

DigiTAG

Digital Terrestrial Television Action Group

Statutes

Whereas,

- 1 the future technology of terrestrial TV services will be all-digital;
- 2 the European Union Council, the European Parliament, and the Commission of the European Union have taken this matter into account in the Directive on Television Standards 95/47/EC (1995);
- 3 the use of digital technology for terrestrial broadcasting may offer, in addition to its intrinsic benefits including flexibility, portability and interactivity, others derived from the release of currently analogue-occupied, but less efficiently used, spectrum;
- 4 a digital terrestrial system, using advanced modulation techniques, has been specified by the Digital Video Broadcasting Project (DVB-T), is undergoing formal Standardisation by the European Telecommunications Standardisation Institute, and has been submitted to the International Telecommunications Union;
- 5 the DVB-T specification for terrestrial broadcasting uses technology which has maximal commonality with the other digital broadcasting media including Satellite, Cable, SMATV and Multipoint Distribution Systems. It therefore promotes efficient inter-working between media, and also offers economies of scale in the manufacture of professional and consumer equipment;
- 6 signals according to the advanced modulation techniques of DVB-T may be introduced into the frequency bands currently allocated to terrestrial television broadcasting without disturbing existing analogue television services;
- 7 the DVB-T Specification provides for two network planning scenarios; the first uses a conventional interleaved multi-frequency approach, the second, a Single Frequency Network (SFN) approach covering large areas such as the whole of, or a significant part of, a nation;
- 8 for some countries, due to increasing scarcity of unused spectrum, the availability of frequency channels is a major problem, and becomes more difficult with time. In the transition from analogue to digital, additional frequencies may be required in any case;
- 9 the use of SFNs for national or wide-area regional coverage may significantly relieve the frequency spectrum demand, and in some cases may be the only possible choice. This implies that the so-called '8k' option of the DVB-T specification must be applied;
- 10 the transport, distribution and broadcasting infrastructures of digital terrestrial TV services may offer opportunities for the development of wireless data delivery services in the wider sense of multimedia services (and applications such as the 'Information Superhighway');

- 11 the introduction of digital terrestrial television services in an appropriate time-frame will require the close co-operation and full co-ordination of all sectors of the business (service providers and network operators, broadcasting regulators and spectrum administrators, and integrated circuit, equipment and consumer product manufacturers);
- 12 actions towards implementing and introducing digital terrestrial services have been begun separately by the Digital Television Group (DTG) in the UK, and in mainland Europe by the '8k' Interest Group (8k-IG) and European Broadcasting Union (EBU), and these organisations have decided to co-ordinate their international activities related to digital terrestrial television by founding this Action Group;

the undersigned, therefore, have agreed upon these Statutes establishing the Digital Terrestrial Television Action Group, an association under Articles 60 and following of the Swiss Civil Code.

Article 1 Objectives

The objectives of the Digital Terrestrial Television Action Group, hereinafter referred to as DigiTAG, shall be:

- 1 to create, with special reference to Europe, an operational framework for the harmonious and market-driven introduction of digital terrestrial television services using the full capability of the DVB-T system, within the appropriate time-window of opportunity;
- 2 to develop an implementation reference model, including a system description for digital terrestrial receivers, for the introduction of services according to the DVB-T specification, to meet the needs of broadcasters and consumers in Europe;
- 3 to encourage the flow of information, share experiences and ensure the closest possible co-operation and synergy amongst all interested parties;
- 4 to seek to maximise commonality in the systems and equipment developments with those of the other broadcast delivery media (e.g. Satellite and Cable);
- 5 to develop a critical path analysis of the work required to meet the time-scale targets and to co-ordinate the effort needed from those involved to do so;
- 6 to support a non-discriminatory approach that enables an open and competitive market to developing all the relevant parts of the system including service provision, receivers and conditional access, consistent with the European Directive on Television Transmission standards;
- 7 to study and find optimal solutions to the transition scenarios for the addition of digital services into the present analogue situation, and the subsequent migration towards the all-digital future;
- 8 to encourage the development of various new types of services and service features such as programme-associated and independent data services, and interactivity;

- 9 to integrate in a single organisation the international activities related to the digital terrestrial television undertaken by the DTG, the 8k-IG and the EBU, hereinafter referred to as the 'founding organisations'.

