

# **RULES AND PROCEDURES OF THE DVB PROJECT**

These Rules and Procedures of the DVB Project were initially adopted by the Steering Board on 14 February 2008 and have since been revised several times (see revision history). They represent a codification of practices of the DVB Project since its inception. They replace in all respects all prior versions of similar collections of the DVB's rules and procedures.

The current version of the Rules and Procedures, the other documents referred to in the Rules and Procedures, and other materials on DVB practices and procedures can be found at [www.dvb.org](http://www.dvb.org).

## Contents

<b>1</b>	<b>GENERAL</b>	<b>5</b>
<b>2</b>	<b>MEMBERSHIP</b>	<b>6</b>
<b>2.1</b>	<b>New membership</b>	<b>6</b>
2.1.1	Candidacy	6
2.1.2	Acceptance of candidates	6
2.1.2.1	Associations	6
2.1.2.2	Observership	6
2.1.2.3	Initial, annual membership fees	7
2.1.2.4	Consultancies and consultants	7
<b>2.2</b>	<b>Termination of membership</b>	<b>8</b>
2.2.1	Voluntary	8
2.2.2	Involuntary	8
2.2.2.1	Failure to pay membership fees	8
2.2.2.2	Behaviour incompatible with the obligations under the MoU	9
<b>2.3</b>	<b>Obligations remaining after termination</b>	<b>9</b>
<b>2.4</b>	<b>Fellows</b>	<b>10</b>
<b>2.5</b>	<b>Participation at the General Assembly</b>	<b>10</b>
<b>3</b>	<b>PARTICIPATION IN THE ACTIVITIES OF THE DVB</b>	<b>10</b>
<b>3.1</b>	<b>Representative</b>	<b>10</b>
<b>3.2</b>	<b>Participation at the modules and working groups</b>	<b>10</b>
3.2.1	Initial participation to the Technical Module	10
3.2.2	Number of participants	11
3.2.3	Overlapping representation	11
3.2.3.1	Overlap in leadership positions.	11
<b>3.3</b>	<b>Participation at Steering Board</b>	<b>11</b>
3.3.1	Representation	11
3.3.2	Participation of non-Board Members	12
<b>4</b>	<b>ELECTIONS</b>	<b>12</b>
<b>4.1</b>	<b>Elections to the Steering Board</b>	<b>12</b>
4.1.1	Constituencies; qualifications	12
4.1.2	Prior to the election	12
4.1.3	Election Day	13
4.1.4	New Steering Board	13
4.1.5	Filling a vacant Steering Board seat	13

<b>4.2</b>	<b>DVB Chairman and Vice-Chairmen</b>	<b>13</b>
4.2.1	Role of the Chairman and Vice-Chairmen	13
4.2.2	Eligibility	14
4.2.3	Election	14
4.2.4	Duration of term; remuneration	14
4.2.5	Vice-Chairmen	15
4.2.6	Reimbursement of travel expenses	15
<b>5</b>	<b>DECISIONS BY CORRESPONDENCE</b>	<b>15</b>
<b>6</b>	<b>ADMINISTRATION OF THE DVB PROJECT</b>	<b>15</b>
<b>6.1</b>	<b>Project Office</b>	<b>15</b>
<b>6.2</b>	<b>Litigation, regulatory proceedings</b>	<b>15</b>
<b>7</b>	<b>ACCOUNTS</b>	<b>16</b>
<b>8</b>	<b>RULES AND PROCEDURES OF MODULES AND SUBGROUPS</b>	<b>16</b>
<b>8.1</b>	<b>Leadership of Modules</b>	<b>16</b>
8.1.1	Module chairmen and vice-chairmen	16
8.1.1.1.	Vacancy	16
8.1.1.2.	Endorsement	17
8.1.1.3.	Term	17
8.1.1.4.	Re-election	17
8.1.1.5	Vice-Chairmen of the Modules	18
8.1.2	Reimbursement of travel expenses	18
8.1.3	Subgroup chairmen	18
8.1.4	Chairmanship for non DVB Members	18
8.1.5	Scope of authority for subgroup chairmen	19
<b>8.2</b>	<b>Ad hoc groups and working parties</b>	<b>19</b>
<b>8.3</b>	<b>Conduct of meetings; reports</b>	<b>19</b>
8.3.1	Even-handedness of chairman; agenda, meeting report, venue	19
8.3.2	Consensus	20
8.3.3	Matters outside subgroup discussion	20
<b>8.4</b>	<b>Participation by non-Member</b>	<b>21</b>
<b>8.5</b>	<b>Terms of reference and formation documents</b>	<b>21</b>
<b>8.6</b>	<b>Measuring active support for a work item within Modules</b>	<b>21</b>
8.6.1	Commercial Module: threshold support for a work item	21
8.6.2	Expeditious completion of work item	21
8.6.3	Absence of active support for work item	21
<b>8.7</b>	<b>Preparation of specifications</b>	<b>22</b>

<b>8.8</b>	<b>Study Missions</b>	<b>22</b>
<b>9</b>	<b>DOCUMENTATION, DISCLOSURE, CONFIDENTIALITY</b>	<b>22</b>
<b>9.1</b>	<b>Generally</b>	<b>22</b>
<b>9.2</b>	<b>“Closed” subgroups</b>	<b>22</b>
<b>9.3</b>	<b>Document delivery deadlines</b>	<b>23</b>
	9.3.1 Steering Board	23
	9.3.2 Module documents	23
<b>9.4</b>	<b>Inappropriate content</b>	<b>23</b>
	<b>ANNEX A: DVB’S RULES ON DOCUMENT DISCLOSURE</b>	<b>24</b>
	<b>ANNEX B: ANTITRUST GUIDELINES OF THE DVB PROJECT</b>	<b>28</b>
	<b>ANNEX C: REMOTE PARTICIPATION IN DVB MEETINGS</b>	<b>31</b>
	<b>REVISION HISTORY</b>	<b>34</b>

# RULES AND PROCEDURES OF THE DVB PROJECT

## 1 General

These Rules and Procedures codify certain of the practices that have been adopted within the DVB Project relating to its governance and activities. They are intended to complement the governing document of DVB, *Memorandum of Understanding further amended and restated for the development of harmonised digital video broadcasting (DVB) based on European specifications (The Statutes of the DVB Project)* (20 Oct 2011). Other practices may be added to these Rules and Procedures in response to novel issues.

These Rules and Procedures are not comprehensive. There are other sources for DVB rules addressing specific issues. These include:

Information on DVB's IPR policy, <http://www.dvb.org/members/iprpolicy>, including its Copyright Policy, a Facility for Voluntary Disclosure of Patents, a policy on normatively referenced materials (together with a list of qualifying standards bodies), links to licensing programmes covering DVB standards, a form of statement to be submitted by a participant in DVB activities that is not a Member, an extensive commentary on DVB's IPR policy, and Guidelines for Liaison Officers (SB 1526) and other materials.

