revision of IHO Publication C-16 - *National Hydrographic Regulations* to the IHB (info@iho.int) **not later than 30 April 2016** using the template provided in Annex B, which is also available for download in Excel format on the IHO website:

(Home → Standards & Publications→ Download section)

7. Inputs provided by Member States, including any regulations covering government rights of access to bathymetric data collected for commercial or scientific purposes, will allow a subsequent new edition of C-16 to be published by the IHB. Further updates, based on the publication of new or updated regulations, should also be sent to the IHB on an annual basis.

8. To avoid unnecessary duplication or inconsistencies, the information on “Relevant National Legislation” currently included in the IHO Yearbook will be removed or transferred to C-16 as appropriate.

On behalf of the Directing Committee

Yours sincerely,



Mustafa IPTES
Director

Annexes: Annex A - Proposed revised layout for C-16.
 Annex B - Template for updating C-16.

**PROPOSED REVISED LAYOUT AND CONTENTS FOR C-16 –
NATIONAL HYDROGRAPHIC REGULATIONS**

The following structure is proposed to improve C-16 so that it can be easily integrated into the Country Information System (CIS) and the information from the publication can be generated as a report from CIS.

Like the current edition, the publication will have entries by Country (it is anticipated that only Member States will contribute to this publication) with the proposed structure as below:

Country: _____

SOLAS Convention Convention SOLAS Convención SOLAS	[Provide an explanation/description of how the roles, tasks and responsibilities for implementation of the SOLAS Convention are achieved.]
National Hydrographic Service Service hydrographique national Servicio Hidrográfico Nacional	[Provide dates and details of how and when the structure and functioning of the National Hydrographic Service was formally established. By Statute? or other means?]
Nautical charting Cartographie marine Cartografía Náutica	[Provide details of applicable regulations covering responsibilities related to nautical charting if not defined in the regulation of the National Hydrographic Service or others.]
Hydrographic surveys in the jurisdictional waters Levés hydrographiques dans les eaux sous juridiction Levantamientos hidrográficos en aguas jurisdiccionales	[Provide details of any regulatory procedures for the execution of hydrographic surveys in the national jurisdictional waters by national and foreign vessels. Details of any obligations placed on data gatherers to forward, or provide access to, some or all of the collected data to the National Hydrographic Service or to the National or Marine Spatial Data Infrastructure (NSDI or MSDI).]
Creation of the National Hydrographic Committee Création d'un comité hydrographique national Creación del Comité Hidrográfico Nacional	[Provide details of the establishment and terms of reference of the National Hydrographic Committee as defined in the IHO <i>Capacity Building Strategy</i> and in the IHO Publication M-2 <i>The need for National Hydrographic Services</i> .]
Establishment of a National or Marine Spatial Data Infrastructure (NSDI or MSDI) Création d'une infrastructure de données spatiales nationales ou maritimes (NSDI ou MSDI) Establecimiento de una Infraestructura Nacional o Marítima Espacial (NSDI o MSDI)	[Provide details of the establishment of the NSDI/MSDI as described in the IHO Publication C-17 <i>Spatial Data Infrastructures: "The Marine Dimension" - Guidance for Hydrographic Offices</i> .]
Other relevant national legislation and regulations Autres législations et règlements nationaux pertinents Otras disposiciones y legislaciones nacionales pertinentes	[Provide details of any additional information that can be shared with other countries. This could be: - Guidance for the maritime community on the Maritime Safety Information (MSI) system - Best practices guide]

Note: if there is no regulation the right column will display "No information provided or available" in the database and the publication. Otherwise it will display the link to the relevant regulation(s) (either at the IHO server or in the national portal).

