[DE] Navigator Standards

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In May 2004, the Gemeinsame Stelle Digitaler Zugang (Joint Digital Access Office - GSDZ) of the Landesmedienanstalten (Land media authorities) published a paper on the navigator standards set out in Art. 53 of the Rundfunkstaatsvertrag (Inter-State Broadcasting Agreement).

The Agreement defines navigators as "systems ... which control the selection of television programmes and which are used as user interfaces for all services offered via that system". According to the GSDZ document, they therefore include all navigation systems which act as user interfaces once the viewer has switched on their receiver or called up the relevant function using their remote control. The determining factor is what the viewer sees on the screen rather than what systems or services are available via the receiver or the transmission network. Examples given include portals used as the home page of a platform operator. Such a home page controls access to the different services available on the platform, eg broadcast services, Internet, Video-on-Demand, etc. Another example is the EPG-Navigator, which analyses the data sent via DVB and converts it into graphics and content. In the GSDZ's view, the wording of the provision suggests that its scope should be understood to be all-encompassing from a technological point of view. This particularly applies to the devices and networks through which these navigation systems are distributed. The standards therefore also apply if signals are received via a TV card on a PC or on a mobile reception device. They cover all transmission systems, including satellite, cable and terrestrial, and even the telephone network if it used to transmit a TV broadcast (via DSL, for example).

The whole purpose of this provision is to protect diversity of opinion. According to the GSDZ's interpretation of Art. 53.1, providers of navigators should, in principle, offer all broadcasters services under equal, suitable and non-discriminatory conditions, so that all television services offered by those broadcasters are covered by the navigator and can thus be selected and accessed by the viewer. Therefore, all available channels must be included and made accessible in a non-discriminatory manner. Similar services must therefore be treated equally. Under Art. 14.1.2 of the Satzung über die Zugangsfreiheit zu digitalen Diensten (Rules on freedom of access to digital services Zugangssatzung), which according to Art. 53 para. 7 of the Rundfunkstaatsvertrag lays down the detailed content-related and procedural arrangements for Art. 53, access to programmes must be

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provided in a way that does not make it more difficult to find and access certain content, particularly the must-carry and can-carry programmes. In addition, Art. 14.2.2 of the Zugangssatzung states that users themselves should at least be given the option of determining the order in which programmes are listed.

Under the terms of Art. 53.2 of the Rundfunkstaatsvertrag, navigators must, in accordance with current technology, give equal precedence to public service and private channels. However, it is considered acceptable if, when the set-top box is switched on, the channel that was last selected is shown. In such cases, the requirement set out in Art. 53.2 can therefore only apply to the initial step taken by the user after switching the navigator on. This entails pressing the corresponding button on the remote control, which brings up the navigation window to which the provision applies. According to the GSDZ, it is not a problem if the list of channels is sorted into different categories (eg general, sports or news channels) or if, as well as (analogue) free channels, further specialist channels, pay-TV channels or other services are mentioned at this initial navigation stage. The rules are merely designed to protect the existing balance within the dual public/private system.

Navigators must also enable users to switch directly to individual channels. In the GSDZ's opinion, this means that the user should be able to switch directly back from a channel to the navigator.

The paper has been distributed to interested parties and will be gradually revised on the basis of their opinions and suggestions. In the meantime, it will be used as a basis for the decisions of the Landesmedienanstalten in accordance with Art. 53.4 of the Rundfunkstaatsvertrag in connection with Art. 5 of the Zugangssatzung on the compatibility of navigators with Art. 53.2 of the Rundfunkstaatsvertrag.

Navigator standards - GSDZ discussion paper, version of 4 May 200

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