

SUB-COMMITTEE ON NAVIGATION,  
COMMUNICATIONS AND SEARCH AND  
RESCUE  
6th session  
Agenda item 11

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**REVISION OF SOLAS CHAPTERS III AND IV FOR MODERNIZATION OF THE GMDSS,  
INCLUDING RELATED AND CONSEQUENTIAL AMENDMENTS  
TO OTHER EXISTING INSTRUMENTS**

**Considerations on current practice and the history of charging exemptions for  
certain classes of maritime radio traffic**

**Submitted by the International Mobile Satellite Organization (IMSO)**

**SUMMARY**

*Executive summary:* This document addresses the consequences of the introduction of additional satellite service providers in the Global Maritime Distress and Safety System (GMDSS) on the existing arrangements for exempting certain classes of radio traffic from charges and aims to promote a common basis for charging exemptions for the future

*Strategic direction, if applicable:* 2

*Output:* 2.10

*Action to be taken:* Paragraph 19

*Related documents:* Resolution A.707(17); NCSR 4/12, NCSR 4/29, NCSR 5/12, NCSR 6/12; IMO/ITU EG 13/5, IMO/ITU EG 14/7/13 and Recommendation ITU-T D.90

**Introduction**

1 Consequent to consideration by NCSR 4 of the report of the Correspondence Group on the Modernization Plan for the GMDSS (NCSR 4/12), the report of NCSR 4 to MSC highlighted that there could be cost implications for Maritime Safety Information (MSI) providers once additional recognized GMDSS satellite service providers commenced operations (NCSR 4/29, annex 11, paragraph 2.1 refers). It was foreseen that an additional set of charges for MSI broadcasts would arise with each new satellite service provider because the MSI providers would have to provide their broadcasts over all GMDSS satellite systems. Thus, the addition of one new satellite service provider could double their costs; a third could triple their costs.

2 A possible solution to these cost implications suggested by which MSI broadcasts would be added to the resolution A.707(17) on *Charging for distress, urgency and safety messages through the Inmarsat* such that MSI providers would not be charged directly. However, satellite service providers would then have to recover their costs for this service in other ways, such as raising the basic subscription fees paid by coast earth stations or making direct charges to ship stations.

3 Concerns about MSI providers being burdened with additional charges for MSI broadcasts when additional satellite service providers commence operations were given further consideration during the thirteenth session of the Joint IMO/ITU Experts Group when reviewing the interim report of the Correspondence Group on the Modernization of the GMDSS (IMO/ITU EG 13/5 refers). In the report of the Joint IMO/ITU Experts Group to NCSR 5, it was noted that IMSO had been requested (see NCSR 5/12, appendix 4) to provide advice to the fourteenth session of the Experts Group on how the present arrangements contained in resolution A.707(17) could be revised so as to include additional recognized satellite service providers in the GMDSS. As part this exercise, IMSO was specifically requested to consider the provision of shore-to-ship MSI broadcasts without charge to the originator.

4 IMSO responded to this request though the advice given to the fourteenth session of the Joint IMO/ITU Experts Group in document IMO/ITU EG 14/7/13. In preparing this advice, IMSO sought views from those involved with MSI matters during the tenth Meeting of the World-Wide Navigational Warning Service Sub-Committee (WWNWS10), held in Monaco from 27 to 31 August 2018. It was appreciated that this was a complex issue, and that the eventual solution might well require a broadening of the revenue base, possibly involving some form of contribution to the costs of maintaining MSI services directly from ships – an element from ship licencing fees, perhaps.

5 IMSO has to stress that any review of resolution A.707(17) must recognize that, as regards the matter of reduced or zero charges for communications in the maritime mobile and maritime mobile-satellite services, competence for setting charging policy has historically rested with the ITU, currently within the ITU-T Sector (formerly the CCITT). It is the case that resolution A.707(17) replicates, in much the same terms, the arrangements for charging exemptions developed in ITU since 1927. The ITU arrangements apply directly to a recognized satellite service provider in the GMDSS that is also a Recognized Operating Agency of the ITU (see Article 6 of the ITU Constitution, CS 1008).

6 On receiving the advice from IMSO, the fourteenth session of the Joint IMO/ITU Experts Group also recognized that this was a complex issue and concluded that more time was needed in order to consider the necessary amendments to resolution A.707(17). A set of draft amendments to resolution A.707(17), based on the advice of IMSO, was included in the report of the Experts Group to NCSR 6, as appendix 12 to document NCSR 6/12, for further consideration by the Sub-Committee. This submission provides further information to the Sub-Committee to assist in consideration of this part of the report of the fourteenth session of the Joint IMO/ITU Experts Group.

## **Discussion**

7 From the inception of radio communications for ships at sea at the start of the 20th century, services were instituted and developed by mixture of private sector enterprises, such as the Marconi Company, and state-backed operators. In practice there was little difference in how jealously both the private and state-backed operators guarded their revenues and monopoly terms and conditions of service.