Example for providing input / update for IHO publication C-16

Country: Brazil

SOLAS Convention Convention SOLAS Convención SOLAS	Constitutional Law N° 97 (9 June 1999) establishes the Maritime Authority: http://www.planalto.gov.br/ccivil_03/leis/LCP/Lcp97.htm and is complemented by the Maritime Authority Regulations: https://www.dpc.mar.mil.br/normas/normam https://www1.mar.mil.br/dhn/?q=normas-legislacoes
National Hydrographic Service Service hydrographique national Servicio Hidrográfico Nacional	Decree N° 66.370 (23 March 1970) established the Statutes of the Directorate of Hydrography and Navigation (DHN): http://legis.senado.gov.br/legislacao/ListaTextoIntegral.action?id=180262&norma=196868
Nautical charting Cartographie marine Cartografía Náutica	Decree N° 243 (28 February 1967) establishes the basis for the national cartography: http://www.planalto.gov.br/ccivil_03/decreto-lei/1965-1988/De10243.htm
Hydrographic surveys in the jurisdictional waters Levés hydrographiques dans les eaux sous juridiction Levantamientos hidrográficos en aguas jurisdiccionales	Decree N° 96.000 (2 May 1988) regulates the research in the continental shelf and in waters under national jurisdiction: http://www.planalto.gov.br/ccivil_03/decreto/1980-1989/D96000.htm and the Decree N° 2.278 (17 July 1997) regulates the aerial surveys: http://www.planalto.gov.br/ccivil_03/decreto/D2278.htm
Creation of the National Hydrographic Committee Création d'un comité hydrographique national Creación del Comité Hidrográfico Nacional	No
Establishment of a National or Marine Spatial Data Infrastructure (NSDI or MSDI) Création d'une infrastructure de données spatiales nationales ou maritimes (NSDI ou MSDI) Establecimiento de una Infraestructura Nacional o Marítima Espacial (NSDI o MSDI)	Decree N° 6.666 (27 November 2008) created the National Spatial Data Infrastructure (INDE): http://www.planalto.gov.br/ccivil_03/_Ato2007-2010/2008/Decreto/D6666.htm
Other relevant national legislations and regulations Autres législations et règlements nationaux pertinents Otras disposiciones y legislaciones nacionales pertinentes	No

EXCEL TEMPLATE FOR UPDATING IHO PUBLICATION C-16

Member States are invited to provide the information requested to update C-16 in English in the format below. Links to National Regulations in the national language should be provided where available.

INTERNATIONAL HYDROGRAPHIC ORGANIZATION

IHO Publication C-16

National Hydrographic Regulations

Country/Pays/País	
SOLAS Convention Convention SOLAS Convención SOLAS	Explanation/description of how the roles, tasks and responsibilities for implementation of the SOLAS Convention are achieved. (*)
National Hydrographic Service Service hydrographique national Servicio Hidrográfico Nacional	Establishment of the structure and functioning of the National Hydrographic Service. (*)
Nautical charting Cartographie marine Cartografía Náutica	Regulation on the responsibilities related to nautical charting if not defined in the regulation of the National Hydrographic Service or others. (*)
Hydrographic surveys in the jurisdictional waters Levés hydrographiques dans les eaux sous juridiction Levantamientos hidrográficos en aguas jurisdiccionales	Regulatory procedures for the execution of hydrographic surveys in the national jurisdictional waters by national and foreign vessels. Obligations to deliver the collected data to the National Hydrographic Service or to the National or Marine Spatial Data Infrastructure (NSDI or MSDI). (*)
Creation of the National Hydrographic Committee Création d'un comité hydrographique national Creación del Comité Hidrográfico Nacional	Establishment and terms of reference of the National Hydrographic Committee as defined in the IHO <i>Capacity Building Strategy</i> and in the IHO Publication M-2: <i>The need for National Hydrographic Services</i> . (*)
Establishment of a National or Marine Spatial Data Infrastructure (NSDI or MSDI) Création d'une infrastructure de données spatiales nationales ou maritimes (NSDI ou MSDI) Establecimiento de una Infraestructura Nacional o Marítima Espacial (NSDI o MSDI)	Establishment of the NSDI/MSDI as defined in the IHO Publication C-17 <i>Spatial Data Infrastructures: "The Marine Dimension" - Guidance for Hydrographic Offices</i> . (*)
Other relevant national legislations and regulations Autres législations et règlements nationaux pertinents Otras disposiciones y legislaciones nacionales pertinentes	Additional information that can be shared with other countries. (*) This could be: - Guidance for the maritime community on the Maritime Safety Information (MSI) system - Best practices guide

Note: if there is no regulation the right column will display "No". Otherwise it will display the link to the regulation (either at the IHO server or in the national portal).

(*) *Note: The relevant information should be provided in English with links pointing to the national regulations in English (if available) or in the national language.*