

11th CSPCWG-1st NCWG MEETING
Rostock, Germany 27-30 April 2015

Paper for Consideration by NCWG
WG Procedures

Submitted by:	Chairman
Executive Summary:	WG Procedures need updating to reflect new name and consequences of completion of the major revision of S-4
Related Documents:	HSSC6-04.2A IHO Res.2/2007
Related Projects:	Reorganization of HSSC WGs

Introduction / Background.

1. During the major revision of S-4, undertaken by CSPCWG since its inception in 2003, the process of updating this IHO Standard has been exempt from the provisions of IHO Resolution 2/2007 as amended (Res. 2/2007). This exemption has been stated both in CSPCWG Terms of Reference (Paragraph 2) and the CSPCWG Procedures (Paragraph 4.1). With the publication of S-4 Edition 4.5.0, the 'current major revision of S-4' is complete. This was anticipated at CSPCWG10: Action 8 required the Secretary to amend paragraphs 3.1 and 4.1 of WG Procedures when revision of S-4 is complete.

Analysis / Discussion.

2. Following the completion of the major revision of S-4, future new editions of S-4 fall under the provisions of Res.2/2007. However, this resolution was originally designed specifically for those standards related to ENC to guard against the possible problems identified in Res.2/2007:2.1: '...such as incompatibility between systems, high updating costs, market monopoly, dissatisfied users, or increased risks to safety of navigation'. Res.2/2007 has subsequently been extended to embrace all IHO Standards, including S-4, which is not liable to the problems described above. Its application to S-4 therefore requires some interpretation.
3. The process described in existing CSPCWG Procedures (and based on the version of B-160 included in editions of S-4 before 4.5.0) worked well in that all revisions proposed by CSPCWG were directly approved by IHO Member States (MS), without reference to the HSSC. The advantage of this system was that changes were usually approved within about 3 months of the completion of the CSPCWG's deliberations and included in S-4 at the next 'new edition' (approximately annually). The disadvantages of this process are not obvious. It is therefore important that any change to procedures must have clear benefits, rather than being applied simply for doctrinaire reasons.

(Note: accumulated 'revisions' have resulted in approximately annual Revised Editions of S-4. Only the 2nd digit of the number has changed, so in this document we will use the term 'Revised Edition', to distinguish it from a 'New Edition'. The most recent 'New Edition' according to this definition was when new section B-600 was added, and the 1st digit was changed to '4'.)

4. To date, the IHB interpretation of Res.2/2007 means that a CL to request MS approval for CSPCWG (NCWG) proposals will no longer be issued, as stated by email to CSPCWG Officers dated 21/11/2014:

1. *S-4 is now maintained in accordance with IHO Resolution 2/2007 as*

amended and, except urgent cases (as defined in the Resolution), there is no intention to move away from this, as it has been agreed by MS. In other words, it is the opinion of the IHB that the CSPCWG/NCWG has now to make submission through HSSC for new editions or revisions of S-4 (with all necessary justifications and impact assessments) when deemed necessary. Only major changes or a subsequent list of minor changes should drive the need of drafting a new revision or a new edition of S-4 from now ... This is clearly because MS have agreed through IHO Committees and Conferences that priorities have moved to other domains. As an illustration, it would be important to address the change proposed for the glaciers on S-52 as well.*

2. Therefore, the IHB will not issue a CL for every S-4 CSPCWG/NCWG-approved change anymore, including for the glaciers. As suggested in your note, these new business rules will have to be reflected in the "new" NCWG TOR (to be discussed in April).

* If the proposed changes to TOR at CSPCWG11-05B/C are adopted, then all revisions proposed by NCWG will include consideration of the application to ENC as well as paper charts, although the 'how' of the application will need to be considered by another WG.

5. As a case study, CSPCWG has currently approved changes to S-4 reviewed through WG Letters:

07/14 & 12/14 (glaciers)

09/14 & 13/14 (dredged/maintained areas)

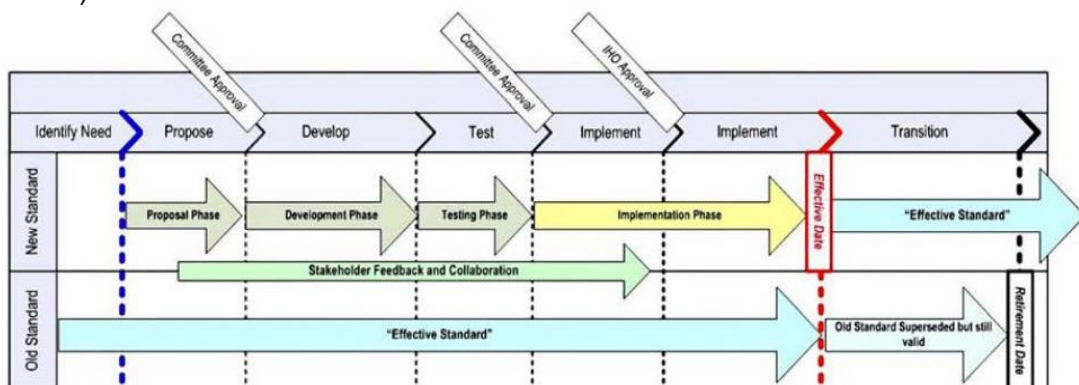
10/14 & 14/14 (dredged/unsurveyed areas on Source diagrams; dangerous cargo berth; wind farms under construction)

11/14 & 01/15 (application of multiple NM blocks; proliferation of AIS; QR codes; reminder about T&P NMs; national versions of INT2 and INT3).

