

CONCEPTS

<p>Broadcasting or (cablecasting) organization (in the traditional sense)</p>	<p>Broadcast (ing) and cablecast(ing) transmission</p>	<p>Signal</p>
<ul style="list-style-type: none"> • Initiative • Activities <ul style="list-style-type: none"> ○ Packaging ○ Assembling ○ Scheduling ○ Combinations • Scope of responsibility <ul style="list-style-type: none"> ○ Legal and editorial ○ Transmission ○ Communication of signal ○ First broadcasting and (cablecasting) ○ Combinations • Joint or separate definitions for broadcasting and cablecasting 	<ul style="list-style-type: none"> • Transmission <ul style="list-style-type: none"> ○ Signal ○ Set of electronically generated signals ○ (No qualification) • Means <ul style="list-style-type: none"> ○ Wire ○ Wireless ○ Satellite ○ Encrypted or not ○ Over computer networks (include or exclude) ○ Combinations • Reception <ul style="list-style-type: none"> ○ Public ○ General public ○ (No qualification) 	<ul style="list-style-type: none"> • Nature <ul style="list-style-type: none"> ○ Electronically generated carrier • Signal meaning <ul style="list-style-type: none"> ○ Capability of transmitting a broadcast or cablecast ○ Object of carriage: <ul style="list-style-type: none"> ▪ Consisting of sounds or images, or sounds and images, or representations thereof ○ Merged: Means electronically generated carrier capable of transmitting sounds or images, or sounds and images, or representations thereof • Encrypted or not

DEFINITIONS FROM WORKING DOCUMENTS

<p>Broadcasting or (cablecasting) organization (in the traditional sense)</p>	<p>Broadcast (ing) and cablecast(ing) transmission</p>	<p>Signal</p>
<p>“broadcasting organization” means the legal entity that takes the initiative for packaging, assembling and scheduling program content for which it has, where necessary, been authorized by rights holders, and takes the legal and editorial responsibility for the communication to the public of everything which is included in its broadcast signal.</p> <p>(SCCR27/2REV. Alternative A, alternative (a) for Article 5)</p>	<p>(b) “broadcast” means the transmission of a signal by, or on behalf of, a broadcasting organization for reception by the public.</p> <p>(SCCR27/2REV. Alternative A for Article 5, alternative (a))</p>	<p>(a) “signal” means an electronically generated carrier consisting of sounds or images, or sounds and images, or representations thereof, whether encrypted or not.</p> <p>(SCCR27/2REV. Alternative A for Article 5)</p>
<p>(c) “broadcasting organization” and “cablecasting organization” mean the legal entity that takes the initiative and has the responsibility for the transmission to the public of sounds or of images or of images and sounds or of the representations thereof, and the assembly and scheduling of the content of the transmission;</p> <p>(SCCR27/2REV. Alternative B for Article 5)</p>	<p>(b) “broadcast” means the transmission of a set of electronically generated signals by wireless and carrying a specific program for reception by the general public. “Broadcast” shall not be understood as including transmission of such a set of signals over computer networks.</p> <p>(SCCR27/2REV. Alternative A for Article 5, alternative (b))</p> <p>(a) “broadcasting” means the transmission by wireless means for the reception by the public of sounds or of images or of images and sounds or of the representations thereof; such transmission by satellite is also “broadcasting”. Wireless</p>	<p>(a) “signal” means an electronically generated carrier capable of transmitting a broadcast or cablecast.</p> <p>(SCCR27/2REV. Alternative A for Article 5, alternative (a))</p>

	<p>transmission of encrypted signals is “broadcasting” where the means for decrypting are provided to the public by the broadcasting organization or with its consent. “Broadcasting” shall not be understood as including transmissions over computer networks; (SCCR27/2REV. Alternative B for Article 5)</p> <p>(b) “cablecasting” means the transmission by wire for the reception by the public of sounds or of images or of images and sounds or of the representations thereof. Transmission by wire of encrypted signals is “cablecasting” where the means for decrypting are provided to the public by the cablecasting organization or with its consent. “Cablecasting” shall not be understood as including transmissions over computer networks; (SCCR27/2REV. Alternative B for Article 5)</p>	
<p>(a) “broadcasting organization” means the legal entity that takes the initiative and has the responsibility for the first broadcasting of images or sounds, or of images and sounds or of the representations thereof; (b) “cablecasting organization” means the legal entity that takes the initiative and has the responsibility for the first cablecasting of images or sounds, or of images and sounds or of the representations thereof; (SCCR 27/6 Article 2)</p>	<p>(h) “broadcasting” means the transmission by wireless for public reception of images or of sounds or of images and sounds or of the representations thereof; as well as transmission by satellite. Transmission by wireless of images or of sounds or of images and sounds or of the representations thereof, which are carried out by encrypted signals is also “broadcasting” if the means for decrypting are provided to the public by the broadcasting organization or with its consent; (i) “cablecasting” means the transmission by wire, cable, similar to them the means for public reception of images or of sounds or of images and sounds or of the representations thereof; (SCCR27/6 Article 2 (h) and (i))</p>	

EXISTING DEFINITIONS IN INTERNATIONAL TREATIES

<p>Broadcasting or (cablecasting) organization (in the traditional sense)</p>	<p>Broadcast (ing) and cablecast(ing) transmission</p>	<p>Signal</p>
	<p>BTAP, Article 2 (c) "broadcasting" means the transmission by wireless means for public reception of sounds or of images or of images and sounds or of the representations thereof; such transmission by satellite is also "broadcasting"; transmission of encrypted signals is "broadcasting" where the means for decrypting are provided to the public by the broadcasting organization or with its consent;</p> <p>WPPT, Article 2(f) "broadcasting" means the transmission by wireless means for public reception of sounds or of images and sounds or of the representations thereof; such transmission by satellite is also "broadcasting"; transmission of encrypted signals is "broadcasting" where the means for decrypting are provided to the public by the broadcasting organization or with its consent;</p> <p>Rome Convention, Article 3(f) "broadcasting" means the transmission by wireless means for public reception of sounds or of images and sounds;</p>	<p>Brussels Convention, Article 1 (i) "signal" is an electronically-generated carrier capable of transmitting programmes;</p>