

RESOLUTION ON
THE EXTENSION OF THE PERIOD OF SUBSCRIPTION TO THE
EUMETSAT JASON-CS OPTIONAL PROGRAMME
adopted at the 89th Meeting of the EUMETSAT Council on 3-4 July 2018

The Participating States,

HAVING REGARD to Declaration EUM/C/83/15/Decl. I on the Optional EUMETSAT Jason-CS Programme adopted by Potential Participating States on 24 June 2015 and entered into force on 9 September 2015,

HAVING REGARD to Resolution EUM/C/84/15/Res. I on the immediate accession of Member States to the Optional EUMETSAT Jason-CS Programme upon subscription adopted by Participating States at the 84th meeting of the EUMETSAT Council on 1-2 December 2015,

HAVING REGARD to Resolution EUM/C/85/16/Res. III on the extension of the period of subscription to the EUMETSAT Jason-CS Optional Programme adopted by Participating States at the 85th meeting of the EUMETSAT Council on 28-29 June 2016,

HAVING REGARD to Resolution EUM/C/87/17/Res. I on the extension of the period of subscription to the EUMETSAT Jason-CS Optional Programme adopted by Participating States on 30 June 2017,

HAVING REGARD to Resolution EUM/C/88/17/Res. IV on the extension of the period of subscription to the EUMETSAT Jason-CS Optional Programme adopted by Participating States at the 88th meeting of the EUMETSAT Council on 5-6 December 2017,

NOTING that the subscription level to the EUMETSAT Jason-CS Programme currently stands at 97.2370% of the MEUR 111.0 programme envelope at 2015 economic conditions,

AWARE that the subscription period to the EUMETSAT Jason-CS Programme runs until the 89th Council meeting on 3-4 July 2018 and that Article 10.5 of the EUMETSAT Convention foresees any deficit to be distributed pro rata among the existing Participating States unless these Participating States agree unanimously on a different solution,

TAKING INTO ACCOUNT that the current Participating States have already made their utmost efforts to increase their rate of contributions to achieve a 97.2370% subscription level, and that they should not be expected to increase their contributions further to fulfil the requirements of Article 10.5 EUMETSAT Convention,

REQUIRING therefore that the shortfall of 2.7630% be covered through accession of further Member States as Participating States,

AWARE that several Member States are currently in national discussions and approval procedures regarding their participation in the EUMETSAT Jason-CS Programme and have not been in a position to subscribe to said Programme prior to the subscription deadline of the 89th Council meeting on 3-4 July 2018,

WELCOMING, beyond the coverage of the shortfall, the accession of any further Member State as Participating State to the EUMETSAT Jason-CS Programme to ensure maximum participation, thereby stressing the solidarity principle,

HAVING REGARD to Article 5.3 and Article 10 of the EUMETSAT Convention,

UNANIMOUSLY AGREE:

- I** exceptionally, to extend the subscription deadline until the Council meeting in December 2018 to allow Member States to complete their national approval procedures on their participation in the EUMETSAT Jason-CS Programme and to subscribe to said Programme to cover the shortfall.
- II** to keep the current blocking of appropriations in the Jason-CS Budget 2018 that corresponds to the percentage of the shortfall in order to ensure that cumulative commitment appropriations in the year 2018 do not exceed the actual subscribed percentage of the Jason-CS Programme envelope.
- III** that the blocking of appropriations in the Jason-CS Budget 2018, currently assigned to Article 4100, may be reallocated over the course of the year in order to grant the necessary flexibility in the budget implementation and to enable EUMETSAT to fulfil its obligation towards ESA, as far as possible.
- IV** to request the Director-General to continue his efforts in supporting Member States' approval of their participation in the Programme.
- V** to review the funding situation of the Programme again by the Council meeting in December 2018.

RESOLUTION ON

**AMENDMENTS TO THE DATA POLICY IMPLEMENTING RULES IN
RECONCILIATION WITH THE OBJECTIVES OF THE PATHFINDER PROJECTS**

adopted at the 89th Meeting of the EUMETSAT Council on 3-4 July 2018

The EUMETSAT Member States,

TAKING INTO ACCOUNT the WMO Policy and Practice for the Exchange of Meteorological and Related Data and Products including Guidelines on Relationships in Commercial Meteorological Activities, as laid down in WMO Resolution 40 (Cg XII),

RECALLING that the current consolidated Meteosat Implementing Rules were originally adopted by Council as Annex I of Resolutions EUM/C/98/Res. IV and EUM/C/99/Res. VI, amended in Annex I of Resolution EUM/C/70/10/Res. III, EUM/C/80/14/Res. IV and EUM/C/85/16/Res. II and in EUM/C/87/17/Res. I,

RECALLING that the current Meteosat Catalogue was originally adopted as Annex II of Resolutions EUM/C/98/Res. IV and EUM/C/99/Res. VI and last amended in Annex II of Resolution EUM/C/70/10/Res. III,

RECALLING that the EUMETSAT fees for access to non-essential Meteosat data by commercial and other users were originally adopted in Annex IV of Resolutions EUM/C/98/Res. IV and EUM/C/99/Res. VI and amended by Resolutions EUM/C/70/10/Res. IV, EUM/C/72/11/Res. VII and EUM/C/78/13/Res. V,

RECALLING that the special IODC fee structure was agreed at 62nd EUMETSAT Council meeting on 26-27 June 2007, amended by Council Resolution EUM/C/67/09/Res. V, Council Resolution EUM/C/70/10/Res. III and Council Resolution EUM/C/77/12/Res. II and last amended by the adoption of the document EUM/C/85/16/DOC/03 by Council at its 85th meeting in July 2016,

RECALLING that the Implementing Rules for SAF deliverables were agreed at 54th EUMETSAT Council meeting in November 2003,

RECALLING that the Metop Implementing Rules were adopted by Council on the basis of detailed documents approved at its 55th, 58th, 59th, and 85th meetings in 2004, 2005, 2006 and 2016 respectively, amended thereafter at its 85th meeting in June 2016 through Council Resolution EUM/C/85/16/Res. II.