These Rules and Procedures replace in all respects all prior collections of DVB's rules and procedures, including without limitation, prior versions of these Rules and Procedures; "Statutes and Rules of Procedures for the Digital Video Broadcasting Project (SB 18 (97) 36, 24 Sept 1997) and DVB Steering Board Decisions, (SB 37 (02) 22, 18 June 2002). (The specific rules on implementation of the Multimedia Home Platform, *MHP Implementation Arrangements and Associated Agreements*; DVB Blue Book A066r1 (June 2003)(with corrigenda and addenda) were withdrawn on 31 October 2012.)

For the avoidance of doubt, if the present Rules and Procedures are silent in respect of a matter addressed by any such document, then there is no rule or the matter is covered by the Memorandum of Understanding or by Swiss law applicable to associations. (DVB is an association in conformity with Code civil suisse, art 60 et seq.)

These Rules and Procedures have been adopted by the Steering Board pursuant to the DVB MoU, and notably article 4 (modification of organisational structure), articles 6.1 (rules and procedures for election of

members of the Steering Board); 6.2 (adoption of rules and procedures of the Steering Board); 11 (rules and procedures of modules); and 17 (interpretation of MoU). They may be supplemented and modified from time to time by decision of the Steering Board. (The most current version of the Rules and Procedures is available at [www.dvb.org](http://www.dvb.org).)

## **2 Membership**

### **2.1 *New membership***

#### **2.1.1 Candidacy**

Conditions for membership are set out in art. 2 MoU,

Candidates send a written application to the DVB Project Office, indicating to which groups they intend to contribute, and to which constituency they wish to belong. Constituencies are set out in art 6.1 MoU.

#### **2.1.2 Acceptance of candidates**

Upon receipt of a completed application, the Project Office reviews the application, including the candidate's choice of constituency. The candidacy is thereafter reviewed and, where suitable, approved by the Steering Board either at a following meeting or by correspondence.

Membership starts after approval by the Steering Board, the signing of the MoU and the payment of the membership fee for the current year.

New Members are confirmed by the next General Assembly. In absence of such confirmation, membership is cancelled and the membership fee reimbursed.

##### **2.1.2.1 Associations**

An association may, whether named as a Member or observer, be exempt from payment of a membership fee if five or more of its members are fee-paying Members of DVB. No more than two representatives from any association may attend a DVB meeting.

At the time of making a technical contribution, the association shall reaffirm that the contribution, and its members holding IPRs therein, are subject to the IPR policy of the DVB Project.

##### **2.1.2.2 Observership**

Conditions of an observership are set by the Steering Board pursuant to

articles 2 and 6 of the MoU. Observership is usually reserved to standards bodies.

Observers are bound by the IPR policy of the DVB Project. Observers are generally entitled to attend the meetings of any DVB subgroup.

### **2.1.2.3 Initial, annual membership fees**

The membership fee for a new Member during its first year of membership is € 6,000. The initial membership fee for those becoming Members during the course of the year has been set as follows:

Date on which new Member joins	Initial fee (euros)
1 January	6,000
1 May	4,000
1 September	2,000

(A company that has withdrawn from membership may, after no less than two years of non-membership, pay the initial fee upon rejoining. It is otherwise obligated to pay the annual membership fee.)

Associations, under the conditions set out in article 2.1.2.1, and observers may be granted an exemption of the full or fractional annual membership fee, on approval by the General Assembly after recommendation by the Steering Board. Other Members are not entitled to this exemption.

(The annual fee payable by a Member terminating its membership is not prorated).

### **2.1.2.4 Consultancies and consultants**

In this article, a “consultant” is an individual, including an individual operating through his own company. (See below for provisions related to “consultancies”.)

- A DVB Member may be represented by its employees or by consultants serving the interest of the DVB Member alone. This representation may include chairmanship of a DVB subgroup.
- A consultant is deemed to represent the Member that is using his services. He may also be engaged to represent multiple Members

in respect of one or more DVB activities. (The consultant in these circumstances is deemed to represent each of the Members using his services.)

- The Member's use of a consultant is its affirmation that (i) any intellectual property of the consultant, otherwise covered by Article 14 MoU, is available through that Member pursuant to that article and (ii) it will ensure that the consultant will follow these Rules and Procedures. (DVB Members, through the Project Office, may seek further assurance that the Member and its consultant are observing these requirements.)
- The chairman and members of each subgroup where the consultant is active shall be notified of his engagement (for example, on his presentations to the subgroup, when identifying himself at the start of a meeting, and when signing the attendance sheet). This information is available to all DVB Members.

This article 2.1.2.4 also applies to a consultancy, that is a company with several professionals, offering services to multiple clients.

A consultant (or a consultancy) is not normally entitled to membership within DVB.

In the case of a consultancy, where it is affiliated by ownership with companies that would otherwise satisfy DVB membership requirements, that group of companies may be considered for membership. When such a group is not a Member, its participation, and the participation of the consultancy, in DVB activities in any capacity may be denied by the Steering Board. A consultancy should in the first instance contact the Project Office as to membership and other status questions.

## **2.2 Termination of membership**

### **2.2.1 Voluntary**

The time and manner for voluntary withdrawal is set out in Art. 15 of the MoU. The Chairman DVB may exceptionally waive, for good cause shown, all or part of the one month withdrawal period specified in that article.

### **2.2.2 Involuntary**

#### **2.2.2.1 Failure to pay membership fees**

A Member who has failed to pay its membership fees for six months may,

by decision of the Steering Board, be suspended from membership: during its suspension, it is not entitled to participate in any DVB meeting, to vote or to have access to documents. The Member is no longer suspended, and these privileges are restored, when it pays all its past due fees. A suspended Member who has failed to pay its membership fee for 18 months may, by decision of the General Assembly, be expelled from membership.

### **2.2.2.2 Behaviour incompatible with the obligations under the MoU**

Under Art 1.4 MoU, Members have committed themselves to the purpose of “promoting DVB technical specifications . . . and their widespread international utilisation/ adoption.” Moreover, Art 6.2 MoU gives, among other duties, the responsibility to the Steering Board in respect of the “coordination, priority-setting and management of the DVB project” and “dealing with any procedural disputes”.

If the behaviour of a Member is incompatible with these and its other obligations under the MoU - such as actively blocking the adoption of a DVB specification in a standards organisation, disparaging such specifications, persistent obstreperous conduct, or engaging in audio-visual piracy - the Member may be suspended or its membership terminated under the following process:

- the Steering Board may request the recommendation of the Project Office;
- it may also direct the Chairman to ask, by letter, the Member to clarify its position;
- the Project Office may, taking into account the response, if any, to the Chairman’s letter, propose to a later meeting of the Steering Board a suitable action, including the temporary suspension or the termination of its membership;
- the Steering Board shall take whatever steps it deems advisable.

