



**The International Automotive Lighting  
and Light Signalling Expert Group**

Groupe de Travail "Bruxelles 1952"

## By-Laws Established for the Efficient Operation of GTB (by virtue of article 7.7 of the Statute)

### 0. DEFINITIONS

Throughout these By-Laws the following abbreviations are used:

GTB	The International Automotive Lighting and Light Signalling Expert Group (Groupe de Travail "Bruxelles 1952")
GA	General Assembly
AC	Administrative Committee
CE	Committee of Experts
TSC	Technical Steering Committee
WG	Working Group
TF	Task Force
UN	United Nations
WP29	UN World Forum for Harmonization of Vehicle Regulations
GRE	UN Working Party on Lighting and Light Signalling

#### 0.1 COUNTRY

Country means a separate customs territory

#### 0.2 GTB MEMBER (*Article 5.1*)

GTB member means the national or international member of the Association "GTB".

#### 0.3 DELEGATE (*Note: Art. 15.1 of the Statute defines this as "Advisor"*)

Delegate means a person recognised by his/her GTB member to participate in GTB meetings.

#### 0.4 HEAD DELEGATE (*Note: Art. 15.1 of the Statute defines this as "Delegate"*)

Head delegate means the delegate formally nominated by the GTB member to represent its expert views and to vote on its behalf at the CE

#### 0.5 EXPERT

Expert means a delegate participating in the technical work of GTB.

#### 0.6 GUEST

Guest means any person not recognised by a GTB member, invited by the GA to attend any of the GTB meetings.

#### 0.7 CONSENSUS

Consensus means general agreement, characterised by the absence of sustained opposition to substantial issues.

The process of reaching consensus involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments. Consensus does not necessarily imply unanimity. Abstention does not constitute opposition.

#### 0.8 ADVISORY GROUP

An Advisory Group means a WG or TF with the special function to advise the CE and its WGs and TFs on specific issues.

#### 0.9 "FAST-TRACK" PROCEDURE

Fast-track procedure means a process within a limited time-frame to agree on a proposal where no final decision could be taken at a session.

#### 0.10 Formal Document

Formal Document means a document, usually containing a proposal, that has been submitted before the deadline imposed by the secretary of the GA, CE, WG and TF. This deadline is established to ensure that all delegates have sufficient time to study its contents in order to be in a position to decide upon its acceptability.

#### 0.11 Informal Document

Informal Document means a document submitted after the deadline imposed by the secretary of the CE, WG and TF.

### 1. SUBSCRIPTIONS AND FEES (*article 5.9*)

The annual subscriptions and the deadlines for payment will be defined annually by the AC, taking account of the estimated running expenses and the status of the current account including the contingency fund, and shall be approved by the GA.

In the case that a new member is accepted for admission it will be required to pay an application fee . This fee, determined by the AC and approved by the GA, is not negotiable.

### 2. ADMINISTRATIVE STATUTORY BODIES

#### 2.1 GENERAL ASSEMBLY (GA) (*Article 7*)

Each GTB member shall designate, in writing to the GTB Secretary, one person (*Note: Art. 7.1 specifies this as "Delegate"*) to participate at the GA; this person shall be the member's official representative. This designated representative is responsible for communicating the GTB decisions back to the member organisation.

In the case where the designated representative is unable to participate, he / she may nominate an alternate person for a specific session.

In the case where the requirement for an important decision has been communicated in advance, a member may vote in writing by electronic mail, by facsimile or by registered mail. In each case the secretariat shall specify the date and time by which the votes are to be received in the GTB office.

Votes received after the specified deadline shall not be counted.

## 2.2 ADMINISTRATIVE COMMITTEE (*Article 8*)

The AC shall take decisions by consensus. Where it is not possible to reach consensus the President has the power to make a decision in urgent cases.

Only members of the AC officially represent GTB outside of the association. In exceptional cases the AC may appoint a delegate from within GTB to officially represent the association.