8 In part because of how this fragmented way of operating came to be criticized following the Titanic disaster in 1912, interest grew on reducing charges for certain classes of essential communications, culminating in the decision at the International Radiotelegraph Conference of Washington (November 1927) to exempt several types of communication from charges.

9 The Additional Regulations annexed to the International Radiotelegraph Convention (Washington 1927), Article 2, paragraph 6, makes provision for:

"No charge in respect of radioelectric transmission in the mobile service is made for radio- telegrams of an immediate and general character, which fall within the following classes:

- (a) distress messages and replies thereto;
- (b) messages originating in mobile stations notifying the presence of icebergs, derelicts, and mines, or announcing cyclones and storms;
- (c) messages announcing unexpected phenomena threatening aerial navigation or the sudden appearance of obstacles in aerodromes;
- (d) messages originating in mobile stations notifying sudden changes in the position of buoys, working of lighthouses, dredging apparatus, etc.;
- (e) service messages relating to the mobile services."

10 These exemptions have been carried forward to the present day in ITU, currently via Recommendation [ITU-T D.90](#). The major addition to this list has been the exemption given to correspondence carried out in relation to medical advice conducted via specially designated stations. It is not totally clear when it was accepted that such traffic would be free of charge. The Additional Radio Regulations of 1947 indicate that it was becoming common before then to waive charges for such traffic. But not until the Additional Radio Regulations of 1959 (see Article 4, paragraph 14) are the circumstances for exemption from charging set out clearly: *"No charge for radio transmission is made for messages relating to medical advice exchanged direct between mobile stations and land stations which are shown in the List of Radiodetermination and Special Service Stations as providing such a service"*.

11 The entirety of the ITU provisions relating to charging and accounting were contained in the Radio Regulations and Additional Radio Regulations until the major revision of the Radio Regulations carried out at the World Administrative Radio Conference, Geneva, 1979 ([WARC-79](#)). The 1981 edition of the Radio Regulations established at WARC-79 advised that:

"The provisions of Articles 38, 39, 40 and 40A and the Appendices 21, 21A and 22 related thereto, as well as the provisions of the Articles of the Additional Radio Regulations were abrogated and have been replaced by "Article 66" of the Final Acts of the Conference [WARC-79], with effect from 1 January 1981."

12 This was followed by the decision of the World Administrative Telegraph and Telephone Conference, Melbourne, 1988 (WATTC-88), to create the International Telecommunication Regulations (ITRs) as a replacement for the previously separate Telegraph and Telephone Regulations. With the eventual transfer of the all provisions in the Radio Regulations relating to charging, accounting and billing for maritime radio traffic in mind, the ITRs duplicated the whole of Article 66 as Appendix 2.

13 Events moved on at WRC-95 where, further to Recommendations of the Voluntary Group of Experts (VGE), Article 66 was effectively transferred to the purview of the newly created ITU Telecommunication Standardization Sector (ITU-T), with the only remaining reference left to charging and accounting for maritime services in the Radio Regulations being a simple cross reference to ITU-T instruments in a brief Article S58 via provision RR No. S58.1: "The provisions of the International Telecommunications Regulations, taking into account ITU-T Recommendations, shall apply".

14 This scheme has been maintained to date in the Radio Regulations by retaining Article 58 because it keeps the link with the Recommendation D.90 as the only ITU text specifically exempting certain classes of maritime radio traffic from charging. Recommendation [ITU-T D.90](#) forms part of the ITU Manual for Use by the Maritime Mobile and Maritime Mobile-Satellite Services ([Maritime Manual](#)).

15 IMSO would therefore advise that further steps to clarify the scope of charging exemption through revising or replacing resolution A.707(17), in order to take account of additional satellite service providers, need to keep the history of charging exemption in mind so that there is common understanding of how the present position was established. In order to assist in proceeding with further work on resolution A.707(17), a comparison of the various significant texts is provided in tabulated form in the annex.

16 The need to update resolution A.707(17) was initially prompted by the need to avoid system specific text now that additional satellite operators will soon start to provide services in the GMDSS. The references to Inmarsat alone are woefully out of date since the resolution was established in 1991. Moreover, better alignment with charging provisions and exemptions as set out in ITU-T instruments is needed. Indeed, the ITU-T texts in question would also appear to be in need of revision, considering the number of changes in accounting practices for traffic over satellite systems that have taken place since 1995.