Article 2 Membership

- 1 Membership shall be open to broadcasters, service providers, terrestrial TV network operators, professional and consumer equipment manufacturing industry, regulatory authorities, and other organisations which endorse the objectives of DigiTAG and accepts these Statutes;
- 2 Signing up to these Statutes and first payment of the appropriate annual membership fee (see Article 12) shall be considered as fulfilment of the conditions for membership.

Article 3 Relationships with other bodies

- 1 The DigiTAG shall be independent of the DVB Project. Nevertheless, in view of its common interest in digital TV, DigiTAG may seek support from the DVB, particularly on technical matters, and equally may contribute knowledge on the implementation of services to the DVB Project. In this way DigiTAG will complement, and not duplicate, the technical and commercial work of the DVB Project.
- 2 The DigiTAG recognises the importance of the role of National Platforms within each country as the best means of matching the introduction of services to the specific and diverse needs of individual countries. It therefore does not seek to replace or replicate these national roles, but seeks to encourage an international application of, as much as possible, a common solution to maximise the resulting economies of scale.
- 3 DigiTAG will co-operate with the regulatory and frequency authorities within the CEPT and other appropriate European bodies;
- 4 A close liaison shall be maintained with the Group of European Terrestrial TV Network Operators.

Article 4 Structure

- 1 The **General Assembly** shall be the governing body of DigiTAG and shall seek to encompass all the forces necessary to achieve the objectives, as listed in Article 1;
- 2 The **Steering Board** shall be the executive body, consisting of a balanced representation of the members, elected by the General Assembly, and having powers to act on their behalf in all matters;
- 3 There shall be a number of **Action Groups** appointed by the Steering Board to carry out the work in appropriate areas. Action Groups may appoint **Task groups** or individual **Experts** to carry out the detailed work;

Article 5 General Assembly - Representation

- 1 Organisations who are members of DigiTAG have the right to appoint one representative each to the General Assembly. Participation by proxy is admitted. Each representative may not exercise more than 2 proxy votes;
- 2 The Commission of the European Union, EICTA (European Information, Communications and Consumer Electronics Industry Technology Association), the European Platform Union, and on a reciprocal basis, the DVB Project, may each appoint an ex-officio representative to attend Steering Board meetings;
- 3 Ordinary meetings of the General Assembly shall be convened at least once every calendar year. At the General Assembly meeting the reports and recommendations of the Steering Board shall be considered and, if appropriate, approved;
- 4 In every other year, at an ordinary meeting, the General Assembly shall appoint the members of the Steering Board for a two year term. Existing members shall be eligible for re-election;
- 5 The General Assembly shall be convened at least one month before the scheduled date of the meeting;
- 6 Extra-ordinary meetings of the General Assembly may be convened by the Steering Board as and when the need arises. They shall be convened at one month's notice.
- 7 The working language of DigiTAG shall be English,

Article 6 General Assembly - Responsibilities

The General Assembly's responsibilities include:

- 1 appointing and /or renewing members of the Steering Board, in accordance with Article 7;
- 2 approval of the policy, strategy and activities of DigiTAG
- 3 approving reports of the Steering Board regarding activities since the last ordinary meeting of the General Assembly;
- 4 approving reports of the Treasurer and auditor, and examining and approving the accounts for the past financial year;
- 5 approving the programme of activities and the budget for the following financial year;
- 6 approving the policy proposed by the Steering Board with regard to the amount of Members' contributions;
- 7 adopting, approving and/or amending, as necessary, the Statutes, at the proposal of the Steering Board;
- 8 amending the working structure within the DigiTAG as required;
- 9 approving the rules of procedure, as appropriate.