The decision by the Steering Board to terminate a Member under this article 2.2.2. is subject to ratification by the General Assembly. The Member may make representations to the General Assembly to challenge the decision of the Steering Board.

## **2.3 Obligations remaining after termination**

Termination of membership through withdrawal or otherwise does not affect the existing obligations on the Member in its individual capacity, including its obligations in relationship to DVB’s IPR Policy, and payment of amounts

past due (including current year) to DVB.

## **2.4 Fellows**

From time to time, the Steering Board may designate as “Fellows of the DVB” those who have made exceptional contributions to the work of the DVB. Fellows do not represent a Member.

Fellows of the DVB may attend the General Assembly and have access to the same documents as DVB Members. At the discretion of the Steering Board they may attend other meetings and be called upon to offer their views and make other contributions to the work of the DVB.

## **2.5 Participation at the General Assembly**

A Member may participate at a meeting of the General Assembly either in person (that is, through its representative) or by written proxy. A Member present in person may hold no more than two proxies. Immediately before the beginning of the General Assembly, a Member present in person holding a proxy submits the proxy to the Chairman or his designee.

The Chairman may invite distinguished persons and representatives from organisations which are not Members to attend meetings of the General Assembly, as observers.

# **3 Participation in the activities of the DVB**

## **3.1 Representative**

Upon its election to membership, a Member notifies to the Project Office a Representative to whom all statements of membership fees, formal correspondence and other notifications shall be addressed. It is the responsibility of the Member to inform the Project Office of any change in the Representative or contact details.

Usually, the Representative represents the Member at the General Assembly and at the Steering Board, but this is not mandatory.

## **3.2 Participation at the modules and working groups**

### **3.2.1 Initial participation to the Technical Module**

A new Member takes part in at least one Technical Module meeting before being allowed to join work groups and sub groups of that module.

### **3.2.2 Number of participants**

Each Member sends no more than one participant to each of the Commercial Module and Technical Module. Others representatives from the same DVB Member may be present in their capacity of chair of a DVB subgroup.

Notwithstanding the preceding paragraph, the chair of the meeting may exceptionally permit the presence of one or more further representatives.

### **3.2.3 Overlapping representation**

Members should strive to send different representatives to the Commercial and the Technical Modules.

The Technical Module is open to the technical experts of all Members.

The Commercial Module is open principally to senior managers concerned with the commercial exploitation of services or products in digital broadcasting and related areas. The Commercial Module subgroups welcome technical expertise, but a diversity of point of views (technical and commercial) is fundamental to the good functioning of the DVB.

#### **3.2.3.1 Overlap in leadership positions.**

No representative may serve in the leadership (chair or vice-chair) of both a technical and a commercial group (or other subgroup) at the same time.

When a Member's representative chairs a module, a representative of the Member may not chair a subgroup of the same module.

Representatives of a single Member may not serve as chairs of both a technical and a commercial workgroup considering the same work item or potential work item.

The Steering Board may allow exceptions to the provisions of this article 3.2.3.1. Any such exception shall last no more than one year, but may be renewed annually upon the proposal of the relevant module or modules.

## **3.3 *Participation at Steering Board***

### **3.3.1 Representation**

A member of the Steering Board participates in person, that is through its representative; participation by proxy is not permitted.

Each Member sends no more than one representative to the Steering

Board. Other representatives from the same DVB Member may be present in their capacity of chair of a DVB module or ad hoc group reporting directly to the Steering Board.

Notwithstanding the preceding paragraph, the chair of the meeting may exceptionally permit the presence of one or more further representatives.

It is expected that Members' representatives to the Steering Board be part of the higher management in their organisations.

### **3.3.2 Participation of non-Board Members**

At the invitation of the Chairman DVB, a DVB Member, or observer, who is not a member of the Steering Board, may attend (but may not vote) at one or more meetings of the Steering Board.

## **4 Elections**

### **4.1 *Elections to the Steering Board***

#### **4.1.1 Constituencies; qualifications**

Article 6.1 MoU defines the constituencies within the Steering Board and certain of the qualifications for election.

#### **4.1.2 Prior to the election**

In anticipation of the meeting of the General Assembly at which a new Steering Board is to be elected,

- at its meeting preceding the election, the Steering Board names the convenor for each constituency;
- the convenor invites nominations for the places within the Steering Board allocated to the constituency;
- on the day of the General Assembly when the new Steering Board is to be elected, the convenor holds a meeting of the constituency;
- if the number of nominations matches or is less than the places allocated, the convenor draws up a list of those nominated to serve as the constituency's representatives during the next Steering Board (a "constituency list"); constituencies find balance within a list, for example by allocating places by sub-constituency (based on industry sub sectors, geography, etc);

- if the number of nominations exceeds the places allocated, the convenor and the constituency attempt to find consensus so that the nominations and places match; if there is a match, the convenor draws up a constituency list; if there is no consensus, the convenor prepares a report on the failure to achieve consensus, together with the names of those nominated.

### **4.1.3 Election Day**

At the meeting of the General Assembly, each convenor presents his constituency list or other report. The General Assembly elects the new Steering Board by adopting the constituency lists and, in respect of a constituency which failed to achieve consensus, elects constituency representatives from among those nominated and otherwise qualified.

### **4.1.4 New Steering Board**

At a meeting of the new Steering Board:

- a constituency that has failed to nominate a number of representatives equal to its allocation may propose further nominations to complete its allocation; and
- the recommendations, if any, of a constituency as to its members to be co-opted to the Steering Board is put to a decision of the Steering Board; the Steering Board ensures an adequate spread of interests, including geographical balance.

It is not the practice to hold the first meeting of the new Steering Board immediately following the General Assembly at which elections are held.

### **4.1.5 Filling a vacant Steering Board seat**

If the place of an elected Member falls vacant during the term of a Steering Board, it shall be filled by a Member, elected by the Steering Board, from the same constituency as the Member causing the vacancy. The Member serves as a co-opted member unless its election is confirmed at the succeeding meeting of the General Assembly. The Member's mandate ends in any event at the conclusion of the term of the sitting Steering Board.

## **4.2 *DVB Chairman and Vice-Chairmen***

### **4.2.1 Role of the Chairman and Vice-Chairmen**

The Chairman and the Vice-Chairmen speak on behalf of the DVB Project.

In addition, the module Chairmen and the Project Office may speak externally on behalf of the Project on agreed matters which fall within their own competence.

The Chairman, and if unavailable a Vice-Chairman:

- Presides over meetings of the General Assembly and of the Steering Board;
- Presents the Work Plan and the Annual Report;
- Transmits the documents approved by the Steering Board to the General Assembly;
- Transmits the specifications approved by the Steering Board to the relevant recognised standards setting organisation.

