

ANNEX 7

**RESOLUTION MSC.243(83)
(adopted on 12 October 2007)****ESTABLISHMENT OF INTERNATIONAL LRIT DATA EXCHANGE
ON AN INTERIM BASIS**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO the provisions of regulation V/19-1 (the regulation) of the International Convention for the Safety of Life at Sea, 1974, as amended (the Convention) on the Long-range identification and tracking (LRIT) of ships and, in particular, that, as from 31 December 2008, ships shall transmit and Contracting Governments to the Convention (Contracting Governments) shall be able to receive, pursuant to the provisions of the regulation, LRIT information transmitted by ships,

BEARING IN MIND that the conditions for the entry into force of regulation V/19-1 have been met and the regulation will enter into force on 1 January 2008,

RECALLING FURTHER the Performance standards and functional requirements on long-range identification and tracking of ships (the Performance standards) adopted by resolution MSC.210(81), in particular, section 10 on the International LRIT Data Exchange,

ALSO RECALLING the Arrangements for the timely establishment of the LRIT system adopted by resolution MSC.211(81) and, in particular, that the International LRIT Data Centre and the International LRIT Data Exchange should commence trials and testing of the LRIT system not later than 1 July 2008,

MINDFUL of the key and pivotal role of the International LRIT Data Exchange in the LRIT system architecture,

DESIRING to put the necessary arrangements in place so as to ensure that the LRIT system becomes fully operational, as planned, on 31 December 2008,

NOTING that the proposal for the establishment of the International LRIT Data Centre and the International LRIT Data Exchange which was presented for consideration did not find, during its eighty-third session, favour amongst the Contracting Governments,

HAVING CONSIDERED, at its eighty-third session, as a result of the developments, a contingency offer from the United States in relation to the establishment and operation of the International LRIT Data Exchange on an interim basis and until such time the Committee would be able to make the necessary permanent arrangements,

1. RECOGNIZES (in view of the fact that the Contracting Governments have accepted the offer of the United States to host, build and operate, on an interim and temporary basis the International LRIT Data Exchange) pursuant to paragraph 10.1 of the Performance standards the aforesaid exchange as the International LRIT Data Exchange referred to in the Performance standards subject to the terms and conditions set out in the Annex to the present resolution;
2. AGREES that, bearing in mind that the contingency offer from the United States is only an interim arrangement and a permanent solution should be found for the International LRIT Data Exchange as soon as possible (within two years as from 1 January 2008 subject to a further review by the Committee), it will start, no later than at its eighty-fourth session, arrangements for seeking a solution for the establishment and operation of the International LRIT Data Exchange on a permanent basis;
3. REQUESTS the Secretariat to prepare, following any necessary consultations with the United States, a draft resolution on the establishment of an International LRIT Data Exchange on an interim basis, within the framework of regulation V/19-1.14, for consideration and adoption by the Committee at its eighty-fourth session.

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The International LRIT Data Exchange should be established and operated by the United States under the following conditions:

- 1 The International LRIT Data Exchange should comply with the salient aspects of:
 - (1) regulation V/19-1;
 - (2) the Performance standards;
 - (3) the technical standards and specifications approved by the Committee;
 - (4) the criteria for the location of the International LRIT Data Centre and the International LRIT Data Exchange; and
 - (5) any guidance in relation to financial and operational matters issued by the Committee.

- 2 The International LRIT Data Exchange would be provided by the United States at their own expense and, in this respect, the United States has clarified that its present intention was that consistent with their domestic laws and procurement regulations, the capital, operating and maintenance costs for the interim International LRIT Data Exchange would be borne by the United States. Their intention was that none of the LRIT Data Centres and none of the Contracting Governments would be required to make any payment to the United States for the services provided by the International LRIT Data Exchange.

- 3 The United States, while not withdrawing their reservation, during the eighty-second session of the Committee, with respect to the decision of Committee in relation to the appointment of the International Mobile Satellite Organization as the LRIT Co-ordinator, will co-operate fully and will meet all its obligations vis-à-vis IMSO as LRIT Co-ordinator in respect of participation of IMSO in the initial developmental testing and in connection with the audit of the performance of the International LRIT Data Exchange within the framework established by regulation V/19-1 and section 14 of the Performance standards.

- 4 The Contracting Governments agree that the United States does not assume any form of liability in case of any technical failure of the International LRIT Data Exchange. However, the LRIT information should be secured and not be accessible.