BEARING IN MIND the Roadmap of pathfinder projects for future EUMETSAT data services, adopted by Council at its 85th meeting in 28-29 June 2016,

BEARING IN MIND the simplifications to the EUMETSAT data and services policy endorsed by Council, endorsed by Council at its 88th meeting in 6-7 December 2017,

WISHING to ensure that all the benefits of the big data solutions deployed by Pathfinder Projects can be fully exploited.

AGREE:

- I** to amend the current Meteosat Implementing Rules for Meteosat data and products as shown in Annex I to this Resolution.
- II** to amend the current Meteosat Catalogue as shown in Annex II to this Resolution.
- III** to amend the current Special IODC fee structure as shown in Annex III to this Resolution.
- IV** to amend the current Metop Implementing Rules as shown in Annex IV to this Resolution.
- V** to amend the current Implementing Rules for Operational SAF deliverables as shown in Annex V to this Resolution.
- VI** to delete the EUMETSAT fees for access to non-essential Meteosat data by commercial and other users originally adopted in Annex IV of Resolutions EUM/C/98/Res. IV and EUM/C/99/Res. VI and amended by Resolutions EUM/C/70/10/Res. IV, EUM/C/72/11/Res. VII and EUM/C/78/13/Res. V.
- VII** that this Resolution shall take effect on 1 January 2019.
- VIII** that all other provisions in the Data Policy Implementing Rules remain unchanged.

IMPLEMENTING RULES FOR METEOSAT DATA AND PRODUCTS

1 THE METEOSAT CATALOGUE

For the purpose of distribution, dissemination and commercial application, a list of data, products and services is contained in the Meteosat Catalogue as displayed in the EUMETSAT Product Navigator and the EO Portal on the website at www.eumetsat.int.

2 DEFINITIONS

For the purpose of these Implementing Rules, the following definitions shall apply:

“Advanced Image Product”: the combination of different channels allocating a colour to each channel (i.e. RGB) or the mathematical blending of several image layers. These products do not contain the original numerical data.

"Archived Data and Products": Meteosat data, Advanced Image Products and derived products from EUMETSAT's satellites stored in any format in EUMETSAT's data archive system.

"Broadcasters": those users who disseminate an item from the Meteosat Catalogue or images based on Meteosat Data through electronic public information systems including, but not limited to, Internet, terrestrial and satellite transmissions.

"Educational Use": any use of an item from the Meteosat Catalogue solely for educational non-commercial purposes, without transmission or redistribution of these data, products and services to any further third party, or use of them to generate a Value Added Service.

"End Users": those users who use an item from the Meteosat Catalogue for their own commercial or industrial purposes and do not pass on such item to any further user or use it to generate a Value Added Service.

"Essential Data and Products": EUMETSAT Data and Products which are declared "Essential" in accordance with WMO Resolution 40 (Cg-XII), as agreed by Council regardless of when and how these are made available to the user.

"Exclusive Licensing Agent": a NMS of a Member State exclusively representing EUMETSAT within that State for the purpose of licensing Meteosat Data.

"Hourly Meteosat Data": those nominal full disk repeat cycles of Meteosat Data referenced by EUMETSAT in time to each clock hour (UTC).

"High Rate SEVIRI Data ": high rate image data from the SEVIRI instrument of a Meteosat Second Generation satellite, processed to level 1.5 by the EUMETSAT Ground Segment.

“HRI Data”: high resolution image data generated by a Meteosat First Generation satellite.

“Latency”: the difference between the time reference attached by EUMETSAT to Meteosat Data or Product and its availability for user access under a given service.

"Low Rate SEVIRI Data ": low rate image data from the SEVIRI instrument of a Meteosat Second Generation satellite, processed to level 1.5 by the EUMETSAT Ground Segment.

"Member States": the States which are parties to the Convention for the Establishment of a European Organisation for the Exploitation of Meteorological Satellites.

"Meteosat Catalogue": the list of Meteosat Data, Products, and Services provided in the EO Portal and the EUMETSAT Product Navigator.

“Meteosat Data”: all HRI Data and High Rate/Low Rate SEVIRI Data generated by the Meteosat First and Second Generation satellites.

"Meteosat Derived Products": products derived from level 1.5 Meteosat Data and disseminated to users in formats corresponding to WMO coding requirements that represent full spatial coverage. This includes products generated by the EUMETSAT ground segment and the EUMETSAT Satellite Application Facilities (SAFs).

"National Territory": the national territory of a state, including its internal waters, its archipelagic waters, its territorial sea and its exclusive economic zone, as defined in the United Nations Convention on the Law of the Sea (UNCLOS) signed in Montego Bay on 10 December 1982 and having entered into force on 16 November 1994.

"NMS" (National Meteorological Service): service responsible at national level, in conformity with its legal status, for the gathering, classification and production of meteorological information in the national interest, and responsible at international level for participating in WMO programmes.

"Official Duty": all activities which take place within the organisation of a NMS and external activities of a NMS resulting from legal, governmental or intergovernmental requirements relating to defence, civil aviation and the safety of life and property.

"Personal Use": any use of an item from the Meteosat Catalogue solely for personal non-commercial purposes, without transmission or redistribution of these data, products and services to any further third party, or use of them to generate a Value Added Service.

"Rapid Scanning Data": those Meteosat Data acquired by scanning of a certain geographical area within the footprint of a Meteosat satellite in more frequent time intervals than the nominal full disk repeat cycles.

"Research Project": any project organised for non-commercial research purposes only. A necessary condition for the recognition of non-commercial purposes is that all the results obtained are openly available at delivery costs only, without any delay linked to commercial objectives, and that the research itself is submitted for open publication.