The Chairman and the Vice-Chairmen are responsible for promoting the work of the DVB Project.

#### **4.2.2 Eligibility**

Only representatives of members of the Steering Board may stand for election as Chairman or Vice-Chairman.

#### **4.2.3 Election**

In a contested election for Chairman or Vice-Chairman, the candidate winning a majority (more than 50 percent) of the votes of the members present in person of the Steering Board is elected. If there are more than two candidates, multiple rounds of elections are held until a candidate wins a majority of votes. If during a round no candidate wins a majority then the candidate receiving the least number of votes is excluded from any later round.

Voting is by written ballot. The Chairman's designee collects the ballots from members of the Steering Board entitled to vote and announces the results of each round of voting. Any candidate (or the candidate's representative) may examine the ballot papers.

#### **4.2.4 Duration of term; remuneration**

The Chairman serves for two years from the date of his election. His term need not be coterminous with the term of the Steering Board. By decision of the Steering Board, he may be remunerated and his expenses may be reimbursed.

The Chairman is elected from the Steering Board; upon his election he may choose no longer to act as the representative of his company (and his company may name a replacement to serve on the Steering Board).

#### **4.2.5 Vice-Chairmen**

One or more Vice-Chairmen may be elected by the Steering Board, each to serve for such term, and to undertake such duties, as the Steering Board may determine. By decision of the Steering Board, any Vice-Chairman may be remunerated and his expenses may be reimbursed.

#### **4.2.6 Reimbursement of travel expenses**

The Chairman and Vice-Chairmen of the DVB, when not remunerated by the DVB, may notwithstanding article 12.1(a) MoU request reimbursement for travel and accommodation expenses that they incur in connection with their duties, in accordance with the Project Office rules.

### **5 Decisions by correspondence**

The Steering Board or any subgroup may take a decision by correspondence. This process generally takes the form of a decision at a meeting adopting in substance a deliverable or other action, subject to approval, by correspondence, of modifications proposed at the meeting. The adopting meeting may set the process for the decision by correspondence, including the time within which responses are to be received.

### **6 Administration of the DVB Project**

Between meetings of the Steering Board, the Chairman, together with the chairmen of the modules and representatives of the Project Office, coordinates the day-to-day work of the DVB.

#### **6.1 Project Office**

The Project Office is responsible for administrative matters under the direction of the Chairman.

#### **6.2 Litigation, regulatory proceedings**

The Project Office gives notice to the Steering Board and, if suitable, to the IPR Module and any relevant subgroup, of any judicial or contentious regulatory activity in which DVB may become involved. The Chairman DVB, with advice of the Legal Director, may take such actions as he deems

necessary or appropriate and with a view to decreasing costs and burdens to DVB. The Chairman DVB reports on these actions to the Steering Board. (See also Rules on Document Disclosure.)

## **7 Accounts**

The accounts are administered by the Project Office.

The annual budget is prepared by the Ad hoc Group Budget with the support of the Project Office; it is adopted by the General Assembly upon the recommendation of the Steering Board.

The Steering Board oversees the execution of the annual budget. It prepares the accounts for the past year according to recognised accounting principles. At the time the accounts for the prior year are presented for adoption by the General Assembly, the General Assembly shall be informed of the remuneration and reimbursements to the Chairman (s 4.2.4) and to chairmen of modules (s 8.1.2) during that year.

The Budget and its execution shall be according to prudential principles.

Members of the Steering Board shall have reasonable access to the accounts of the DVB project; the Project Office shall provide them with all necessary explanation.

## **8 Rules and procedures of modules and subgroups**

### **8.1 Leadership of Modules**

#### **8.1.1 Module chairmen and vice-chairmen**

Each module has a chairman who presides, and undertakes the other tasks as described in these Rules and Procedures. Each module may decide to have a vice-chairman (or more than one vice-chairman).

##### **8.1.1.1. Vacancy**

When the chairmanship of a module falls vacant, the Chairman DVB calls for candidates by notice to the DVB membership no less than 30 days before the next meeting of that module. At that meeting, the module elects the chairman of the module. Decisions on the leadership of the module are taken by the same consensus process as any other action within the module. If however there is more than one candidate, the election is by secret ballot. The candidate winning a majority (more than 50 percent) of the votes cast by those present in person is elected. If there are more than

two candidates, multiple rounds of elections are held until a candidate wins a majority of votes. If during a round no candidate wins a majority then the candidate receiving the least number of votes is excluded from any later round. No more than a single representative physically present at the meeting votes on behalf of a Member. Neither the Member, nor its representative, votes by proxy.

The designee of the meeting chairman collects the ballots and announces the results of each round of voting. Any candidate (or the candidate's representative) may examine the ballot papers.

#### **8.1.1.2. Endorsement**

At the next meeting of the Steering Board, it endorses (or rejects) the chairman elected by the module. If five or more voting members of the Steering Board present at that meeting so request, the endorsement is decided by secret ballot. (If the Steering Board rejects the chairman elected by the module, the Steering Board elects a chairman for that module in accordance with the process for election of Steering Board Chairman.)

#### **8.1.1.3. Term**

The chairman newly elected by the module assumes office immediately, but his election is subject to the endorsement of the Steering Board. The term of a module chairman is two years (or until the meeting of Steering Board, described in article 8.1.1. 4 (b), at which it decides the re-election of Module chairs). The Steering Board may at any time remove a module chairman.

#### **8.1.1.4. Re-election**

The module chairman is re-elected (or another elected) for a two-year term by the process described in this article 8.1.1.4.

- (a) The module re-elects its chairman (or elects a new chairman) at a module meeting falling before the meeting of the Steering Board specified in article 8.1.1.4 (b). No less than 30 days before that module meeting, the Chairman DVB calls for candidates to serve as chairman for such module by notice to the DVB membership. Within the module, the re-election otherwise follows the procedure set out in article 8.1.1.1.
- (b) At the first meeting after its election, the new Steering Board considers the re-election of module chairmen. The re-election follows the procedure set out for endorsements

in article 8.1.1.2.

#### **8.1.1.5 Vice-Chairmen of the Modules**

A vice-chairman of a module is elected, endorsed, removed and re-elected in the same manner as its chairman.

In the absence of the chairman, a vice-chairman presides over meetings of the module.

#### **8.1.2 Reimbursement of travel expenses**

The chairmen of the modules may notwithstanding article 12.1(a) MoU, request reimbursement for travel and accommodation expenses that they incur in connection with their duties, in accordance with the Project Office rules.

#### **8.1.3 Subgroup chairmen**

Subgroup chairmen are appointed by the relevant module, taking into account any proposal from the subgroup. Decisions on the leadership of subgroup are taken by the same consensus process as any other action within a module.