As a consequence of IHB's decision in the 2nd paragraph of IHB's email above, no CL has been submitted to MS for approval. Instead, we await HSSC7 (November 2015) for approval to prepare a New/Revised Edition of S-4, at which time the above changes (and any Clarifications to S-4 approved by the NCWG in the interim) will be submitted as soon as possible after HSSC for review by MS, concurrent to MS endorsement to publish the New/Revised Edition. As a result of this process, the first opportunity that MS will have to review the changes will be early 2016.

6. The NCWG Officers accept that major revisions of S-4 (such as: a need for a completely new section; a reformatting of the style and layout; a complete revision of Parts A and/or C; preparation and inclusion of an IHO symbol set) which require 'significant resources' (Res.2/2007:1.1) should be subject to approval by HSSC before any work is started. However, we believe that this is not necessary for 'business as usual' maintenance of S-4.
7. The consequence of IHB's interpretation of Res.2/2007 above is that when the WG decides on any necessary update to S-4, it must be added to a list of such revisions until the list of changes is long enough to justify a New or Revised Edition of S-4. Only then will HSSC be asked to approve the changes (noting that they have already been approved by the group of experts tasked with examining any proposals) in addition to approving the preparation of the New/Revised Edition, before submitting the whole list of changes and the request for approval of a Revised Edition of S-4 to MS.
8. The disadvantages of this change will be that:

- MS will be faced with a lengthy, possibly overwhelming, list of proposed changes to consider and approve (or otherwise).
 - This may delay their response or make it difficult to properly resource consideration of the proposed changes.
 - It will also mean that they will not have opportunity to implement the change until the approval process has been completed and the New/Revised Edition of S-4 published (many months away).
 - It may be that a proposed change emanated from a MS who has a pressing need for a new symbol and may therefore implement its own solution rather than wait for the much delayed process caused by the IHB interpretation of Res.2/2007.
 - Some proposed changes relate to IMO resolutions. For example, undue delay has in the past caused IMO to take unsuitable peremptory action (for instance ASLs), resulting in a need for remedial action.
9. We (the Officers of CSPCWG) concur that ‘only major changes or a subsequent list of minor changes (Revisions) should drive the need for drafting a New/Revised edition of S-4’. However, recognising that MS are the ‘major stakeholders’ in any changes to S-4, we conclude that MS should be consulted as soon as NCWG has completed its deliberations on any proposal, so that they can comment as appropriate (see Res.2/2007 3.2.4 and diagram at 3.2 – copy below).



This can only be done by CL, which we believe should be issued as soon as possible after the experts (NCWG members) have completed their deliberations (possibly as a small group of changes, but not so many that MS are overwhelmed). Also, approval should be announced immediately by a follow-up CL. Such approved revisions should be accumulated by Secretary CSPCWG and then notified to a HSSC meeting, when the NCWG considers practical, for approval to publish a New/Revised Edition of S-4. It is envisaged that, on the basis of recent experience, there is likely to be sufficient accumulation of changes to justify annual Revised Editions.

10. This proposed process would:
- avoid MS being ‘overwhelmed by a long list of proposed changes at the same time’;
 - avoid unnecessarily extending the time taken to publish Revised Editions of S-4; and
 - allow MS to implement approved changes without waiting for publication of the revised S-4.

11. These proposals are reflected in the draft NCWG procedures in CSPCWG11-06B.

Conclusions.

12. IHB interpretation of Res.2/2007 will result in disadvantages compared with minor changes to existing procedures, without obvious benefits. It is considered by the CSPCWG/NCWG officers that the pragmatic counter-proposals above seem to be a better solution and fall within the intentions of Res.2/2007. In particular, the intention of the Resolution to allow for “stakeholder feedback and evaluation” within the lifecycle of an IHO Standard.

Recommendations.

13. Seek endorsement from the HSSC of an application of Res.2/2007 as it applies to S-4 that is more beneficial to IHO MS, as suggested above.

Justification and Impacts.

14. This proposed process would:

- avoid MS being ‘overwhelmed by a long list of proposed changes at the same time’;
- avoid unnecessarily extending the time taken to publish Revised Editions of S-4; and
- allow MS to implement approved changes without waiting for publication of the revised S-4.

Action required of NCWG.

15. The NCWG is invited to:

- Endorse CSPCWG/NCWG Officer’s interpretation of Res.2/2007, particularly in regard to stakeholder evaluation and feedback (paragraph 9).
- Discuss and approve the draft NCWG Detailed Procedures at CSPCWG11-06B, taking into consideration the analysis above.
- Prepare a final version of the NCWG Detailed Procedures for submission and approval at HSSC7.