"Service Providers": those users who acquire an item from the Meteosat Catalogue in order to supply Value Added Services under specific licence conditions to a third party clearly identified and known to the Service Provider.

"Standard Licence Agreement": the standard terms and conditions pursuant to which items in the Meteosat Catalogue must be licensed to users.

"Subsidiary": a company which is controlled by the Licensee by means of the Licensee holding the majority of the voting rights (50% plus one vote).

"Third Party": any party external to a licence agreement between EUMETSAT or one of its Exclusive Licensing Agents and a user.

"Value Added Services (VAS)": all meteorological services which are derived from Meteosat data or products, specifically conceived for the needs of users and made available under specific licence conditions.

"Web Map Service": a EUMETSAT internet service that makes certain Meteosat Data, Advanced Image Products and Meteosat Derived Products defined in the Meteosat Catalogue accessible for visualisation via the Internet, but with no provision of access to original numerical data.

"Without Charge": at no more than the cost of reproduction and delivery (including the cost of distribution media, documentation, software licences, transmission and direct labour cost but without charge for the data and products themselves.

3 OWNERSHIP AND INTELLECTUAL PROPERTY RIGHTS

- 1 EUMETSAT holds the full ownership and Intellectual Property Rights to the Meteosat Data and Products.
- 2 The Intellectual Property Rights to images based on Meteosat Data are shared between EUMETSAT and the Service Provider generating the images.
- 3 The Intellectual Property Rights to Value Added Services other than images based on Meteosat Data are considered to be owned by the Service Provider generating the Value Added Service.

4 "ESSENTIAL" METEOSAT DATA AND PRODUCTS

EUMETSAT shall make its Hourly Meteosat Data, all Derived Products and Advanced Image Products available to all users world-wide on a free and unrestricted basis, regardless of when and how these are made available to the user, as "Essential" Data and Products in accordance with WMO Resolution 40 (Cg-XII).

5 LICENSING FOR NON-ESSENTIAL METEOSAT DATA

- 1 All Meteosat data and products not defined as "Essential" in Rule 4 above are classified as non-Essential.
- 2 The NMSs of Member States, acting as Exclusive Licensing Agents on behalf and for the account of EUMETSAT, shall have the responsibility for licensing non-Essential Meteosat Data to users receiving the data within their respective National Territories.
- 3 Acting as EUMETSAT's Exclusive Licensing Agents, the NMSs shall apply the EUMETSAT fees and conditions defined in Rules 8 and 10 below and shall sign licences applying the EUMETSAT standard licensing conditions with their users. The NMSs shall inform EUMETSAT of the signing of such licences.
- 4 The NMSs shall retain 25% of the fees received and allocate the remaining 75% to EUMETSAT.
- 5 Licensing for access to non-Essential Meteosat Data received outside Member States shall always be through a Standard Licence Agreement between the User and EUMETSAT according to the guidelines detailed in Rules 7, 8, 9 and 10 below.
- 6 EUMETSAT shall be responsible for the licensing of access to non-Essential data accessed via all types of EUMETSAT data access services (e.g.: Archive Data Service, Web Services...).

6 CONDITIONS OF ACCESS TO NON-ESSENTIAL METEOSAT DATA BY NMSs OF MEMBER STATES

- 1 The NMSs of Member States will receive non-Essential Meteosat Data for Official Duty use without charge.
- 2 Insofar as required for Official Duty use, the NMSs may grant access to other Departments within their respective National Administrations, subject to arrangements in accordance with national legislation, but all conditions defined in these Rules remain attached to the use of the data. Further distribution and all commercial applications of the Meteosat Data are subject to Rules 8, 10 and 11 below.

7 CONDITIONS OF ACCESS TO NON-ESSENTIAL METEOSAT DATA BY NMSs OF NON-MEMBER STATES

- 1 NMSs of non-Member States will have access to non-Essential Meteosat Data with a latency of more than 3 hours without charge upon acceptance of terms and conditions. Redistribution of the original numerical data to third parties is prohibited.
- 2 NMSs of non-Member States will have access to non-Essential Meteosat Data with a latency of less than 3 hours for Official Duty use in accordance with the conditions specified in Resolution EUM/C/85/16/Res. I.
- 3 NMSs of non-Member States which provide EUMETSAT with equivalent satellite data will be provided data under conditions to be agreed by the EUMETSAT Council on a case by case basis.
- 4 For limited periods, to support the monitoring of disasters or emergencies and in accordance with relevant UN resolutions, the full set of Meteosat Data will be made available without Charge.
- 5 For Official Duty use by NMSs of non-Member States subject to tropical cyclones, all non-Essential Meteosat Data will be made available Without Charge.
- 6 Regarding their commercial activities, the NMSs of non-Member States shall be treated in the same way as Service Providers, in accordance with the fees and conditions listed in Rule 10.
- 7 EUMETSAT will inform the NMSs of non-Member States of licences signed with other users receiving non-Essential Meteosat Data within their respective territories.

8 CONDITIONS OF ACCESS TO NON-ESSENTIAL METEOSAT DATA BY RESEARCH PROJECTS AND FOR EDUCATIONAL OR PERSONAL USE

Research Projects and Educational Users are given access Without Charge to non-Essential Meteosat Data in accordance with standard EUMETSAT licensing conditions.

9 CONDITIONS OF ACCESS TO NON-ESSENTIAL METEOSAT DATA BY ECMWF

ECMWF is given access Without Charge to non-Essential Meteosat Data for its own use in support of its mission, as defined in the ECMWF Convention. This use shall only cover activities carried out within the ECMWF Secretariat and shall not include retransmission of Meteosat Data to other users, including its Member States.