The Steering Board may review and modify those appointments.

#### **8.1.4 Chairmanship for non DVB Members**

In exceptional circumstances, the modules or the Steering Board may maintain a person no longer representing a DVB member as chairman of a subgroup. In that case, the DVB may reimburse the travel and accommodation expenses linked to that activity, in accordance with Project Office rules.

Such a person shall sign on his own behalf (and on behalf of his employer, if any) an IPR undertaking based on Art. 14 MoU. He will be bound by these Rules and Procedures. He will be minuted as representing the DVB.

He shall promptly notify his subgroup and the Project Office if he becomes employed (i) by a Member or (ii) an entity with DVB activities. He shall also give such notice if he (iii) becomes a consultant or (iv) works within a consultancy, in circumstances when, in either case, article 2.1.2.4 would apply. If his change of status is described by (i), (iii) or (iv) above, he shall be deemed to represent that Member (and the reimbursement for travel expenses shall no longer be available). If his change of status of status is described by (iii) (or if he is engaged by any other third party), the

Chairman, upon consultation with the module chairs and the legal director shall decide whether the new circumstances allow for the continuation of the chairmanship.

### **8.1.5 Scope of authority for subgroup chairmen**

No subgroup chairman has authority, express or otherwise, to bind the DVB Project. The office of each subgroup chairman is part of the standards development process within DVB described by its Memorandum of Understanding and these Rules and Procedures. An issue as to the exercise of authority by a subgroup chairman is resolved by the processes set out in these Rules and Procedures, or by reference to the Chairman DVB or to the DVB Project Office.

## **8.2 *Ad hoc groups and working parties***

The Steering Board may create ad hoc groups and expert groups by appointing a chairman and defining a specific task, which will be the terms of reference of the group.

The modules, or their subgroups subject to the subsequent confirmation of the relevant module, may create working parties by appointing a chairman and defining a specific task, which will be the terms of reference of the party.

## **8.3 *Conduct of meetings; reports***

### **8.3.1 Even-handedness of chairman; agenda, meeting report, venue**

The chairmen of DVB modules and subgroups follow generally accepted practices for the conduct of meetings, including:

- The preparation, timely distribution and revision of an agenda and of a meeting report;
- Even-handedness in the leading of deliberations on technical decisions and other matters to come before the subgroup.

For the practicalities associated with organising and holding module and other meetings of the DVB Project, chairmen should refer to DVB Meeting Guidelines, available at

[http://www.dvb.org/resources/public/documents\\_site/meeting\\_guidelines.pdf](http://www.dvb.org/resources/public/documents_site/meeting_guidelines.pdf)

The venue for meetings of subgroups outside of Europe shall be decided by consensus within the subgroup. Subgroups are encouraged, where practicable, to use telephone conferencing and other remote communications tools.

### **8.3.2 Consensus**

A chair's objective is that his group reaches consensus. See e.g. art. 7 & 8 MoU. Consensus on a matter is achieved when there is no sustained objection to the result. Indicative voting is a method available to encourage consensus. Efforts to reach consensus must respond to time constraints (e.g. adopted to respect the calendar for completion of a specification). When consensus is not possible in a timely way, the chair concludes the matter by reporting on the view of the majority of group participants and setting out the minority opinions.

In the absence of a consensus on an issue, a proponent of a minority view makes clear the substance of his divergence so that the minority opinion is adequately presented in the meeting report. The chair may call for, and record in the meeting report, votes in support of the majority and minority views. When recording such a vote, the chair shall record the majority and minority votes of those Members who have attended no less than two of the past three meetings of his group.

If the proponent persists, he (or in his absence the chairman of the subgroup) shall present the minority view to the relevant module for its consideration. The same rule shall apply to the recording, and presentation to the Steering Board, of a minority view by its proponent or by the module chairman.

### **8.3.3 Matters outside subgroup discussion**

Issues on substance and procedure are handled under the consensus process described in article 8.3.2. Questions involving violations of antitrust and other law, and claims of persistent abusive conduct, gross procedural irregularity or other malfeasance within a subgroup, shall be brought promptly by any Member to the attention of the Project Office.

If such a question or claim is raised in a subgroup (and not immediately withdrawn), its chairman may, if appropriate, direct that there be no further discussion thereof in the subgroup. If the question or claim is unresolved within the subgroup, he shall submit it forthwith to the Project Office.

The Member raising such a question or claim shall present it in detail in writing to the Project Office. Under the guidance of the Chairman DVB, the

Project Office shall proceed to a speedy and fair resolution of the question or claim and may, at its discretion, present its conclusions to the Steering Board.

#### **8.4 *Participation by non-Member***

With the approval of the meeting chairman, a representative from a company not a Member of the DVB may attend a single meeting. The meeting chairman takes the steps that that chairman and the DVB Project Office deem necessary to bind the representative to the DVB's IPR and other applicable policies.

#### **8.5 *Terms of reference and formation documents***

The Steering Board approves the terms of reference and internal rules of subordinate bodies but may delegate the approval process for subordinate groups to the relevant module.

The approval is subject to review by the Steering Board.

#### **8.6 *Measuring active support for a work item within Modules***

DVB modules have adopted module rules relating to work items and other matters:

##### **8.6.1 Commercial Module: threshold support for a work item**

Within the Commercial Module, a work item or other matter is not normally allocated substantial resources and meeting time (for example for the preparation of commercial requirements) unless five or more members of the Commercial Module, drawn from at least two constituencies and evidencing support from the full value chain, support the matter. It shall be for the Chairman CM to verify whether the support is sufficient to ensure a successful work item. When such support is absent, the Steering Board may nonetheless launch a work item.

##### **8.6.2 Expeditious completion of work item**

Once a work item has been adopted (by the Commercial or the Technical Module) it shall be completed expeditiously.

##### **8.6.3 Absence of active support for work item**

If a work item fails to maintain active support (that is, participation at

relevant meetings falls below five members drawn from at least two constituencies and evidencing support from the full value chain), the chair of the subgroup responsible for the work item shall so notify the chairman of the relevant module. It shall be for the Steering Board to decide whether the work item should stop or continue.

### **8.7 Preparation of specifications**

In general, the preparation of a specification should provide a single technical solution for each function. A “toolbox approach”, allowing multiple technical solutions, is discouraged. A “toolbox approach” may be considered if it allows flexibility without compromising interoperability or if responds to different requirements in different territories. Subgroups should otherwise strive to achieve consensus around a single solution.

### **8.8 Study Missions**

In response to a request related to future aspects of markets, technologies, promotion or other areas of potential interest to DVB, a module chairman may launch a study mission. The work product of a study mission is generally a report, prepared within six months, proposing future DVB activities (such as one or more work items). Any module may initiate a study mission (but should avoid needless duplication of activity).