## 2.3 PRESIDENT AND VICE PRESIDENT (Articles 7.8, 7.9, 9 and 10)

The person elected to be President or Vice President of GTB shall:

- a. have international experience of participation on committees, preferably in the field of automotive and/or lighting.
- b. be familiar with the work of GTB and the committees where he /she is representing GTB.
- c. in the case of the President, be available to attend the GA, AC, CE, TSC meetings and to represent GTB at the UN meetings of GRE and WP29
- d. in the case of the Vice President, be available to attend the GA, AC, CE, TSC meetings and to support the President at the UN meetings of GRE and, optionally, at WP29.
- e. be easily accessible for the Secretary.

The Secretary shall inform the GA at least 3 months in advance for (re-)elections of the President or Vice President. The candidates for the offices of President or Vice President of GTB can be proposed by any GTB member, provided that they are also seconded by another GTB member. Nominations shall be sent by the designated representative(s) to the Secretary at least 4 weeks before the GA.

In order to be elected, a candidate must obtain at least two thirds of the votes cast by the members present and voting (including proxy votes and written votes).

In the case where there are two or more candidates and no one obtains two thirds of the votes cast, voting shall be repeated for the two candidates who have obtained the highest number of votes in the first round of voting. In order to be elected in the second round of voting a candidate must obtain the simple majority of votes.

In the case of only one or two candidates and no one obtains two thirds of the votes cast, the GA will be required to decide whether to carry out a second vote, elect the candidate having the simple majority or take urgent action to identify another suitable candidate.

In the exceptional situation where it is not possible for the existing President to continue the Vice President will undertake the function of the President during the remaining part of the term or until a new President is elected.

## 3. TECHNICAL STATUTORY BODIES

### 3.1 COMMITTEE OF EXPERTS (*article 15*)

The CE shall be hosted, in rotation, by one of the GTB members at a time determined at an earlier CE session.

The schedule of meetings for the CE is to be planned preferably at least one year ahead and taking into account the schedule of UN meetings.

The GTB member will assemble a delegation to participate in the CE consisting of a Head Delegate, possibly accompanied by delegates as part of the GTB Member's delegation .

### 3.2 TECHNICAL STEERING COMMITTEE (*Article 16*)

Participation at the TSC is restricted to the chairpersons and secretaries of Working Groups and those Task Forces that report directly to the CE. Task Forces established to report to a working group are not included because they are represented by the relevant working group.

The TSC may invite any GTB experts when their expertise is required.

The TSC is required to reach decisions by consensus but will always be required to seek endorsement of its decisions by the CE.

### 3.3 WORKING GROUPS AND TASK FORCES (*articles 15.5 to 15.7 inclusive*)

Each WG and TF is required to establish its terms of reference that shall be agreed by the CE.

WGs shall operate according to their terms of reference and work on items delegated and/or agreed by the CE. However a WG may start working on new items at the request of an individual expert provided that this is reported to the next meeting of the CE.

The WG Secretary shall make all WG documents available on the relevant website. Additionally, reports of the WG meetings shall be posted on the GTB website as official CE documents.

Each WG and TF directly reporting to the CE shall provide a brief status report for each CE session.

## 4. CHAIRPERSONS AND SECRETARIES OF THE WGs and TFs (*Article 15.5*)

The CE establishes WGs and TFs and appoints their Chairpersons and secretaries. The Chairperson and Secretary of a WG or TF shall be considered to be elected if a minimum of 2/3 of the members are present for the vote (a member sending a proxy is considered to be present) and at least 2/3 of these members support their nomination.

The Chairperson and Secretary of each WG shall have a term of office of 4 years and may be re-elected. The Secretary shall communicate the end of office of the Chairperson and Secretary to the WG at least 2 months in advance.

## 5. PARTICIPATION IN MEETINGS (Articles 15.5 to 15.7 inclusive)

Participation in the CE, its WGs and TFs shall be open to any GTB delegate. However, for the efficient functioning of a particular WG or TF, the CE may decide that delegates shall be required to meet specific criteria in order to participate.

The chairpersons of the GA, CE, TSC and the various WG and TF shall read the statement in Appendix 2 of the GTB competition law compliance policy at the start of every meeting (Art. 4, 3<sup>rd</sup> bullet) and shall take action to stop a discussion, and report to the Administrative Committee if any breach of the policy is suspected (Do's #6).

All experts wishing to participate in meetings shall inform, in advance, their GTB member and/or the Head Delegate about intended participation, in accordance with the applicable rules of their GTB member.

