

HOW TO APPLY FOR USE OF ELECTRONIC NAVIGATIONAL CHARTS (ENCs)

The Japan Hydrographic Association

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Introduction

Electronic Navigational Charts (hereinafter referred to as the “**ENCs**”) and Electronic Notices to Mariners (**Updates**) are published by a government authority in the respective countries; the Japan Coast Guard (JCG) in the case of Japan. The ENCs and their Updates published by the JCG and some other countries are reproduced and distributed by the Japan Hydrographic Association (hereinafter referred to as the “**JHA**”), a general incorporated foundation established in accordance with the Japanese Laws concerned and an authorized distributor commissioned by the JCG as well as other certain government authorities than Japan.

Each of the intellectual property rights (copyrights) for the ENCs and the Updates shall belong to the relevant government authority, respectively.

It is required that a customer intending to use ENCs (hereinafter referred to as the “**ENC User**”) conclude a user contract with JHA per each ENC Cell¹⁾. All ENCs as well as their Updates are copy-protected (or encrypted) in accordance with the technical standards set by the International Hydrographic Organization (IHO). When the contract has been concluded, the user will receive Cell Permits to unlock encrypted ENC Cells and can use the ENCs.

***Note 1):** A Cell is a basic unit of ENC data covering a defined geographical area bounded by two meridians and two parallels. There are six scale bands available, depending on navigational purposes.*

Prior to concluding a user contract, the ENC User is requested to accept the *Terms*

and Conditions for Use of Electronic Navigational Charts (ENCs) (hereinafter referred to as the “**Terms of Use**”) provided below. For this purpose the user shall send the duly completed “*Form of Application for Use*” attached to this brochure as Appendix, via a Chart Agent, etc. to the JHA.

The Terms of Use is subject to change. Users are therefore advised to read the revisions which will be published also on JHA’s website.

Terms and Conditions For Use of Electronic Navigational Charts (ENCs)

This ENC usage policy shall remark about only ENC issued by Japan Coast Guard. As regards foreign ENC such as Chilly, Malacca Singapore Straits or Singapore, please contact the address shown at the foot of this announcement.

1. Acquisition of ENC

(1) Acquisition of User Permit

To use the ENC, you are required first to get the user permit which is a 28-alphanumeric code to identify each individual unit of ENC display devices such as an ECDIS (hereinafter referred to as the “**Display Device, etc.**”). The user permit is created and issued in accordance with the technical standards set by the International Hydrographic Organization (IHO). The user will receive the user permit from the manufacturer when procuring a new Display Device, etc. or when upgrading.

(2) Submission of Application for ENC Use and Acquisition of License ID (User ID)

With accepting the Terms of Use, the ENC User shall then complete the “*Application Form for Use of Electronic Navigational Charts (ENCs)*” attached at the end of this brochure and send it to the JHA via an ENC distributor or a chart sales agent (hereinafter referred to as the “**Chart Agent, etc.**”) ²⁾ by Fax or email. If the ENC User does not know which Chart Agent, etc. to use, the user may contact the ENC Service Division of the JHA at the address given at the end of this brochure. An ENC User who has submitted its application will receive the User ID (also called ‘License

ID') and a password from the JHA.

***Note 2):** In cases where the said application is made by a shipping agent, etc. other than the Chart Agent, etc., on behalf of the ENC User, such an agent will have to provide a copy of the completed Application Form to the ENC user.*

It is requested that the Application for Use of ENC's will be submitted only once, i.e. at the beginning. Thereafter, user contracts for individual ENC will be concluded by using the User ID and the password.

(3) Selection and Ordering of ENC Cells

The ENC User who has received its User Permit and User ID (License ID) may proceed to select ENC cells of the sea area of interest and conclude a user contract. Before receiving your License ID, you can also order ENC's at the same time when submitting the Application Form.

(1) Placing Orders at the Chart Agent, etc.

You can place an order for ENC's at the over-the-counter of the Chart Agent, etc. In this case, while obtaining advice from the Chart Agent staff, you can place an order with the selection of appropriate ENC's

(2) Placing Orders by Telephone, Fax, e-mail, etc.

An ENC catalogue (ENC Cell Index) is posted on the JHA Website at the following URL: <http://www.jha.or.jp/jp/jha/purchase/enc02.html>

Hard copies of ENC catalogue are also provided at the Chart Agents, etc. You may also place an order for ENC's at the Chart Agent, etc. with referring to the catalogue. The Chart Agent, etc. will ask the needs of the ENC User, and select and propose the required cells for the user.

(4) Issue of Cell Permits

The JHA will issue Cell Permits upon receipt of order placed via a Chart Agent, etc. A Cell Permit unlocks the copy-protected ENC cell; it is valid for the ordered Cells only. Also, it can be used only for the one specific Display Device, etc. qualified by the User Permit.

The required Cell Permits copied on a CD will be sent to the ENC User to be delivered within a week. You can also receive the Cell Permits as an e-mail attachment if urgently needed.

Please check and confirm your order before proceeding further. You will not be able to cancel your order after a Cell Permit has once been issued.

(5) Receiving of All ENC Data recorded on CD

The ENC User may also receive a CD containing all ENC data and another CD containing all Updates, together with the Cell Permits.

(6) Receiving of Electronic Notices to Mariners (Updates)

During the term of a contract the ENC User can receive Electronic Notices to Mariners (Updates) for the ENCs contracted. The Updates are copy-protected, but they can be unlocked by the same Cell Permits for the contracted ENC Cells.