## **9 Documentation, disclosure, confidentiality**

### **9.1 Generally**

A Member generally obtains documents from a module or a subgroup by registration of its representative. See also DVB’s Rules on Document Disclosure (annex A hereto).

### **9.2 “Closed” subgroups**

The DVB Steering Board may exceptionally decide the creation of a closed group, access to which may be based on specific criteria. The distribution of documents by such a group may be limited, by decision of the Steering Board, to the group’s membership. The Project Office implements the terms of access to any such group and to its documents.

### **9.3 *Document delivery deadlines***

#### **9.3.1 Steering Board**

In the Steering Board, documents requiring a formal decision should be made available to Steering Board members at least 36 hours before the beginning of the meeting. Documents thereafter shall be subject to decision at the next succeeding meeting of the Steering Board.

However, a meeting of the Steering Board may determine, unless any member of the Steering Board has objected, immediately to decide the matters presented in a late arriving document.

The meeting reports of the Steering Board, but not other Steering Board documents, are made available to all Members.

#### **9.3.2 Module documents**

Modules may adopt rules setting deadlines for delivery of documents before module meetings.

- a) The IPR Module requires that documents be submitted two weeks in advance of a meeting.
- b) The Technical Module has adopted the rules on delivery of draft specifications, progress reports, document delivery, draft agenda and other documents, as set out in TM5304r1.

### **9.4 *Inappropriate content***

The content made available on subgroup reflectors and elsewhere on the DVB website shall be in line with DVB's objectives. Content inconsistent with the Antitrust Guidelines, the Copyright Policy, these Rules and Procedures, and the Terms of Use of the DVB website is not appropriate. Materials infringing copyright, defamatory content, and harmful content are not appropriate. When inappropriate content is called to the Project Office's attention (or the Project Office otherwise becomes aware of such content), the Project Office will remove the content (or take other suitable action), with notice to the submitter of the content.

# **Annex A: DVB's Rules on Document Disclosure**

## **1 Scope, definitions**

This document compiles the rules developed by the DVB Project on the disclosure of documents within DVB and to third parties. These rules also cover the DVB confidentiality policy. This compilation is issued by the Steering Board pursuant to its powers to provide guidance on interpretation of the MoU (art 17 MoU), to determine a policy on the confidentiality of papers (art 13.1 MoU), and to set the entitlements of members of other organisations to receive information on and to take part in the work of the DVB (art 6.2 MoU).

In these rules, a “document” can include a final specification adopted by the Technical Module, contributions and drafts intended to lead to such a final specification and policy advice to regulatory institutions. “MoU” refers to the DVB’s Memorandum of Understanding (or Statutes).

## **2 Disclosure outside DVB.**

The Steering Board alone may disclose a document outside the DVB. For example, in respect of specifications, the Technical Module delivers final “specifications . . . . via the Steering Board to recognised standards setting entities . . . “. Art 8 MoU. It alone is responsible for issuing advice to public authorities. Art 6.2 MoU.

The Steering Board may also delegate the disclosure of documents to other DVB entities. For example, the Promotion and Communications Module may, following priorities set by the Steering Board, provide information on DVB activities and specifications. Art 10 MoU.

A document subject to these rules may be disclosed by DVB in connection with a judicial or contentious regulatory activity only under the terms of a suitable arrangement (“protective order”) that limits further disclosure. See also Rule 6.2 R&P DVB.

When a document is delivered to a standards setting entity, the disclosure rules of that body govern.

The Steering Board may adopt ad hoc or temporary arrangements for disclosure of documents to sister standards fora or to others. Arts 6.2, 13, 17 MoU. See below, paragraph 5.

## **3 Disclosure within DVB**

Within DVB, members are entitled to receive the output documents from the modules of their activities, and the minutes of the Steering Board. Art 13.1 MoU. Members of the modules, and of the Steering Board, are entitled to receive the other documents of the bodies in which they participate. (Members are entitled to send representatives to all modules and thus are entitled to receive, upon request, all documents of all modules.)

The chairman of a sub-group within DVB limits disclosure of sub-group documents to the sub-group and to other sub-groups with which it is developing a specification in concert. Members receive all the documents of the sub-groups in which they participate.

In addition, the chairman of a sub-group may make available documents of a meeting of the subgroup to outside observers. (Such observers are generally invited to no more than a single meeting.)

#### **4 Confidentiality**

Generally speaking there is no “confidentiality” rule within DVB.

The Steering Board has stated,

There is no inherent confidentiality in the DVB specification process. Thus submissions to the DVB are considered to be public, and thus are also considered prior art.

As a result, know-how or an invention may be incapable of protection by way of a patent filing after the disclosure. The exceptions to this principle have been very limited: the work of sub-groups examining the intellectual property rights associated with a specification (for example, TM-TEM); the MEG Confidentiality Agreement as part of the Rules and Procedures for the DVB MHP Experts Group, Blue Book A066, s 4.3.1; and rules covering certain activities for specifying the Common Scrambling Algorithm.

#### **5 Dealings with sister standards fora**

The Steering Board may set down the entitlements of members of other organisations, such as sister standards fora, to receive information on and to take part in the work of the DVB. In some circumstances an expedited approach, as described in the following paragraphs, may be suitable.

As noted above (in paragraph 1) a document is generally shared with a sister forum only after adoption as a specification by the Steering Board. The Steering Board has, in addition, taken the view that a provisional document may be shared after decision of either the Technical Module or Steering Board. Under certain circumstances, when there is no intervening Technical Module or Steering Board, a sub-group chairman may, with the

consensus of the sub-group and with the approval of the Chairman TM (and, where applicable, the author), provide a provisional document to the sister forum; such a decision is to be confirmed by the next succeeding meeting of the Technical Module.

Where a provisional DVB document is shared with a sister forum, it shall bear the legend:

"THIS IS A PROVISIONAL DVB DOCUMENT. IT MAY BE CHANGED BEFORE FINAL ADOPTION BY DVB. THIS PROVISIONAL DOCUMENT IS FOR DISCUSSION PURPOSES ONLY. IMPLEMENTERS ARE NOT ENTITLED TO RELY ON THIS PROVISIONAL DOCUMENT. WHERE POSSIBLE, ITEMS FOR WHICH CONSENSUS HAS NOT BEEN REACHED ARE SUITABLY MARKED, FOR EXAMPLE BY SQUARE BRACKETS. IMPLEMENTERS SHOULD ALSO NOTE THAT ONLY FINAL SPECIFICATIONS ADOPTED BY DVB ARE (SUBJECT TO THE "NEGATIVE DISCLOSURE" RIGHTS OF MEMBERS) ENTITLED TO THE IPR LICENSING TERMS OF DVB'S MEMORANDUM OF UNDERSTANDING."

