

INMARSAT

1985 AMENDMENTS TO THE CONVENTION AND TO THE OPERATING AGREEMENT ON THE
INTERNATIONAL MARITIME SATELLITE ORGANIZATION

AMENDEMENTS DE 1985 A LA CONVENTION ET A L'ACCORD D'EXPLOITATION RELATIFS A
**L'ORGANISATION INTERNATIONALE
DE TÉLÉCOMMUNICATIONS MARITIMES PAR SATELLITES**

ПОПРАВКИ 1985 ГОДА К КОНВЕНЦИИ И ЭКСПЛУАТАЦИОННОМУ СОГЛАШЕНИЮ О
**МЕЖДУНАРОДНОЙ ОРГАНИЗАЦИИ МОРСКОЙ
СПУТНИКОВОЙ СВЯЗИ (ИНМАРСАТ)**

ENMIENDAS DE 1985 AL CONVENIO CONSTITUTIVO Y AL ACUERDO DE EXPLOTACION DE LA
**ORGANIZACION INTERNACIONAL DE
TELECOMUNICACIONES MARITIMAS POR SATELITE**

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FOREWORD

This publication contains the texts of the amendments to the Convention on the International Maritime Satellite Organization (INMARSAT) and to the Operating Agreement on the International Maritime Satellite Organization (INMARSAT) adopted and confirmed, respectively, by the INMARSAT Assembly on 16 October 1985 at its fourth session in London.

The amendments will enter into force once the conditions set out in article 34(2) of the Convention and article XVIII(2) of the Operating Agreement, respectively, have been met.

AVANT-PROPOS

La présente publication comprend les textes des amendements à la Convention portant création de l'Organisation internationale de télécommunications maritimes par satellites (INMARSAT) et à l'Accord d'exploitation relatif à l'Organisation internationale de télécommunications maritimes par satellites (INMARSAT), adoptés et confirmés, respectivement, par l'Assemblée d'INMARSAT, à sa quatrième session tenue à Londres le 16 octobre 1985.

Les amendements entreront en vigueur lorsque les conditions mentionnées à l'article 34 2) de la Convention et à l'article XVIII 2) de l'Accord d'exploitation auront été remplies.

ПРЕДИСЛОВИЕ

Настоящая публикация содержит тексты поправок к Конвенции о Международной организации морской спутниковой связи (ИНМАРСАТ) и Эксплуатационному соглашению о Международной организации морской спутниковой связи (ИНМАРСАТ), принятых и утвержденных, соответственно, Ассамблеей ИНМАРСАТ 16 октября 1985 года на ее четвертой сессии в Лондоне.

Поправки вступят в силу после выполнения условий, изложенных, соответственно, в статье 34(2) Конвенции и статье XVIII(2) Эксплуатационного соглашения.

PREFACIO

En la presente publicación se recogen los textos de las enmiendas al Convenio constitutivo de la Organización Internacional de Telecomunicaciones Marítimas por Satélite (INMARSAT) y al Acuerdo de Explotación de la Organización Internacional de Telecomunicaciones Marítimas por Satélite (INMARSAT) respectivamente aprobadas y ratificadas por la Asamblea de INMARSAT en su cuarto periodo de sesiones celebrado en Londres el 16 de octubre de 1985.

Las enmiendas entrarán en vigor una vez se hayan cumplido, respectivamente, las condiciones estipuladas en el artículo 34 2) del Convenio constitutivo y en el artículo XVIII 2) del Acuerdo de Explotación.

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**AMENDMENTS TO THE CONVENTION ON THE
INTERNATIONAL MARITIME SATELLITE ORGANIZATION
(INMARSAT)**

PREAMBLE

At the end of the Preamble, the following new paragraph is added:

Affirming that a maritime satellite system shall also be open for aeronautical communications for the benefit of aircraft of all nations,

ARTICLE 1 Definitions

In Article 1, the following new paragraph (h) is added:

(h) "Aircraft" means any machine that can derive support in the atmosphere from the reactions of the air other than the reactions of the air against the earth's surface.

ARTICLE 3 Purpose

Article 3, paragraphs (1) and (2) are replaced by the following text:

(1) The purpose of the Organization is to make provision for the space segment necessary for improving maritime communications and, as practicable, aeronautical communications, thereby assisting in improving communications for distress and safety of life, communications for air traffic services, the efficiency and management of ships and aircraft, maritime and aeronautical public correspondence services and radiodetermination capabilities.

(2) The Organization shall seek to serve all areas where there is need for maritime and aeronautical communications.

ARTICLE 7 Access to Space Segment

Article 7, paragraphs (1) and (2) are replaced by the following text:

(1) The INMARSAT space segment shall be open for use by ships and aircraft of all nations on conditions to be determined by the Council. In determining such conditions, the Council shall not discriminate among ships or aircraft on the basis of nationality.

(2) The Council may, on a case-by-case basis, permit access to the INMARSAT space segment by earth stations located on structures operating in the marine environment other than ships, if and as long as the operation of such earth stations will not significantly affect the provision of service to ships or aircraft.

ARTICLE 8 Other Space Segments

Article 8, paragraph (1) is replaced by the following text:

(1) A Party shall notify the Organization in the event that it or any person within its jurisdiction intends to make provision for, or initiate the use of, individually or jointly, separate space segment facilities to meet any or all of the maritime purposes of the INMARSAT space segment, to ensure technical compatibility and to avoid significant economic harm to the INMARSAT system.

ARTICLE 12 Assembly – Functions

Article 12, sub-paragraph (1)(c) is replaced by the following text:

(c) Authorize, on the recommendation of the Council, the establishment of additional space segment facilities the special or primary purpose of which is to provide radiodetermination, distress or safety services. However, the space segment facilities established to provide maritime and aeronautical public correspondence services can be used for telecommunications for distress, safety and radiodetermination purposes without such authorization.

ARTICLE 15 Council – Functions

Article 15, paragraphs (a), (c) and (h) are replaced by the following text:

(a) Determination of maritime and aeronautical satellite telecommunications requirements and adoption of policies, plans, programmes, procedures and measures for the design, development, construction, establishment, acquisition by purchase or lease, operation, maintenance and utilization of the INMARSAT space segment, including the procurement of any necessary launch services to meet such requirements.

(c) Adoption of criteria and procedures for approval of earth stations on land, on ships, on aircraft, and on structures in the marine environment for access to the INMARSAT space segment and for verification and monitoring of performance of earth stations having access to and utilization of the INMARSAT space segment. For earth stations on ships and aircraft, the criteria should be in sufficient detail for use by national licensing authorities, at their discretion, for type-approval purposes.

(h) Determination of arrangements for consultation on a continuing basis with bodies recognized by the Council as representing shipowners, aircraft operators, maritime and aeronautical personnel and other users of maritime and aeronautical telecommunications.

ARTICLE 21 Inventions and Technical Information

Article 21, sub paragraphs (2)(b) and (7)(b)(i) are replaced by the following text:

(2)

(b) The right to disclose and to have disclosed to Parties and Signatories and others within the jurisdiction of any Party such inventions and technical information, and to use and to authorize and to have authorized Parties and Signatories and such others to use such inventions and technical information without payment in connexion with the INMARSAT space segment and any earth station on land, ship or aircraft operating in conjunction therewith.

(7)

(b) (i) Without payment in connexion with the INMARSAT space segment or any earth station on land, ship or aircraft operating in conjunction therewith.