ECMWF will have access to non-Essential Meteosat Data with a latency of more than 3 hours without charge for any use, subject to non-redistribution of the original numerical data.

10 CONDITIONS OF ACCESS TO NON-ESSENTIAL METEOSAT DATA BY COMMERCIAL USERS AND OTHER USERS

- 1 Commercial and other users will have access to non-Essential Meteosat Data with a latency of more than 3 hours without charge. Redistribution of the original numerical data to third parties is prohibited.
- 2 Commercial and other users will have access to non-Essential Meteosat Data with a latency of less than 3 hours against the fees and under the conditions specified below.
- 3 All End Users receiving Meteosat Data directly shall be charged an annual flat fee of EUR 4,000. Redistribution of the original numerical data is prohibited.
- 4 Service Providers and Broadcasters licensed for access to non-Essential Meteosat Data with a latency of less than 3 hours shall be charged an annual flat fee of EUR 8,000. Licences to Service Providers will allow redistribution of Meteosat Data to another Service Provider only if this other Service Provider has the appropriate licence with EUMETSAT or one of its Exclusive Licensing Agents. Otherwise, redistribution of the original numerical data is prohibited.
- 5 Fees will be reviewed by the EUMETSAT Council at regular intervals in light of experience.
- 6 Commercial and other users shall be free to establish prices when supplying Value Added Services to their users and have the right to make their Value Added Services available to users without territorial restriction.

11 CONDITIONS OF ACCESS TO NON-ESSENTIAL METEOSAT DATA FOR COMMERCIAL ACTIVITIES OF NMSs OF MEMBER STATES

- 1 The fees and conditions laid down in Rule 10 above shall apply in the relationship between the commercial activities of the NMSs of Member States and the NMSs when acting as EUMETSAT's Exclusive Licensing Agents.
- 2 In these cases, the NMSs acting as EUMETSAT's Exclusive Licensing Agents, shall be entitled to retain 25% of the fees due and shall allocate the balance to EUMETSAT.

12 CONDITIONS OF ACCESS TO ARCHIVED DATA AND PRODUCTS

- 1 All users world-wide will have access to Essential Meteosat Data and Products on a free and unrestricted basis, regardless of when and how these are made available to the user, as "Essential" Data and Products in accordance with WMO Resolution 40 (Cg-XII).
- 2 All users will have access to non-Essential Meteosat Data and Products with a latency of more than 3 hours without charge for any use and upon acceptance of terms and conditions. Redistribution of the original numerical data is prohibited.
- 3 All users will have access to non-Essential Meteosat Data with a latency of less than 3 hours in accordance with the conditions laid down in Rules 6, 7, 8, 9, 10 and 11 above.
- 4 The volume of Archived Data and Products that may be ordered from the EUMETSAT Archive and Retrieval Facility through a single order or through successive orders is limited to avoid an unmanageable load and a consequential degraded level of service.

13 FINANCIAL MATTERS

- 1 All income arising from the implementation of these Implementing Rules shall be included under a separate budget line into the annual EUMETSAT Budgets on the basis of an estimate and shall be treated in accordance with the EUMETSAT Financial Rules.
- 2 EUMETSAT shall not be liable for the cost of procuring the necessary receiving equipment of any user. Decryption key units may be provided by EUMETSAT without costs. Users may be required to reimburse EUMETSAT for the cost of providing them with more than one of the decryption key units that may be required for the reception of non-Essential Meteosat Data, at the discretion of the Director-General. The number of decryption key units may be limited to avoid an unmanageable load and a consequential degraded level of service.

SPECIAL IODC FEE STRUCTURE

The original concepts of the Special IODC Fee Structure for access the EUMETSAT IODC services outside cooperation agreements signed with international partners, are as follows:

- 1** Access to all “Essential data” is provided without restriction;
- 2** The NMSs of countries below the threshold established in the EUMETSAT Data Policy shall have access to all data of the EUMETSAT IODC service without charge;
- 3** The NMSs of countries above the threshold (“wealthy countries”) shall pay a yearly fee of EUR 300,000. This fee would cover access to any EUMETSAT data more frequent than Hourly data and with latency less than 3 hours. No reductions shall apply for less frequent data.
- 4** Free access shall be provided temporarily to monitor disasters or emergencies, as foreseen in the general EUMETSAT Data Policy;
- 5** As an exception to the general policy, wealthy countries subject to tropical cyclones shall not be automatically entitled to a free licence. Any permanent waiver of licence fees would be considered exceptional and subject to Council decision on a case by case basis.
- 6** The Rules on commercial use shall remain unchanged;
- 7** The special IODC fee structure applies since 1 January 2017 and is subject to any decision taken by Member States in relation to EUMETSAT’s continued contribution to the IODC services.

It is understood that the fee level referred to in point 3) above shall continue to be applicable to any wealthy non-Member State wishing to receive Meteosat Second Generation IODC data, regardless of its geographical location. Those wealthy non-Member States wishing to receive all data from all EUMETSAT missions shall pay the IODC fee of EUR 300,000, or shall decide to receive data from other EUMETSAT missions for Official Duty use at the standard fee of EUR 100,000, but only essential data from the IODC service.

This fee structure is neither aimed at amending the general EUMETSAT Data Policy Principles, nor at changing the current Rules for access to Meteosat Data available from the EUMETSAT core mission.

IMPLEMENTING RULES FOR METOP DATA AND PRODUCTS

1 THE EUMETSAT POLAR SYSTEM (EPS)

The EPS system consists of a series of Metop satellites comprising instruments of EUMETSAT and the U.S. National Oceanic and Atmospheric Administration (NOAA).

The EUMETSAT instruments include the Microwave Humidity Sounder (MHS), Infrared Atmospheric Sounding Interferometer (IASI), Advanced Scatterometer (ASCAT), Global Ozone Monitoring Experiment-2 (GOME-2) and the Global Navigation Satellite System Receiver for Atmospheric Sounding (GRAS).

The NOAA meteorological instruments include the Advanced Very High Resolution Radiometer (AVHRR), Advanced Microwave Sounding Unit-A (AMSU-A) and the High Resolution Infrared Radiation Sounder (HIRS).

In accordance with the Agreement between EUMETSAT and NOAA on the Initial Joint Polar System (IJPS), EUMETSAT is entitled to establish access conditions for all data from the Metop satellites. However, EUMETSAT will not control access to the data from the NOAA instruments on the Metop satellites, unless in cases of data denial, as requested by NOAA (see below).

2 OWNERSHIP AND INTELLECTUAL PROPERTY RIGHTS

EUMETSAT holds the full ownership and Intellectual Property Rights to those Metop data and products that are generated by the above EUMETSAT instruments and the EUMETSAT Ground Segment.

3 CONDITIONS OF ACCESS TO METOP DATA AND PRODUCTS

3.1 Essential Metop Data and Products

All Metop data and products that are described below are “essential” in accordance with the WMO Resolution 40 (Cg-XII). This means that access to these data and products is granted to all users without licence, without charge and without conditions on use regardless of when and how these are made available to the user.

3.1.1 Real-time Metop Data (Direct Readout service)

- *Advanced High Rate Picture Transmission (AHRPT) Data*

The AHRPT service includes all local raw data generated by all instruments on-board Metop, transmitted by a Metop satellite in full resolution and in real-time.

3.1.2 Near Real-time Global and Regional Products

- *Global and Regional Level 1 Products*

These include all global and regional level 1 MHS products, generated by the Core Ground Segment.

- *Global and Regional Level 2 Products*

These include global and regional level 2 products generated by the Core Ground Segment and/or the EUMETSAT Satellite Application Facilities (SAFs) and distributed in near real-time.

For a complete list of the near real-time global and regional level 1 and level 2 Metop products, please turn to the EUMETSAT website.

3.2 Non-Essential Metop Data and Products

Non-Essential Metop Data and Products include all global and regional level 1 products of the IASI, ASCAT, GRAS and GOME-2 instruments that are generated by the Core Ground Segment.

Access to the above products is granted to all users without charge, and against the signature of a licence agreement³. They may not be redistributed without transformation.

3.3 Metop Archive

All Metop data and products stored in the EUMETSAT Archive and off –line products generated by the EUMETSAT Satellite Application Facilities (SAFs) are distributed on request via the associated operational service.

For the complete list of the Archived Metop Data and Products users have to turn to the EUMETSAT EO Portal and the EUMETSAT Product Navigator on the website.

4 DATA DENIAL

Data denial means that in case of a crisis or war situation, EUMETSAT may be requested by NOAA to deny access to direct-readout NOAA instrument data or global/regional products derived from the US instruments on the Metop satellites.

In these situations, only authorised users will continue to receive these data. During data denial, re-distribution by authorised users of data from NOAA instruments to any unauthorised third party is prohibited. In principle, data denial will not be implemented for more than 120 days, unless explicitly extended.

³ Except for a subset, agreed by the EUMETSAT Council, for distribution via the Global Telecommunications System (GTS) of the World Meteorological Organization (WMO) as “essential” products.

5 FINANCIAL MATTERS

EUMETSAT shall not be liable for the cost of procuring the necessary receiving equipment of any user. Decryption key units may be provided by EUMETSAT without costs. Users may be required to reimburse EUMETSAT for the cost of providing them with more than one of the decryption key units that may be required, at the discretion of the Director-General. The number of decryption key units may be limited to avoid an unmanageable load and a consequential degraded level of service.

IMPLEMENTING RULES FOR OPERATIONAL SAF DELIVERABLES

1 THE EUMETSAT SATELLITE APPLICATION FACILITIES (SAFs)

The SAFs are dedicated centres of excellence for processing satellite data and form an integral part of the distributed EUMETSAT Application Ground Segment. Each SAF consists of a consortium, headed by a SAF Host and a number of Cooperating Entities. The SAFs use data from meteorological satellites both in geostationary and polar orbit to generate near real-time products, offline products, and software products.

There are eight SAFs providing products and software for distribution to users on an operational basis:

- Nowcasting and Very Short Range Forecasting (NWC SAF)
- Ocean and Sea Ice (OSI SAF)
- Climate Monitoring (CM SAF)
- Numerical Weather Prediction (NWP SAF)
- Land Surface Analysis (LSA SAF)
- Atmospheric Composition (AC SAF)
- Radio-Occultation Meteorology (ROM SAF)
- Support to Operational Hydrology and Water Management (H SAF)

2 OWNERSHIP AND INTELLECTUAL PROPERTY RIGHTS

EUMETSAT holds the full ownership and Intellectual Property Rights to those operational SAF deliverables that are generated by the above SAFs under cooperation with EUMETSAT and as specified in the EUMETSAT website. The ownership of pre-existing software and third party software, re-used in each of the SAF software packages, remains with the originator of this software.

3 CONDITIONS OF ACCESS TO THE SAF DELIVERABLES

3.1 ESSENTIAL SAF PRODUCTS

The SAF products that are mentioned below are “essential” in accordance with the WMO Resolution 40 (Cg-XII). This means that access to these SAF products is granted to all users without a licence, without charge and without conditions on use.

These include near-real-time level 2 products generated by the Ocean and Sea Ice SAF, the Ozone and Atmospheric Chemistry Monitoring SAF, the GRAS Meteorology SAF and by the Land Surface Analysis SAF.

For a complete list of the SAF near real-time products, please turn to the EUMETSAT website.

3.2 SAF SOFTWARE

These include software packages created by the SAF on Support to Nowcasting and Very Short Range Forecasting, the Numerical Weather Prediction SAF and by the GRAS Meteorology SAF.