In addition, at times it may be suitable to allow an extract of a DVB specification, such as graphic material or a limited text, to be incorporated in the specification of a sister forum. Any such extract must be approved by the DVB Project Office and shall bear the legend:

"This is an extract of [DVB specification no XXXX] and is provided as a convenience. Reference should be made to the full specification. This extract is copyright [year] the DVB Project and used by permission. All other rights reserved. This extract may be subject to IPRs held by DVB members and to the IPR policy of the DVB Project."

The Steering Board has, in its IPR Guidelines for Meetings with Sister Standards Fora (Feb 2004), stated that it considers that any joint meeting, its proceedings and its outcome with a sister standards forum may not be disclosed by any participant or the other standards forum. It requires that any statement, written or otherwise, to be disclosed outside the DVB membership, be approved in advance by the DVB Project Office. These Guidelines also contemplate that the DVB may enter into a separate agreement with a forum. Such an agreement can cover arrangements on confidentiality and disclosures.

## **6 Observers, etc.**

The arrangements for an observer are determined by the Steering Board.

Art 2.2 MoU. Documents provided to the MHP Umbrella Group are made available to entities outside DVB according to the practice adopted by that group. A member may disclose documents to third parties for the purpose of developing, testing and demonstrating prototype implementations based on a draft specification provided that the documents are treated as confidential information under the member's non-disclosure agreement.

## **7 Other policies related to disclosure**

There are other DVB materials which set out policy and guidelines on questions related to disclosure. These are available on the IPR page of [www.dvb.org](http://www.dvb.org).

## **Annex B: Antitrust Guidelines of the DVB Project**

### **A General**

The DVB Project is a non-profit entity formed under Swiss law. It follows the competition rules in effect in Switzerland and in the European Union and as generally applied elsewhere in the developed world. It expects its members to follow these rules as well. For general information on competition rules governing standards development, DVB members should consult with their legal counsel. The DVB's Project Office can provide further information (eltzroth@dvb.org).

### **B Conduct during DVB meetings**

During DVB meetings, chairmen should be vigilant that participants adhere to these guidelines.

1. Certain activities are prohibited: the discussion, communication or other exchange of information, or explicit or implicit agreement, during DVB meetings in respect of pricing strategies or product pricing; terms and conditions of sale including discounts and allowances, credit terms, etc.; production levels or capacity; limitation of technical development or investment; allocation of sales territories, markets or customers; market shares, submitted bids or intentions to bid; preventing anybody from gaining access to any market or customer for goods and services; and refusals to deal or do business with competitors, vendors or suppliers.

Note the following qualifications to this prohibition:

- a. The prohibition applies to DVB meetings and activities; these guidelines do not cover discussion, communication or other exchange of information outside of DVB meetings or activities. In these exchanges, DVB members should in any event comply with competition rules.
- b. If a member of a DVB subgroup wishes to make a communication that, in the opinion of its chairman may be prohibited by the first paragraph of this section B.1, the chairman will indicate that the communication is not permitted and refuse to allow discussion on its substance. (The chairman may have formed his opinion by himself or as a result of comments from other members of subgroup.) The member whose communication was not permitted, or any other member, may submit the communication to the IPR Module. If the member is not able to attend a meeting of the IPR Module he may (i)

ask that his communication be recorded in the report of the meeting of the subgroup (that part of the report shall be delivered to the Chairman IPRM); and (ii) communicate directly with the Chairman IPRM.

2. Only the Steering Board and the IPR Module, when acting in fulfilment of the IPR policy of the DVB Project, and notably to foster the formation of patent pools consistent with article 14.9 MoU, may discuss patents and other intellectual property rights associated with specification activity and the licensing and availability of such rights and, within the constraints of competition law, the matters listed in the first paragraph of section B.1. The Steering Board may designate other subgroups expressly to engage in such discussions.

3. Matters raised in DVB subgroups requiring general discussion of specific IPR licensing terms should promptly be referred to the IPR Module or to the Steering Board by the relevant subgroup chairman.

### **C DVB's IPR-related activities**

The DVB Project and its members engage in a number of activities in order to foster the formation of voluntary licensing regimes covering patents essential to DVB specifications. Among these activities are:

- solicitation of confirmation of interest, by participants in specification development, of their willingness to consider forming a licensing programme (“patent pool”);
- provision of means for rights holders to make confidential declarations for an initial determination of essentiality;
- informational sessions with rights holders and others on DVB's IPR policy, its fostering of licensing programmes, and the steps generally taken to complete patent pools:
- making available specialists to consider declarations of essentiality in the light of their technical expertise (“peer review”);
- forum for exchange of views between companies (but not joint negotiations) on the terms offered by a licensing programme or rights holder;
- in respect of selected specifications presenting particular competition issues, assistance in structuring, preparation of documents, participation in aspects of licensing and compliance regime;
- and related assistance, communication and administrative activities.

The Steering Board may by decision adopt further processes in the fulfilment of the IPR policy of the DVB Project or to promote, through disclosure or licensing practices, the implementation of DVB specifications.

Other factors relevant to antitrust considerations, including openness of DVB's membership, balancing of interests, the transparency of the process for adopting DVB specifications, access to DVB specifications, and the availability of an appeals process, are set out in the DVB's Memorandum of Understanding, its Rules and Procedures or in documents therein referred to.

## **Annex C: Remote Participation in DVB Meetings**

These guidelines govern remote participation in meetings of DVB modules and subgroups. It was adopted as Annex C to the R&P DVB by the Steering Board on 6 July 2017.

Remote participation is intended for those who wish to monitor a meeting or to make a short contribution. Remote participation is not a substitute for the dynamic and varied participation among active contributors in a physical meeting. Meeting venues outside the EBU may not have suitable audio-visual equipment for meaningful remote participation. Remote participants do not benefit from conversations on the fringes of meetings, for example over coffee and lunch. Indeed there can be breakout sessions where equipment for remote participation is not available. Remote participants cannot expect to view a demonstration in the meeting room. As set out below, remote participants cannot delay or postpone meetings to accommodate their technical requirements.

It is good practice that a participant is physically present if he has strong opinions on a matter to be discussed. Indeed it is incumbent on the participant to be present if it is expected that the views he presents may ultimately be the subject of a minority report. At a module meeting, subgroup chairs (and module leadership) are expected to be physically present whenever possible.

The resolution of some issues may, in the opinion of the subgroup chairman, require physical participation and the chairman may for that reason decide not to allow remote participation at one or more meetings.

### **Before the meeting**

DVB supplies information for participation by Webex or by telephone.

All participants, including remote participants, register for the meeting.

If the remote participant intends to present a slide set or other materials, he delivers them in advance to the Chairman or to the secretary of the meeting. (All participants follow the document submission schedule adopted for the subgroup.)

