

**THIS CIRCULAR LETTER REPLACES CL 58/2001
WHICH HAS BEEN WITHDRAWN**

IHB File S3/8151/CHRIS

**CIRCULAR LETTER 60/2001
14 December 2001**

SENC DELIVERY

Ref: 1) IHB Circular Letter 50/2001, dated 19 October 2001
2) IHB Circular Letter 58/2001, dated 6 December 2001

Dear Sir or Madam,

Circular Letter 58/2001 announced that the proposal contained in CL 50/2001 (to amend paragraph 3.3 of IHO Publication S-52 and to adopt a new IHO Technical Resolution A 3.11), on which Member States had been requested to vote, was approved. However, a more accurate check made following the release of CL 58/2001 revealed that the adoption of a new Technical Resolution requires the approval of at least one third of the Member States (IHO Convention, Article VI, paragraphs 5 and 6), which means that 23 votes in favour are required, as compared to the 14 "yes" reported in CL 58/2001. As a result, the following has been decided:

- **The results as indicated in CL 58/2001 are premature and CL 58/2001 is hereby withdrawn.**
- The deadline for responding to CL 50/2001 is now extended to **28 February 2002**.
- A new CL will be issued following the new deadline, to replace CL 58/2001.

Those Member States who have not yet responded to CL 50/2001 are earnestly requested to do so before the new deadline for voting given above.

A summary of the responses and comments to CL 50/2001, received as of 12 December 2001, is attached herewith for your information (Annex A).

The French and Spanish versions of CL 58/2001, not yet issued, will NOT be distributed since this CL has now been withdrawn.

On behalf of the Directing Committee,
Yours sincerely,



Rear Admiral Neil GUY
Director

Encl: Annex A

SUMMARY OF MEMBER STATES' REPLIES TO IHB CL 50/2001
(as of 12 December 2001)

Member State	Yes	No	Comments
Australia	X		
Brazil		X	Premature to vote on the proposal. Member States should be asked to vote on SENC Delivery. Various questions are still unresolved. Conclusion has not been reached at CHRIS.
Canada	X		
China	X		
Colombia	X		
Denmark		X	Concerned about the consequences. Confusing to mariner and Port Control Officers as to whether a ship is complying with SOLAS Chapter V. No benefit to safe navigation. A step away from uniformity of nautical charting. Should not be encouraged by the IHO; however, if a Member State wishes to allow it in their own waters then the Technical Resolution would be useful.
Estonia	X		
Finland		X	
France		X	Does not believe that the subject has been sufficiently examined in depth. The proposed new IHO TR A 3.11 introduces the notion of "type approved software" which would imply having precise specifications standardizing the conversion ENC to SENC procedure. Type approval can apply to a system such as ECDIS and therefore implicitly to its sub-components (such as the entering of ENC data into a SENC), but it appears difficult to deduce from this that each of the functional sub-components can be type approved. The matter should be referred to those authorities responsible for navigational equipment and systems (IEC and IMO in particular) and the HGE should therefore be reactivated. The French maritime authorities have informed us that they have serious reservations as regards this SENC distribution option. For it to be acceptable to France, the proposed TR A 3.11 should therefore be modified to read as follows: ➤ Para. 2. "are not opposed to" instead of "may allow". ➤ Para. 3 "Distributors who are to supply the SENC service must operate under the regulations of the maritime authorities and implement systems which have been type approved".
Greece	X		
Iceland	X		
India	X		
Italy	X		
Japan		X	It is premature to vote on these proposals. MS should be asked to vote on SENC delivery itself. Various questions still remain unsolved after CHRIS/13 and no conclusion yet reached on SENC delivery.

Member State	Yes	No	Comments
Netherlands	X		
Norway	X		
Poland	X		
Portugal		X	Does not agree: SENC Delivery will not be equivalent to ENC delivery. The concept goes against the WEND Principles. The ECDIS should be able to work with any ENC cell whatever the ECDIS manufacturer and the ENC producer. Present definition of SENC as an internal database locally generated by the ECDIS from official data. SENC delivery would result in it being an ECS. ENC and ECDIS are regulated by S-57, S-52, and IMO Performance Standard for ECDIS etc and are followed by ENC producers world-wide. May be profitable for ECS and non-official producers but confusing to the end users and will not ensure the rightful use of HO data. Safety of navigation may be compromised. It should apply to ECS delivery. The proposed text will not agree with the definition of SENC in the IMO Performance Standard.
South Africa	X		
Singapore		X	It will lead to many SENC formats and end-users will become confused. Delivery in SENC format should be at the discretion and responsibility of the Hydrographic Office. Neither S-52 nor TR A3.11 should be amended. If amended they could eventually become compulsory. This is the wrong time to discuss this issue and focus should be on production and lack of ENC coverage.
Spain		X	
Sweden	X		
Tunisia			Issue not clear and should be discussed at the next IHC
Turkey		X	To allow SENC distribution will divert the hydrographic community from achieving the goal of having one unique format and will result in new potential problems for ECDIS users. Statement that any ECDIS must be capable of accepting and converting the official HO's S-57 data will be appropriate for only certain types of ECDIS. Externally generated SENC can only be an addition to ENC delivery and must be kept on board together with S-57 ENC. Objectives not clear regarding safety of navigation. SENC distribution might have adverse impact on fair competition, resulting in some major companies controlling the ECDIS market and in reduced availability of alternative systems. Technical tests (ECDIS functionalities, updates, etc.) should have been made, and results distributed, prior to the acceptance of such a major change in standards.
UK		X	The UK has sought the views of interested parties as requested in Annex A, Premises, final bullet. The majority response is that SENC delivery is seen as yet another change to the rules in an already over-complicated regime. It is not therefore supported.
USA	X		
TOTAL	15	10	