Article 7 Steering Board

- 1 The Steering Board shall consist of the Presidency (see Article 10) plus 8 members, who shall be elected at a General Assembly meeting every second year. The election procedures should ensure, as far as possible, a balanced representation of broadcasters, network operators, manufacturers and administrations. The European Broadcasting Union and the Digital TV Group shall be represented. Members of the Steering Board shall be eligible for re-election at the end of a two-year term. The ordinary membership may be augmented by a number of ex-officio members as detailed below. In addition the Steering Board may co-opt additional members without voting rights, to ensure an adequate spread of interests including geographical balance.
- 2 The Chairmen of Action Groups shall be invited ex-officio to attend Steering Board meetings.
- 3 The Commission of the European Union, EICTA (European Information, Communications and Consumer Electronics Industry Technology Association), the European Platform Union, and on a reciprocal basis, the DVB Project, may each appoint an ex-officio representative to attend Steering Board meetings;
- 4 The Steering board shall meet at least twice a year;

Article 8 Steering Board responsibilities

The Steering Board shall be responsible for:

- 1 assuring that the objectives of DigiTAG are achieved, by defining appropriate policies and strategies;
- 2 carrying out the decisions of the General Assembly;
- 3 proposing and appointing the Chairmen of Action Groups;
- 4 ensuring that the activities of Action Groups are co-ordinated;
- 5 appointing the Project Manager and the Treasurer;
- 6 ensuring efficient administrative management of DigiTAG;
- 7 deciding upon an annual budget, and the level of membership fees, after proposals from the Treasurer;
- 8 preparing for the meetings of the General Assembly, and proposals for adoption, including any proposals for amending these Statutes;
- 9 keeping all members of DigiTAG informed of the work of the Steering Board and Action Groups;
- 10 co-ordinating between existing national groupings and promoting international consensus and agreement on digital terrestrial broadcasting matters;
- 11 advising public authorities including the European Union on regulatory needs to facilitate the aims and objectives of the DigiTAG;
- 12 approving new applications for membership of the DigiTAG;
- 13 expelling members which do not meet the objectives (see Article 2) or which are more than 3 months in arrears with payment of their annual membership fee;

Article 9 Action Groups

The Action Groups shall be assigned tasks to be completed and the results reported back to the Steering Board within a specified time-frame. If the need arises, the Steering Board may review and/or renew the mandate of an Action Group.

Where possible the Action Group will, in the pursuit of their objectives, make use of any publicly available work which has been already carried out by the DVB and other bodies.

Article 10 Presidency

- 1 The Presidency of DigiTAG will consist of three individuals, one each representing the constituencies of Broadcasters, Network Operators and Manufacturers. These three will act in the capacity of nominated Chairman and two Co-chairmen of both the General Assembly and Steering Board;
- 2 At the 4th General Assembly meeting, and subsequently every two years, the three-person Presidency shall be elected for the following two-year period. Existing members of the Presidency shall be available for election or subsequently re-election.
- 3 In the event that the Chairman should be unavailable, one of the Co-chairmen shall replace him;

Article 11 Budget and Accounts

One of the members of the Steering Board shall be appointed as Treasurer for a term of two successive years. He shall be responsible for the preparation of proposed annual budgets, and for the preparation of accounts. The Treasurer shall be eligible for re-appointment.

Article 12 Funding

1. the activities of DigiTAG shall be funded as follows:
 - 1.1 from an annual membership fee from the members;
 - 1.2 from contributions from European and international institutions;
2. the basic membership fee shall be €7,000 per calendar year. Those companies which join during the year shall pay a membership fee proportionate to the number of months remaining in the calendar year when they sign the Statutes. When a small organisation joins, where small defines a company with less than 25 employees, the basic fee will be halved to a proportion of €3,500 for the remainder of the calendar year, and €3,500 for one further full calendar year. The Steering Board may waive the membership fee for an association, where a number of members already paying their fee also wish to be represented by the association.
3. the membership fee account shall be administered by the European Broadcasting Union based on the decisions of the Steering Board.

