



**HOUSE OF COMMONS
CANADA**

Notice Paper

No. 30

Friday, March 26, 2004

10:00 a.m.

QUESTIONS

Q-80 — March 25, 2004 — Mr. Cummins (Delta—South Richmond) —

With regard to the exclusive arrangement entered into by the Canadian Hydrographic Service and Nautical Data International (NDI) involving electronic nautical charts under Crown copyright and the reluctance by Navionics and C-Map to accept the new royalties and other fees now demanded by NDI:

- (a) when the exclusive relationship with NDI was renewed in 2003 were competitive bids sought, and, if not, why not;
- (b) in 2003 when the exclusive relationship was renewed, did the Canadian Hydrographic Service seek the approval of Canada's competition watchdog, if not, why not, and, if yes, what was the response;

- (c) what is the nature of the exclusive relationship with NDI involving electronic nautical charts under Crown copyright;
- (d) does this exclusive arrangement authorize NDI to prohibit re-sellers of electronic charts under Crown copyright from disclosing or complaining about the royalty or other fees imposed by NDI;
- (e) in response to the new 50% royalty and various access fees and annual renewal fees recently imposed by NDI for electronic nautical charts, did the Canadian Hydrographic Service seek the approval of Canada's competition watchdog, if not, why not, and, if yes, what was the response;
- (f) did the Canadian Hydrographic Service approve the 50% royalty now being demanded by NDI;
- (g) has the Canadian Hydrographic Service given over to NDI the complete and final authority to set the royalties and other fees charged for electronic nautical charts under Crown copyright;
- (h) what authority or role does the Canadian Hydrographic Service have in the setting of royalties and various fees charged for electronic nautical charts under Crown copyright;
- (i) what is the purpose and value of the annual "access fees" for re-sellers and the annual renewal fees for purchasers of electronic nautical charts under Crown copyright;
- (j) did the Canadian Hydrographic Service approve the "access fees" and annual renewal fees imposed on electronic nautical charts under Crown copyright;
- (k) has the Canadian Hydrographic Service given over to NDI the complete and final authority to set "access fees" and annual renewal fees charged for electronic nautical charts under Crown copyright;
- (l) what authority does the exclusive contract renewed in 2003 with NDI give the Canadian Hydrographic Service to ensure that boaters and fishermen have continued access to electronic nautical charts in a timely manner necessary to ensure that marine safety is not impaired;
- (m) what remuneration has the Canadian Hydrographic Service received from NDI in each of the following years: 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002 and 2003, and thus far in 2004;
- (n) what is the remuneration NDI has received under this exclusive arrangement in each year since 1993;

- (o) what grants, contributions or loans have been provided to NDI or other companies owned or controlled by Mohammed Al Zaidak since 1993, and what was the purpose and date of each;
- (p) what contracts have been entered into with NDI or other companies owned or controlled by Mohammed Al Zaidak since 1993, and what was the purpose and date of each;
- (q) what members of the staff of the Canadian Hydrographic Service have moved to NDI either as employees, officers, consultants or in some other capacity;
- (r) what unique value-added service, if any, does NDI provide in relation to the data used by Navionics and C-Map and similar electronic nautical chart re-sellers that could not be sourced elsewhere; and
- (s) has the Canadian Hydrographic Service undertaken comparisons with similar governmental agencies in the United States with regard to both its exclusive relationship with NDI and the royalties and other access fees charged for electronic nautical charts under Crown copyright and, if so, what were the findings?