Access to these SAF software packages is granted to all users without charge, and against the signature of a licence agreement. They may not be redistributed. The SAF Host generating a SAF software will licence the use of the relevant software package on behalf of EUMETSAT.

For a complete list of the SAF software packages and the relevant SAF Host licensing the respective software package, please turn to the EUMETSAT website.

3.3 SAF ARCHIVE AND OFFLINE SAF PRODUCTS

All SAF products stored in the EUMETSAT Archive and off –line products generated by the EUMETSAT Satellite Application Facilities (SAFs) are distributed on request via the associated operational service.

For the complete list of the Archived SAF Products users have to turn to the EUMETSAT EO Portal and the EUMETSAT Product Navigator on the website. SAF products, which are archived at the relevant EUMETSAT Satellite Application Facilities (SAFs) and which can be ordered via the EUMETSAT Data Archive are included.

For a complete list of the archived/offline SAF products, please turn to the EUMETSAT website.

3.4 FINANCIAL MATTERS

EUMETSAT shall not be liable for the cost of procuring the necessary receiving equipment of any user. Decryption key units may be provided by EUMETSAT without costs. Users may be required to reimburse EUMETSAT for the cost of providing them with more than one of the decryption key units that may be required, at the discretion of the Director-General. The number of decryption key units may be limited to avoid an unmanageable load and a consequential degraded level of service

RESOLUTION ON

**THE UPDATE OF THE ANNUAL FEES APPLICABLE TO NMSs
OF NON-MEMBER STATES**

adopted at the 89th Meeting of the EUMETSAT Council on 3-4 July 2018

The EUMETSAT Member States,

RECALLING that the current EUMETSAT fees for Official Duty Use of Half-Hourly Data and Quarter-Hourly Meteosat Data by NMSs of Non-Member States were adopted in Resolution EUM/C/85/16/Res. I at the 85th Meeting of the EUMETSAT Council on 28-29 June 2016,

NOTING that Council at its 88th meeting endorsed the proposal to move from time sampling to latency criteria applied to Meteosat data and to provide access to non-Essential data with a latency of more than three hours free of charge,

NOTING that Council at its 88th meeting decided to declare Hourly Meteosat Data Essential,

RECALLING that the Annex I of the said Resolution also provides that the threshold is established at the “Upper Middle Income Value” defined by the World Bank,

RECALLING that the threshold and the fee tables shall be updated by the EUMETSAT Council every 2 years on the basis of the latest available World Bank statistics,

WISHING to update the threshold and the tables in accordance with the above-mentioned statistics,

AGREE to abolish Council Resolution EUM/C/85/16/Res. I and to replace it as follows:

- I** EUMETSAT fees for Official Duty Use of non-Essential Meteosat Data with a latency of less than three hours by NMSs of Non-Member States – Period 2017/2018 – shall be replaced by the version attached to this Resolution which includes the updated threshold and the table of Fees Applicable to NMSs of non-Member States for Official Duty Use – Period 2019/2020.
- II** This Resolution shall take effect on 1 January 2019.

**EUMETSAT FEES FOR OFFICIAL DUTY USE (OFD) OF NON-ESSENTIAL
METEOSAT DATA WITH A LATENCY OF LESS THAN THREE HOURS BY NMSs
OF NON-MEMBER STATES**

The attached Table contains the annual fees applicable to NMSs of non-Member States for access to non-Essential Meteosat data with a latency of less than three hours for Official Duty use. This table is valid for the period 2019-2020.

The following applies:

- 1) Official Duty use by NMSs of countries with a GNI per capita below or equal to USD 8,177, derived from World Bank statistics: Without Charge.
- 2) Official Duty use by NMSs of countries with a GNI per capita above USD 8,177: the fees are given in the table attached.
- 3) Review Mechanisms:
 - The table attached shall be updated by Council every 2 years on the basis of the latest available World Bank statistics.
 - Should the figures in the table attached prove to be erroneous or incomplete, the Director-General shall make appropriate recommendations on a case by case basis.
 - The “Upper Middle Income” value as defined in the World Bank statistics shall establish the threshold for free access to Half-hourly and Quarter-hourly Meteosat Data. This threshold shall be updated by Council every 2 years on the basis of the World Bank statistics.

EUMETSAT FEES FOR OFFICIAL DUTY USE BY NMSs OF NON-MEMBER STATES		
Country	GNI/C	Non-Essential Meteosat data with a latency of less than three hours
		Annual Fee KEUR
Afghanistan	570	0
Albania	4,180	0
Algeria	4,220	0
Angola	3,450	0
Antigua and Barbuda	13,560	100
Argentina	11,970 d	100
Armenia	3,770	0
Australia	54,420	100
Azerbaijan	4,760	0
Bahamas	26,490	100
Bahrain	22,660 a	100
Bangladesh	1,330	0
Barbados	15,210	100
Belarus	5,590	0
Belize	4,360	0
Benin	820	0
Bhutan	2,510	0
Bolivia	3,070	0
Bosnia and Herzegovina	4,940	0
Botswana	6,750	0
Brazil	8,840	100
Brunei Darussalam	32,860	100
Burkina Faso	620	0
Burundi	280	0
Cabo Verde	2,970	0
Cambodia	1,140	0
Cameroon	1,400	0
Canada	43,660	100
Cayman Islands	a	100
Central African Republic	370	0
Chad	720	0
Chile	13,540	100
China	8,250	100
Colombia	6,310	0
Comoros	770	0
Congo	1,710	0
Congo, Dem. Rep.	430	0
Costa Rica	10,840	100
Côte d'Ivoire	1,520	0
Cuba	j	0
Curaçao and Sint Maarten	k	100
Cyprus	23,680 b	100
Djibouti	m	0
Dominica	7,110	0
Dominican Republic	6,390	0
Ecuador	5,800	0