4. the cost of membership shall be set from time to time by the Steering Board and approved by the General Assembly;
5. the costs of attending all meetings of the DigiTAG shall be borne exclusively by the participants;

Article 13 Quorum and Majority

1. For a vote at a General Assembly to be valid, more than half of the membership must be present or represented;
2. For a vote at a Steering Board meeting to be valid, two-thirds of the elected membership must be present or represented;
3. Each member shall have one vote;
4. Voting decisions at a General Assembly meeting shall be taken in accordance with the following:
 - 4.1 for Substantive matters (such as a change to these Statutes, approving the budget, or the dissolution of DigiTAG), a proposal shall be adopted where two-thirds or more of the votes cast are in favour, and at least 51% of the members, present or represented, have voted;
 - 4.2 for normal Procedural matters, the affirmative vote of more than half the members present or represented.
5. In case of doubt about whether a matter for vote is Substantive or Procedural (i.e. whether clause 4.1 or 4.2 applies), the Presidency shall decide, but such decision may be revoked by a counter vote of two thirds or more, where at least 51% of the members, present or represented, have voted.
6. Voting decisions at a meeting of the Steering Board shall be taken by the affirmative vote of two-thirds of the members present or represented;
7. Ex-officio members have no right of vote.

Article 14 Legal basis, Seat

- 1 The DigiTAG shall be established as a not-for-profit association with legal personality governed by Swiss law and by these Statutes;
- 2 The seat of DigiTAG shall be at the Headquarters of the European Broadcasting Union (EBU) in Geneva;

Article 15 Project Office and Project Manager

- 1 A Project Office support facility to DigiTAG shall be provided by the EBU, it being understood that it is fully funded. The Project Office shall undertake the administrative and secretarial work appropriate to the development of the objectives of the DigiTAG.

- 2 The Project Office and administrative aspects of DigiTAG shall be co-ordinated by a Project Manager from the EBU, appointed by and responsible to the Steering Board;
- 3 The functions of the Project Office, and its funding from the annual budget shall be decided by the Steering Board and approved by the General Assembly.

Article 16 Coming into Force

These Statutes shall come into force when a minimum of 15 members from at least 5 countries have signed up to them and paid their first annual membership fees.

Article 17 Dissolution

DigiTAG may be dissolved by decision of the General Assembly, with a two-thirds majority, and where 51% or more of the members, present or represented, have voted. As a result of the dissolution the 'remaining assets' of the association shall not be reallocated to the members, but instead credited to an institution of public interest, if possible pursuing a similar goal to DigiTAG. The assets may not be returned to the founding members, nor may they be used to their profit, either partially or totally, in any manner.

Article 18 Withdrawal

A member may withdraw from DigiTAG at any time by giving 3 month's notice in writing to the President. In such circumstances the member remains liable for the full annual membership fee for the year during which the withdrawal becomes effective. No member shall be entitled to rejoin DigiTAG until all outstanding fees have been paid in full.

Article 19 Changes to these Statutes

1. Any changes to these statutes shall be prepared by the Steering Board and agreed by the General Assembly, either at a meeting of the General Assembly or by correspondence.
2. If changes are to be agreed by a meeting of the General Assembly, the proposed changes must be notified to the membership at least 14 days in advance of the meeting. A proposed change shall be adopted only if two-thirds or more of the votes are in favour and 51% or more of members, present or represented, have voted.
3. If changes are to be agreed by correspondence, the proposed changes must be notified by correspondence or fax to the membership at least 28 days in advance of the deadline for responses. A proposed change shall be adopted only if two-thirds or more of the votes are in favour and 51% or more of members have responded by the deadline.

Article 20 Interpretation of the Statutes

The Steering Board shall provide guidance on any questions of interpretation of these Statutes.

DigiTAG Membership Signature Form

Please complete this form with your details, photocopy it, sign the original and the copy, and send the signed copy by post to:

DigiTAG Secretariat, Case Postale 45, 1218 Grand-Saconnex, Geneva, Switzerland.

On behalf of my Company/Organisation/Administration, I wish to apply for membership of the Digital Terrestrial Television Action Group (DigiTAG). I hereby declare that I agree to the Statutes governing the activities and procedures of DigiTAG.

Company:

Name:

Position:

Address:

Telephone:

Fax:

E-mail:

Signature:

Date: