

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 (hereinafter referred to as the “**Updates**”) are published by a government authority in the respective countries; e.g. the Japan Coast Guard (hereinafter referred to as the “**JCG**”) in Japan. The ENCs and their Updates published by the JCG and some authorities of 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.

Respective intellectual property rights (copyrights) for the ENCs and the Updates shall belong to each government authority.

Those customers who intend to use ENCs (hereinafter referred to as the “**ENC User**”) need to conclude a user contract with JHA per each ENC Cell ¹⁾. 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 ENCs (hereinafter referred to as the “**Terms of Use**”) provided below. For this purpose the user shall send the duly completed “Electronic Navigational Chart (ENC) Application Form {new}” 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 required to read the latest revisions to be announced also on JHA's website.

Terms and Conditions For Use of ENC's

This ENC usage policy shall remark about only ENC issued by JCG.

Regarding foreign ENC such as 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 start using the ENC, first of all you need to get the user permit, 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

Upon 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 e-mail. 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.

After submitting the Application Form to the JHA, the ENC user will receive the 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.*

Both of the license ID and password will be necessary for renewal of contract, additional ordering or to obtain the Updates from the Japan Hydrographic Association website (<https://www.enc.jha.jp/ENCsales/public/index.php/user>).

(3) Selection and Ordering of ENC Cells

The ENC User who has received its User Permit and License ID may conclude a user contract first and then select ENC cells of your required sea area.

In selecting ENC cells, please use the index on the website of the JHA (<https://www.jha.or.jp/en/jha/>) or the printed sheet of cell index issued by the JHA, or the website of the Hydrographic and Oceanographic Department of the JCG (http://www1.kaiho.mlit.go.jp/KOKAI/ENC/enc_index_e.html).

You can order ENC directly at the over-the-counter of the Chart Agent, etc. or by sending FAX or e-mail to them. It will also be available at the website of the JHA.

(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 in a CD will be sent to the ENC User. You can also receive the Cell Permits by e-mail if urgently needed. When you need Cell Permit CD, the JHA will send them to you later.

Please check and confirm your order carefully before proceeding further because you can't 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 Updates

During the term of a contract the ENC User can receive 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 License ID and the password. The Internet communication charge will however be paid by the user.

For further details, see “Operation Guide” on the following website:

<https://www.enc.jha.jp/enc-support/>

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

The Update CD contains all the cumulative Updates issue for the past year. The Update CD will be sent to each ENC user who has indicated the “Need” of the Update CD on the column of the “ENC Application form” completed and submitted to the JHA. An extra delivery cost 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	605 yen	550 yen	440 yen	330en

Notes:

✧ Consumption tax is included in the prices listed above.

- ✧ *Each of the prices above is a suggested retail price. The Update CD contains all the cumulative Updates issued in the previous year for the Japanese domestic market. For those ENC's other than the Japanese ones, please contact the Chart Agent, etc.*

(2) Incentives for Seafarers Educational/Training Institutions

For the purpose of seafarers education and training, a discount price can be offered to seafarers 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 Charts 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.

The ENC will not be able to be updated by updates when it would pass expire date.

(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 ENC's 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	605 Yen
Less than 9 months – 6 months or more	550 Yen
Less than 6 months – 3 months or more	440 Yen
Less than 3 months – 2 months or more	330 Yen

Note: Each of the prices above is a suggested retail price 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 shall start from the following day of the expiry date of the current contract. The ENC's 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 is 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 January 2014.*

(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 ENCs.

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Submission of Application for Use of ENCs

After agreeing with the terms and conditions for use of ENCs stated above, Fill out the "ENC Application Form" (<https://www.jha.or.jp/en/jha/purchase/enc.html>) and submit it via a Chart Agent, etc. to the JHA.

For further information and inquiry, please contact:

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