EUMETSAT FEES FOR OFFICIAL DUTY USE BY NMSs OF NON-MEMBER STATES		
Country	GNI/C	Non-Essential Meteosat data with a latency of less than three hours
		Annual Fee KEUR
Egypt	3,410	0
El Salvador	3,920	0
Eritrea	1	0
Ethiopia	660	0
Fiji	4,780	0
FYR of Macedonia	4,980	0
French Polynesia	.. k	0
Gabon	7,210	0
Gambia	430	0
Georgia	3,830 f	0
Ghana	1,380	0
Grenada	9,100	100
Guatemala	3,790	0
Guinea	670	0
Guinea-Bissau	600	0
Guyana	4,240	0
Haiti	780	0
Honduras	2,150	0
Hong Kong, China	43,240	100
India	1,670	0
Indonesia	3,400	0
Iran	5,470	0
Iraq	5,420	0
Israel	36,240	100
Jamaica	4,630	0
Japan	37,930	100
Jordan	3,920	0
Kazakhstan	8,810	100
Kenya	1,380	0
Kiribati	2,270	0
Korea, Dem. People's Rep.	1	0
Korea, Rep.	27,600	100
Kuwait	34,890	100
Kyrgyzstan	1,100	0
Lao People's Dem. Rep.	2,150	0
Lebanon	7,980	0
Lesotho	1,270	0
Liberia	370	0
Libya	j	0
Macao, China	64,580 a	100
Madagascar	400	0
Malawi	320	0
Malaysia	9,860	100
Maldives	10,630	100
Mali	770	0
Malta	24,210	100
Mauritania	1,130	0

EUMETSAT FEES FOR OFFICIAL DUTY USE BY NMSs OF NON-MEMBER STATES		
Country	GNI/C	Non-Essential Meteosat data with a latency of less than three hours
		Annual Fee KEUR
Mauritius	9,770	100
Mexico	9,040	100
Micronesia	3,550	0
Moldova	2,120 h	0
Monaco	a	100
Mongolia	3,590	0
Montenegro	7,120	0
Morocco	2,850 g	0
Mozambique	480	0
Myanmar	1,190	0
Namibia	4,640	0
Nepal	730	0
New Caledonia	.. k	0
New Zealand	38,750	100
Nicaragua	2,100	0
Niger	370	0
Nigeria	2,450	0
Oman	18,080 a	100
Pakistan	1,500	0
Panama	12,140	100
Papua New Guinea	2,680 m	0
Paraguay	4,060	0
Peru	5,950	0
Philippines	3,580	0
Qatar	75,660 a	100
Russian Federation	9,720 e	100
Rwanda	700	0
St. Kitts and Nevis	15,690	100
Saint Lucia	8,400	100
St. Vincent and the Grenadines	6,770	0
Samoa	4,120	0
Sao Tome and Principe	1,720	0
Saudi Arabia	21,720	100
Senegal	950	0
Serbia	5,310	0
Seychelles	15,410	100
Sierra Leone	490	0
Singapore	51,880	100
Solomon Islands	1,880	0
Somalia	1	0
South Africa	5,490	0
South Sudan	820 a	0
Sri Lanka	3,780	0
Sudan	2,140	0
Suriname	6,990	0
Swaziland	2,960	0
Syrian Arab Republic	m	0

EUMETSAT FEES FOR OFFICIAL DUTY USE BY NMSs OF NON-MEMBER STATES		
Country	GNI/C	Non-Essential Meteosat data with a latency of less than three hours
		Annual Fee KEUR
Tajikistan	1,110	0
Tanzania	900 i	0
Thailand	5,640	0
Timor-Leste	2,060	0
Togo	540	0
Tonga	4,060	0
Trinidad and Tobago	16,240	100
Tunisia	3,690	0
Turkmenistan	6,670	0
Turks and Caicos Islands	.. k	100
Tuvalu	5,090	0
Uganda	630	0
Ukraine	2,310 e	0
United Arab Emirates	40,480	100
United States of America	56,810	100
Uruguay	15,230	100
Uzbekistan	2,220	0
Vanuatu	3,170 a	0
Venezuela	j	0
Viet Nam	2,100	0
Yemen	1,040	0
Zambia	1,360	0
Zimbabwe	890	0

Footnotes:

- a. 2016 data not available; ranking is approximate.
- b. Data are for the area controlled by the government of Cyprus.
- c. Based on regression; other PPP figures are extrapolated from the 2011 International Comparison Program benchmark estimates.
- d. Based on data officially reported by the National Statistics and Censuses Institute of Argentina. The International Monetary Fund (IMF) has called on Argentina to adopt measures to address the quality of official GDP and consumer price index data, and issued an updated statement on Argentina's progress on August 31, 2016: <http://www.imf.org/en/News/Articles/2016/08/31/PR16389-Statement-by-the-IMF-Executive-Board-on-Argentina>. The World Bank systematically assesses the appropriateness of official exchange rates as conversion factors. For Argentina, an alternative conversion factor has been calculated using a weighted average method for the period from 2012 to 2015.
- e. Based on data from official statistics of Ukraine and Russian Federation; by relying on these data, the World Bank does not intend to make any judgment on the legal or other status of the territories concerned or to prejudice the final determination of the parties' claims.
- f. Excludes Abkhazia and South Ossetia.
- g. Includes Former Spanish Sahara.
- h. Excludes Transnistria.
- i. Covers mainland Tanzania only.
- j. Estimated to be upper middle income (\$3,956 to \$12,235).
- k. Estimated to be high income (\$12,236 or more).
- l. Estimated to be low income (\$1,005 or less).
- m. Estimated to be lower middle income (\$1,006 to \$3,995).