Experts participating in the CE may be invited by their respective Head Delegate to intervene during the course of the discussions under the condition that they do so to share their expert knowledge as advisors in support of a formal position of their delegation in the CE.

Experts participating in WG and TF meetings shall operate independently, on the basis of their expertise, representing their own expert view that may not necessarily be consistent with the positions adopted by their delegation in the CE. The opinion of experts shall not be construed or reported as a company position.

The updated list of GTB delegates and their contact details will be provided by the GTB Secretary for each session of the CE.

After each meeting the secretary of the WG or TF shall maintain an up-to-date list of experts that indicated readiness to contribute on a permanent basis to the work of the WG or TF. Such a list shall be made available on the website of the relevant WG.

The WG or TF Chairman is responsible for monitoring the performance of the WG or TF experts. The guideline for acceptable performance is:

- ability to take an informed position
- active contribution to requests for feedback in the meeting or by e-mail
- attendance (in person or via telecon, internet etc., dependent on meeting format)

The TSC has the right to recommend to the appropriate GTB member or its Head Delegate that a Chairperson, Secretary or expert shall be asked to resign from the WG due to unacceptable activity.

If a Chairperson deems that the expertise of a guest is necessary to support progress of the WG or TF, the TSC shall be requested to seek approval of the GA. Guests are not entitled to be included in the decision (consensus or voting).

It is the responsibility of the host to provide sufficient meeting facilities that are open to those that are entitled by GTB to participate. However under certain circumstances it may be necessary to restrict the number of participants at meetings. The AC shall have the authority to intervene as necessary.

All participants to GTB meetings shall sign the attendance sheet, for identification only. The attendance sheet must specify the following details of the participants to the respective meeting:

- Name of the participant
- Name of the participant's GTB member
- E-mail address of the participant
- Signature of the participant

## 6. DECISIONS IN GA, COMMITTEES, WGs AND TFs, QUORUMS and VOTING

As an overriding principle the CE shall only reach decisions on formal documents and informal documents, if these are referring to formal documents. A WG or TF shall only reach consensus on formal documents; informal documents may be treated as formal documents at the session if there is consensus when the Chairman makes a “tour de table” amongst the experts of the WG or TF.

Meetings shall be considered to be quorate under the following conditions:

- a) GA: at least 2/3 of the members of GTB are represented.
- b) AC: at least 2/3 present.
- c) CE: at least 2/3 of the Head Delegates are present.
- d) TSC: at least 2/3 of the WG and TF Chairpersons are present.
- e) WGs and TFs: No requirement to be quorate

In all cases, except for WGs and TFs, meetings where decisions are to be taken shall be quorate. In the case where a meeting is not quorate discussions and exchange of views may still continue. The proceedings of the meeting shall be recorded in the formal report and may form the basis of discussions at subsequent meetings.

Except for the GA, where decisions shall be made by a 2/3 majority of the votes cast, all decisions in the committees, WGs and TFs shall be made by consensus. Only those experts whose names appear on the list of experts of the respective WGs contribute to the process of reaching consensus.

Committees, WGs and TFs shall endeavour to reach a consensus through a process that may involve several meetings. Where consensus is not possible after a first consideration of a proposal, the matter shall be carried forward to the next meeting for further evaluation. If it is still not possible to reach a consensus and the Chairperson believes that no further progress can be made, then, in the case of:

- a) CE: a voting shall take place. If there is no negative vote cast to substantial issues from two or more members, where at least one of the opposing members shall be a delegation having a direct regulatory impact from the proposal that is being opposed, the proposed decision shall be deemed to have been adopted; otherwise the proposal is rejected and off the agenda. A modified proposal may be submitted for next session.
- b) WGs: the chairman of the WG shall report this to the CE and seek advice.
- c) TFs: the chairman of the TF shall report this to the relevant WG (or CE) and seek advice.

A fast track procedure applicable to the CE may be used where there is urgency to have proposals approved in the shortest possible time. The use of a fast track procedure implies:

- availability of the proposal on the GTB website for at least the duration of the fast track as agreed by the CE
- at least 2/3 of the members have submitted a written response by letter, fax or email within the deadline agreed by the CE
- approval by consensus of the respective statutory body.