### **Joining the meeting**

At the beginning of the meeting, the Chairman conducts a roll call of those who have registered but are not physically present. If the remote participant joins the meeting after the roll call, he announces himself briefly and listens for the acknowledgement from the Chairman or from the secretary of the meeting.

On the attendance list in the meeting report, remote participation will be recorded as “by Webex”. It is the remote participant’s responsibility to check the accuracy of the attendance list.

### **Quality of remote participation**

The remote participant is responsible for his connections. Audio issues may result in the muting of the remote participant’s line and ultimately in disconnection.

If the remote participant presents a slide set or other materials, the better practice is that the Chairman (or his designee) runs the slide set / materials while the remote participant speaks. The Chairman may allow slide sharing from the remote participant.

It is important to note that technical problems with remote participation will not affect decisions taken at the meeting.

A Vice-Chair (or the Chairman’s designee) is responsible for monitoring and, if needed, troubleshooting the remote participation connection.

### **Conduct of the meeting**

The meeting will start and end at the times indicated on the agenda. But remote participants cannot rely on any timings of items set out in the agenda. Indeed, the order of the agenda may be altered.

As in the past, the Chairman leads the meeting and determines the order of speaking. The remote participant can indicate that he wishes to speak by signalling on the Webex or stating briefly that he wishes to get in the queue of speakers. The remote participant speaks when the Chair calls upon him.

During the course of the meeting, some activities may occur outside the meeting room, for example discussions in breakout sessions or in fringe meetings during coffee breaks or over lunch. The results of these activities should be announced in the meeting room to all participants, but remote participants cannot expect to reopen such discussions.

In the rare event that there is a vote, the votes from remote participants will be taken by roll call.

During the course of the meeting, the Chairman (and his designee) will make reasonable efforts to try to address technical issues for remote participants. But continuing technical issues do not impede the overall progress of the meeting nor delay the process for taking decisions.

## Revision history

SB adoption date	Modifications adopted
14 February 2008	Representing a codification of practices of the DVB Project since its inception. They replace in all respects all prior versions of similar collections of the DVB's rules and procedures.
18 February 2010	<p>Incorporates the decisions taken by the 12 February 2009 Steering Board as part of its Strategic Review (ss 8.3, 8.6, new 8.7, new 8.8, 9);</p> <ul style="list-style-type: none"> <li>• Adds the SB's interpretation, also on 12 February 2009, on the ability of the Chairman DVB to allow, for good cause shown, early termination of period before which a member's withdrawal becomes effective (s 2.2.1); and</li> <li>• Provides a new annex B for the Antitrust Guidelines adopted by the Steering Board on 15 October 2008 (SB 1793).</li> </ul>
1 July 2010	<p>New articles on:</p> <ul style="list-style-type: none"> <li>• role of consultants (art. 2.1.2.4);</li> <li>• possibility of sub-group chairmanship for individuals no longer representing a DVB member (art. 8.1.5);</li> <li>• possibility of expense reimbursement for the DVB Chairman, vice-chairmen, and module chairs (art. 4.2.6 &amp; 8.1.2.1).</li> </ul>
31 October 2012	<p>New articles on</p> <ul style="list-style-type: none"> <li>• subject matter not suitable for subgroup discussion (art 8.3 (c)) (new rule adopted Oct 2012 SB ); and</li> <li>• inappropriate content in DVB websites and elsewhere (art 9 (d)) (new rule adopted July 2012 SB).</li> </ul> <p>Amendments</p> <ul style="list-style-type: none"> <li>• taking account of amendments to the MoU (SB seat allocation, adopted Oct 2011) (art 4.1.2);</li> <li>• reflecting the role of the Project Office in the membership process (art 2.1.2) and in other procedures (art 2.2.2.2);</li> <li>• making more explicit the source of SB powers under art 2.2.2.2 and adding an example of the behaviour addressed; and</li> <li>• removing, or otherwise handling, references to Bluebook A066r1 (SB decision July 2012 to recast MHP framework).</li> </ul>

	<p>Renumbering, reordering and clarifying</p> <ul style="list-style-type: none"> <li>• provisions on consultants (art 2.1.2.4) and changes in employment of a subgroup chair (art 8.1.4);</li> <li>• Article 9; and</li> <li>• harmonizing spelling and making minor editorial improvements.</li> </ul>
<p>As Amended &amp; Restated 27 February 2014</p>	<p>The amended and restated Rules and Procedures incorporating</p> <ul style="list-style-type: none"> <li>• a new process for election of module Chairmen and Vice-Chairmen (art 8.1.1 (2 July 2013)) and conforming changes;</li> <li>• provisions changing the process for admitting new Members (art 2.1.1 (2013)) and allowing for proration of the initial membership fee (art 2.1.2.3 (2 Sept 2013));</li> <li>• exceptions, subject to Steering Board approval, to general prohibition against overlap in leadership positions (art 3.2.3.1 (27 Feb 2014));</li> <li>• further disclosure on expense reimbursements (art 7 (28 Feb 2013));</li> <li>• a provision favouring use of remote communications tools for subgroup meetings (art 8.3.1 (28 Feb 2013));</li> <li>• a provision reinforcing adherence to IPR and other policies by non-Member participants (art 8.4 (20 Nov 2013));</li> <li>• reduction of duplication for Study Missions (art 8.8 (28 Feb 2013)); and</li> <li>• editorial changes (art 1, art 2.1.2.4, 8.6.3 (each 28 Feb 2013)).</li> </ul> <p>A rule adopted on 2 July 2013 providing for indemnification for DVB leadership (“art 10” (2 July</p>

	2013)) was added as an amendment to the MoU in January 2014 and is not included in this restatement of the R&P.
3 July 2014	Amendment to Rule 4.2.2 to clarify eligibility to stand for election as Chairman or Vice Chairman DVB. The amendment has effect from 24 October 2007.
26 February 2015	New Rule 8.1.5 adopted on scope of authority of subgroup chairmen and, as an amendment to Rule 8.3.2, a paragraph added to make clear appeals process within DVB; in Rule 8.3.3, in the first paragraph, “should” was replaced with “shall”.
18 November 2015	Amendments were adopted to set out a procedure in litigation (notably document disclosure in third-party litigation): new Rule 6.2 and a new paragraph to para 2 of the Rules on Document Disclosure  Rule 2.2.2.2 was modified to make clear that engaging in audiovisual piracy is incompatible with the MoU DVB.
17 November 2016	Revised initial membership fee, and schedule of payments for partial year membership, in Rule 2.1.2.3.  Addition of sentence to second para of Rule 8.3.2 limiting indicative vote to participating Members.  Document delivery deadlines were modified by addition of Rule 9.3.2
As Amended & Restated 17 November 2016	R&P republished incorporating changes since 3 July 2014 (rev 11).
6 July 2017	New annex C added on remote participation in DVB meetings; as revised, R&P republished as rev 13