RESOLUTION

AMENDING THE THIRD PARTY PROGRAMME ON EUMETSAT ACTIVITIES IN SUPPORT OF THE IMPLEMENTATION OF THE COPERNICUS PROGRAMME IN THE PERIOD 2014-2021

**adopted at the 90th Meeting of the EUMETSAT Council
on 6-7 December 2018**

The EUMETSAT Council,

RECALLING Council Resolution EUM/C/81/14/Res.I Establishing a Third party Programme on EUMETSAT Activities in Support of the Implementation of the Copernicus Programme in the Period 2014-2021,

RECALLING the Agreement between the European Union, represented by the European Commission and EUMETSAT on the Implementation of the Copernicus Programme including the Transfer of Ownership of Certain assets (Copernicus Agreement) signed by the Parties on 14 November 2014,

RECALLING that, in accordance with Council Resolution EUM/C/81/14/Res.I the Copernicus Third Party Programme entered into force upon the signature of the Copernicus Agreement,

RECALLING the successful implementation of the Copernicus Third Party Programme and the efficient implementation by EUMETSAT of the tasks entrusted to it by the European Commission in accordance with the Copernicus Agreement,

IN CONFORMITY with Resolution EUM/C/66/08/Res. II on the Approval of Third Party Programmes and with the Third Party Programme Procedures approved by the EUMETSAT Council in December 2008,

IN CONFORMITY with the Policy Principles for the Involvement of EUMETSAT in GMES Activities as endorsed by the EUMETSAT Council in June 2011,

AGREES:

- I** That the maximum financial envelope of the Copernicus Third party Programme, covering activities under the five Building Blocks, is M€ 254 at current economic conditions.
- II** That the cost for the implementation of the activities entrusted to EUMETSAT under Building Blocks 1 to 3, as defined in the Programme Proposal and the Agreement referred to in the Preamble, amounts to a maximum of M€ 254 at current economic conditions, and shall be fully covered by the European Union.

RESOLUTION ON
THE EXTENSION OF THE PERIOD OF SUBSCRIPTION TO THE
EUMETSAT JASON-CS OPTIONAL PROGRAMME

adopted at the 90th Meeting of the EUMETSAT Council
on 6-7 December 2018

The Participating States,

HAVING REGARD to Declaration EUM/C/83/15/Decl. I on the Optional EUMETSAT Jason-CS Programme adopted by Potential Participating States on 24 June 2015 and entered into force on 9 September 2015,

HAVING REGARD to Resolution EUM/C/84/15/Res. I on the immediate accession of Member States to the Optional EUMETSAT Jason-CS Programme upon subscription adopted by Participating States at the 84th meeting of the EUMETSAT Council on 1-2 December 2015,

HAVING REGARD to Resolution EUM/C/85/16/Res. III on the extension of the period of subscription to the EUMETSAT Jason-CS Optional Programme adopted by Participating States at the 85th meeting of the EUMETSAT Council on 28-29 June 2016,

HAVING REGARD to Resolution EUM/C/87/17/Res. I on the extension of the period of subscription to the EUMETSAT Jason-CS Optional Programme adopted by Participating States on 30 June 2017,

HAVING REGARD to Resolution EUM/C/88/17/Res. IV on the extension of the period of subscription to the EUMETSAT Jason-CS Optional Programme adopted by Participating States at the 88th meeting of the EUMETSAT Council on 5-6 December 2017,

HAVING REGARD to Resolution EUM/C/89/18/Res. I on the extension of the period of subscription to the EUMETSAT Jason-CS Optional Programme adopted by Participating States at the 89th meeting of the EUMETSAT Council on 3-4 July 2018,

NOTING that the subscription level to the EUMETSAT Jason-CS Programme currently stands at 97.2370% of the MEUR 111.0 programme envelope at 2015 economic conditions,

AWARE that the subscription period to the EUMETSAT Jason-CS Programme runs until the 90th Council meeting on 6-7 December 2018 and that Article 10.5 of the EUMETSAT Convention foresees any deficit to be distributed pro rata among the existing Participating States unless these Participating States agree unanimously on a different solution,

TAKING INTO ACCOUNT that the current Participating States have already made their utmost efforts to increase their rate of contributions to achieve a 97.2370% subscription level, and that they should not be expected to increase their contributions further to fulfil the requirements of Article 10.5 EUMETSAT Convention,

REQUIRING therefore that the shortfall of 2.7630% be covered through accession of further Member States as Participating States,

AWARE that several Member States are currently in national discussions and approval procedures regarding their participation in the EUMETSAT Jason-CS Programme and have not been in a position to subscribe to said Programme prior to the subscription deadline of the 90th Council meeting on 6-7 December 2018,

WELCOMING, beyond the coverage of the shortfall, the accession of any further Member State as Participating State to the EUMETSAT Jason-CS Programme to ensure maximum participation, thereby stressing the solidarity principle,

HAVING REGARD to Article 5.3 and Article 10 of the EUMETSAT Convention,

UNANIMOUSLY AGREE:

- I** exceptionally, to extend the subscription deadline until the end of January 2019 to allow Member States to complete their national approval procedures on their participation in the EUMETSAT Jason-CS Programme and to subscribe to said Programme to cover the shortfall.
- II** to keep the current blocking of appropriations in the Jason-CS Budget 2018 that corresponds to the percentage of the shortfall and to introduce a similar blocking in the Jason-CS Budget 2019, in order to ensure that cumulative commitment appropriations in the year 2018 and 2019 do not exceed the actual subscribed percentage of the Jason-CS Programme envelope.
- III** that the blocking of appropriations in the Jason-CS Budget 2018 and 2019 currently assigned to Article 4100, may be reallocated over the course of the year in order to grant the necessary flexibility in the budget implementation and to enable EUMETSAT to fulfil its obligation towards ESA, as far as possible.
- IV** to request the Director-General to continue his efforts in supporting Member States' approval of their participation in the Programme.