In exceptional cases of justified urgency, an informal document, having no connections with items on the agenda of the running or the previous session, may be submitted for fast track procedure. In such cases, no final decision shall be taken at the CE meeting but, in case a final decision is required, the informal document shall be turned into a formal document and the fast-track procedure shall be used.

## 7. DOCUMENTS, AGENDAS and REPORTS.

All documents shall follow a standard format defined by the TSC.

### 7.1 General Assembly

Any proposals for consideration of the GA shall be formally submitted to the Secretary at least 30 days before the meeting. The Secretary shall issue the agenda and the relevant formal documents at least 20 days before the start of the meeting.

The minutes of the GA meeting shall be issued no later than 4 weeks after the session.

### 7.2 Committee of Experts

In preparation for a meeting of the CE, the Secretary shall confirm the deadline date for the submission of formal documents. This deadline shall be 6 weeks before the start of the CE meeting.

The Secretary shall issue the agenda for the next CE meeting and all the relevant formal documents at least 4 weeks before the start of the session.

An informal document shall be addressed under "Any Other Business" on the agenda, or under an existing item on the agenda.

The minutes of the CE meeting shall be issued no later than 10 weeks after the session.

### 7.3 Technical Steering Committee

The Secretary shall issue the agenda and the relevant documents for the TSC meeting at least 20 days before the session.

The minutes of the TSC meeting shall be issued no later than 6 weeks after the session.

## 7.4 Working Groups and Task Forces

The Secretary of each WG and TF shall, in consultation with the Chairperson, issue the agenda, documents and minutes for the committee's meetings. Agendas and the relevant formal documents shall be posted on the GTB website at least 3 weeks in advance of the session. The minutes of the meeting shall be posted on the GTB website as soon as possible thereafter and no later than 6 weeks after the session.

Formal documents intended for discussion at WG and TF meetings must be submitted before the deadline determined by the Secretary. Informal documents may be submitted prior to, or during, a session.

## 8. PROPOSALS RELATING TO THE WORK OF MORE THAN ONE WORKING GROUP.

When a WG creates a proposal that overlaps with the work of another WG, the proposal shall be referred to that other WG and not presented directly to the CE. If the respective WGs are unable to reach agreement on the proposal, the matter shall be referred to the TSC.

## 9. RELATIONS WITH OTHER ASSOCIATIONS AND ORGANISATIONS

In the case where a proposal does not receive support from the TF or WG, the originator of the proposal is free to seek support in other organisations, but only after the proposal has been withdrawn from the WG or TF. However, once a proposal is adopted by a WG and is submitted to the CE, it is specifically forbidden to initiate any parallel path activities with other groups, in an attempt to gain advantage or overcome difficulties to reach a consensus in the CE.

Where the CE formally rejects a proposal, the originator is free to seek support from other groups or associations but GTB reserves the right to register an opposition as appropriate during subsequent regulatory or standardisation activities.

The above rules do not prevent the CE deciding to cooperate with other standardisation groups or associations to jointly promote a new proposal but this decision shall be formally endorsed by the CE. Further, these rules are not intended to stop a parallel submission for different standards such as UN, ISO, IEC, CIE, SAE as long as reasonable efforts are made to mutually harmonise the standards.

## 10. GUESTS

Following prior agreement of the GA, the GTB committees, WGs and TFs may invite guests to attend their meetings. The GA shall define the terms under which such guests are to be invited, e.g. whether they may address the meeting, how many meetings they may attend, confidentiality of discussions, non-use of information shared with the guests, etc.

Representatives of research institutions prepared to cooperate with GTB by conducting research and by sharing their findings may be invited by a WG or TF chairperson to participate in its WG or TF meeting following approval by the AC. The usual GTB conference fees may be waived at the discretion of the AC in conjunction with the host of the meeting.

## 11. MANAGEMENT OF GTB DOCUMENTS AND GTB INFORMATION

GTB documentation, mailing lists and other information is intended solely for the use of its members and their experts; it shall not be distributed outside of the GTB membership without prior approval of the GA and it shall not in any circumstance be used for commercial purposes.

### 11.1 GA Agenda, Documents and Minutes

Copies of the Agenda, the Documents indicated on it and the meeting minutes shall be distributed by the Secretary via email to the designated representative of each GTB member.