The Updates can be obtained by either of the following methods:

(1) JHA Website

The Updates can be downloaded free of charge from the JHA website by entering the User ID (License ID) and the password. The Internet communication charge will however be the user's expenses.

For further details, see "How to download ER" on the following website:

<http://www.jha.or.jp/jp/jha/purchase/enc05.html>

(2) Receiving of Update CD (with additional charge)

The Update CD contains all the cumulative Updates so far issued. The Update CD will be sent to each ENC user who has indicated the "Need" of the Update CD on the column of the "Application for Use of ENC" completed and submitted to the JHA. The subscription fees of the Update CD are as follows:

- ◇ 600 yen per CD for weekly dispatch
 - ◇ 1,000 yen per CD for monthly dispatch
- (Postage not included in the above prices)

An additional actual cost of sending the Update CD will be charged for the other dispatch processes and for overseas users other than in Japan.

2. Terms of Use of ENC

(1) ENC License Periods and Rates

The license period for ENCs can be selected from either of 12, 9, 6 or 3 months. You cannot select a different license period for each cell. (For instance, you cannot select one cell for 12 months and another for 6 months at a same contract. The price range of Japanese ENCs is as listed below.

	License Periods (Months)			
	12 months	9 months	6 months	3 months
Prices per Cell	550 yen	500 yen	400 yen	300 yen

Notes:

- ◇ Consumption tax is not included in the prices listed above.
- ◇ Each of the prices above is a retail price recommended by the JHA for the Japanese domestic market. For those ENCs other than the Japanese ones, please contact the Chart Agent, etc.

(2) Incentives for Seafarers Educational/Training Institutions

For the purpose of mariners education and training, a discount price can be offered to mariners education/training institutions for the subscription period of the 12-month contract only. The discount price per one cell is 275 yen. As for those cells which have been added in the middle of the contract period, the price is also the same as that for a 12-month contract.

On the application of the discount rate, please contact the JHA Electronic Chart Division in advance.

(3) ENC License Expiration Date

The ENC can be used from the time when the cell permit has been delivered. The

expiration date is recorded on each cell permit to be issued for each cell. The expiration date is also shown on the face of the cell permit CD.

(4) Billing and Payment

The conclusion of an ENC user contract is considered finalized with the release of the Cell Permit to the user. When the user contract is finalized, the amount of the license fees will be indicated and charged by the Chart Agent, etc. The ENC User is requested to make payment of the fees according to the prescribed methods and procedures of the Chart Agent, etc.

(5) Orders for Additional ENC Cells

You can order additional ENC cells in the middle of your existing contract period. The expiry date in this case will be up to the existing contract expiration date of ENC.

The additional subscription fee for Japan ENCs varies according to the remaining period of the contract, as shown in the following table:

Remaining number of months until the expiry date of the existing contract <i>(Number of months fractional rounded up)</i>	Prices per Cell
Less than 12 months – 9 months or more	550 Yen
Less than 9 months – 6 months or more	500 Yen
Less than 6 months – 3 months or more	400 Yen
Less than 3 months – 2 months or more	300 Yen

Note: Each of the prices above is a retail price recommended by the JHA for the Japanese domestic market.

(6) Renewal or Extension of Contract

- (1) Renewal or extension of the contract can be started two months prior to the expiry date of the existing contract. The renewed contract will be valid for one year, starting from the following day of the expiry date of the current contract. The ENCs to be added on the renewed contract can be used from the day when the application procedures were made for the renewal of contract. In the case of contract renewal, fill out the "Application Form (Renewal)" attached

at the end of this brochure and send it through the Chart Agent, etc., as the same procedures for the new application of the ENC.

- (2) When the renewal of contract is made and confirmed by the JHA, three disks of CDs, each containing the Cell Permits, the latest ENC's and Updates, respectively, will be delivered to the ENC User through the Chart Agent, etc. The license fee under the renewal contract is the same as that under the initial contract. There is no automatic renewal of the user contract. However, the Chart Agent, etc. will notify the ENC User of the fact that the contract expiration date approaches
- (3) When the user's ENC license are about to expire within 30 days, a message informing that the contract renewal time is approaching will be displayed on the screen of the Display Device, etc. When the validity period expires, a message indicating that the expiration date has passed is displayed on the display screen³⁾.

***Note ³⁾:** These messages may not appear on the screen of certain display devices which had been manufactured based on the previous standards other than the revised ones (IHO S-63 Ver. 1.1) adopted by the International Hydrographic Organization in March 2008.*

(7) Measures in Case of Defects

When an ENC User encounters a defect with an ENC installed in a Display Device, etc., the user is advised to contact the JHA or the Chart Agent, etc. with which the user concluded the user contract, or the manufacturer of the Display Device, etc. The JHA cannot take responsibility for any defects caused by ENC User's improper handling and/or operation in use of ENC's.

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Submission of Application for Use of ENC's

After reading and agree with the terms and conditions for use of ENC's stated above,

you are requested to fill in the Application Form attached to this brochure as Appendix and submit it to the JHA via a Chart Agent, etc.

The information entered in the Application Form will not be used for any other purpose than the operation of the ENC system, and there should be no leakage of such information to any third party. This shall not apply if requested by government regulatory authorities for submission of such information.

The ENC User is requested to report without delay any changes to the data entered in the Application Form to the Chart Agent, etc. through which the original Application was submitted.

For further information and inquiry, please contact:

Japan Hydrographic Association

ENC Service Division

Dai-Ichi Sogo Building 6F

Haneda-Kuko 1-6-6

Ota-ku, Tokyo 144-0041, Japan

Telephone: +81-3-5708-7093

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Website: <http://www.jha.jp>

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