## **Conclusions**

17 Considering the foregoing, IMSO would advise that the text provided in document NCSR 6/12, appendix 12 be used as a basis for revising resolution A.707(17), as this proposes language that keeps the sense of both Recommendation ITU-T D.90 and resolution A.707(17). Given the close relationship between the two, IMSO also recommends that Recommendation ITU-T D.90 should be revised within a similar time frame to that which may be considered appropriate for resolution A.707(17). It should be noted that the revision of Recommendation ITU-T D.90 can be proposed in ITU-T Study Group 3 at any time by interested parties, being Sector Members of ITU-T.

18 Such work can proceed quickly in ITU-T by making use of a dedicated rapporteur to progress work between physical meetings. This will ease any alignment considerations with work in IMO related to resolution A.707(17). As part of the work, modes of expression should be adopted in both instruments that are consistent with the WRC-07 revisions to the Radio Regulations and the proposed revisions of SOLAS accompanying the modernization of the GMDSS.

## **Action requested of the Sub-Committee**

19 The Sub-Committee is invited to consider the information provided and decide on any further action as it deems appropriate.

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**ANNEX**

**EVOLUTION AND COMPARISON OF CHARGING EXEMPTIONS**

<b>Additional Regulations Annexed to the International Radiotelegraph Convention (1927)</b>	<b>Additional Radio Regulations (1959)</b>	<b>Recommendation ITU-T D.90 (1995)</b>	<b>Resolution A.707(17) 1991</b>
Distress messages and replies thereto	Distress messages and replies thereto	Distress calls/messages or replies to such calls/messages	Distress alerts SAR-coordination (including communications subsequent to initial distress alerts (Inmarsat code 39)
		Messages originating in maritime mobile stations requiring shore rescue authority support, e.g. man overboard, oil pollution or piracy attack	
Messages originating in mobile stations notifying the presence of icebergs, derelicts, and mines, or announcing cyclones and storms	Messages originating in mobile stations notifying the presence of icebergs, derelicts, mines and other dangers to navigation, or announcing cyclones and storms	Messages originating in maritime mobile stations notifying the presence of dangers to navigation (e.g. icebergs, derelicts, mines) or announcing cyclones, storms or fog	Urgent navigational/meteorological danger reports (Inmarsat code 42) Meteorological reports
Messages announcing unexpected phenomena threatening aerial navigation or the sudden appearance of obstacles in aerodromes	Messages announcing unexpected phenomena threatening air navigation or the sudden occurrence of obstacles at airports	Messages originating in maritime mobile stations notifying unexpected phenomena threatening air navigation or the sudden occurrence of obstacles at airports or special landing/berthing places at sea	Urgent navigational/meteorological danger reports (Inmarsat code 42)
Messages originating in mobile stations notifying sudden changes in the position of buoys, working of lighthouses, dredging apparatus, etc.	Messages originating in mobile stations notifying sudden changes in the position of buoys, the working of lighthouses, devices connected with buoyage, etc.	Messages originating in maritime mobile stations notifying sudden changes in the position of buoys, the working of lighthouses, devices connected with buoyage etc.	Urgent navigational/ meteorological danger reports (Inmarsat code 42)
Service messages relating to the mobile services	Service messages relating to the mobile service		

Additional Regulations Annexed to the International Radiotelegraph Convention (1927)	Additional Radio Regulations (1959)	Recommendation ITU-T D.90 (1995)	Resolution A.707(17) 1991
	<p>No charge for radio transmission is made for messages relating to medical advice exchanged direct between mobile stations and land stations which are shown in the List of Radiodetermination and Special Service Stations as providing such a service. Such messages from mobile stations to any one of these land stations shall be addressed in accordance with the conditions indicated in this List.</p>	<p>No charge is raised against the originating maritime mobile station for communications using the maritime mobile service which relate to medical advice provided that:</p> <p>a) they are exchanged directly between maritime mobile stations and either Land Stations shown in the List of Radiodetermination and Special Service Stations as providing such a service, or Land Earth Stations which offer the service; and</p> <p>b) they are addressed in accordance with the conditions published in the above List, or as specified by the satellite service operator.</p>	<p>Medical advice (Inmarsat code 32)</p> <p>Medical assistance for grave and imminent danger (Inmarsat code 38)</p>
			Ship report

NOTES:

Columns 1 and 2 of the table show that the text of the 1995 version of Recommendation ITU-T D.90 in column 3 has kept close to that of 1927, as regards the classes of maritime radio traffic that are exempt from charging. During the 1995 revision of Recommendation ITU-T D.90, the exemption at the fourth row caused some confusion over its intent, until it was realised that the original text dated back to a time when much of international air travel took place using seaplanes.

Examination of the fourth column shows that resolution A.707(17) effectively duplicates the intent of Recommendation ITU-T D.90. The main divergence apparent is the inclusion in the Recommendation ITU-T D.90 exemptions (second row) of a list of messages mirroring examples of messages in the GMDSS (see also Section 1 to Article 33 of the Radio Regulations) that may be prefixed with the urgency signal when urgent assistance from shore-based authorities is required.