### 11.2 Agenda, Reports and Working Documents

Except for the GA, copies of all documents shall be available, with password protection on the GTB website, to all GTB experts. They shall be clearly identified as GTB documents following a standard format, determined by the TSC, with a statement that they are for internal use only and shall not be copied or distributed outside of GTB without permission of the AC.

### 11.3 Promotion of Awareness of GTB Activities (Article 8.3)

Information and promotional materials relating to GTB activities shall only be provided to parties outside of the GTB structure after assessment by the AC and with the approval of the GTB President. Following approval by the AC, promotional materials and general information concerning GTB activities shall be available on the home page of the GTB website as public documents without restriction.

## 12. GTB Competition Law Compliance Policy

A full and current version of the GTB Competition Law Compliance Policy shall be openly available on the home page of the GTB website.

There is a particular responsibility on delegates and guests to understand and comply with this policy and the AC shall send a formal written complaint to a GTB member or guest concerning the conduct of the participant found to be infringing the GTB policy.

The compliance statement to be found in the current version of the GTB Competition Law Compliance Policy available on the home page of the GTB website shall be read at the start of all meetings of GTB in order to remind experts and guests of their requirements under competition law. The chairperson of the meeting is responsible for ensuring that this is the first item on the meeting agenda and for reading the statement word by word. Exceptions to this requirement shall not be tolerated.

Compliance with the GTB Competition Law Compliance Policy shall also apply to events associated with the GTB meetings, including social and networking events.

In order to ensure on-going and sustained awareness of the importance of competition law compliance the AC shall ensure that regular reminders are issued using the current version of the GTB mailing list to reinforce the GTB commitment to competition law compliance.

### 13. INTELLECTUAL PROPERTY RIGHTS

When and if the CE agrees that the CE, a WG or a TF may start to work on an issue or item, all experts shall inform the CE about any relevant patent rights or other relevant registered intellectual property rights (together known as "IPR") of which they are aware at any time during the work. Background IPR is considered IPR that existed before discussion in GTB. Foreground IPR is IPR that results from discussion in GTB.

For the avoidance of doubt, the disclosure obligation herein touches only IPR of which the participants in the CE, a WG or a TF are in fact aware, and does not imply any obligation on GTB, on behalf of the participants or their employers, to conduct an IP search.

If technical reasons require the preparation of a GTB document in terms that include the use of such known Background IPR, the TSC shall be informed via the GTB secretariat. Such a GTB document intended to become part of a legal instrument shall not include provisions requiring the essential use of known Background or Foreground IPR unless:

- (1) the owner has made an irrevocable commitment that a license will be made available without compensation to the applicants desiring to utilise the license for the purpose of implementing the requirements in a GTB document that is intended to become a legal instrument; or
- (2) the owner has made an irrevocable commitment to provide a non-exclusive license on reasonable and non-discriminatory conditions to any party wishing to comply with the legal instrument, or
- (3) it is possible to comply with the legal instrument without using the IPR.

If information relating to Background or Foreground IPR arrives at a late stage in the development of a proposal, or if there is an uncertainty regarding the existence of IPR, the CE, upon advice of the TSC shall decide how to proceed and may decide to stop working on the subject until the situation is clarified.

Copyright of original contributions by participants in the work of GTB remains the property of the contributor. However, the contents of all documents carrying the GTB logo, whether formal or informal, are deemed to be the joint work product (compilation) of all experts involved in their production and the copyright of these contents is the shared property of GTB experts, without prejudice to other IP rights, which are not affected by this IPR policy.

If an invention results from a discussion in any GTB meeting, the invention is considered to be in the public domain, and not eligible for filing of a patent.

### 14. BINDING OBLIGATIONS ON ALL DELEGATES

All delegates are bound by the GTB Rules, i.e. the Statute and these By-Laws.

The General Assembly is entitled to identify individual experts for exclusion from GTB meetings, if they appear to violate GTB Rules. In such cases, the GTB member that is nominating such an expert is advised to ban this expert from future GTB meetings.

*Agreed at the 12<sup>th</sup> General Assembly of GTB on 21 November 2016 in Taichung, TW.*