

Open Database Alliance

Policy for in-kind contributions

pertaining to Section 5.2 of the ODBA Articles of Association

The Open Database Alliance is an association driven and supported by the contributions of all its members. These contributions take many different forms, such as active participation in the internal affairs of the association, external representation and presentation of the association, and the annual membership fees, as defined accordingly to Section 5.1 of the Articles.

These dues are the primary source of necessary resource for the ODBA to pursue its goals and are therefore an essential part of each member's contribution to the ODBA. At the same time not all members pursue commercial goals, e.g. user groups and other non-profit associations, and some members will be valuable as members to the ODBA even if they pursue commercial goals but may not yet have the maturity required to sustain payment of ODBA membership fees in cash.

The intent and purpose of this policy is to reconcile these two important cornerstones of the ODBA to allow wider participation in the ODBA through in-kind contributions that directly benefit and promote the goals and work of the Open Database Alliance.

1. Companies & other commercial/for-profit members

As an industry association, members of the ODBA are predominantly pursuing for-profit goals. Many members will be in a relationship of cooperation and/or competition with each other, making it essential that all members contribute appropriately and that no commercial entity unfairly avoids payment of membership fees to the detriment of competitors and the ODBA itself.

Whether a member meets the requirements for in-kind contribution according to this policy shall therefore be evaluated on a case-by-case basis by the ODBA Board of Directors and the decision shall be revisited annually.

1.1. Eligibility / Prerequisites

The primary form of paying a membership fee shall be a normal cash payment. Applications for in-kind payment will be considered for applicants that demonstrably cannot sustain the membership fees of the ODBA due to being in an early phase of their operation and have less than 5 million USD annual turnover.

There are three forms of contribution that are eligible for in-kind payment of membership fees:

a) Technical Projects related to Open Source Databases supported by the ODBA

Binding commitments related to the Open Source/Free Software Databases supported by the

ODBA are eligible for in-kind contribution **ONLY IF** the regular and market usual price of such a project exceeds the due membership fees **AND IF** the results will be available in their entirety to all members of the Open Database Alliance under an Open Source/Free Software license **AND IF** these commitments are a useful contribution as agreed upon by the ODBA Board of Directors.

b) Hardware and other real-life contributions

Contributions in hardware and other real-life contributions, including activities such as organizing, staffing and outfitting an ODBA presence at a trade-show or conference, are eligible for in-kind contribution **ONLY IF** the street price or market usual rate exceeds the due membership fees **AND IF** these contributions are **EITHER** of true benefit and value to the ODBA itself, such as by eliminating an expense that would otherwise occurred **OR** are available and beneficial to all members of the ODBA equally **AND IF** the member takes full responsibility for the fulfilment of the contribution, including re-payment in case the contribution was not realized as discussed **AND IF** the contribution is evidently useful and necessary for the ODBA and its members as agreed upon by the ODBA Board of Directors.

c) Commercial Services & Subscriptions

Services and/or subscriptions of a member are eligible for in-kind contribution **ONLY IF** the regular street value of the proposition exceeds the due membership fees **AND IF** they are regular and public commercial offerings related to the core business of a company for which the ODBA is not the only customer **AND IF** this in-kind contribution **EITHER** eliminates an existing expense for the same or a similar service **OR** is evidently useful and necessary for the ODBA and its members as agreed upon by the ODBA Board of Directors.

Other forms of contributions might also be deemed eligible upon discretion of the board on a case by case basis. Acceptance of such contributions shall be accompanied by a rationale available to all members to ensure there are no misgivings or concerns about free riding that could cause dissatisfaction among the members paying their fees normally.

2. User Groups/Associations & other non-profit entities

User groups and other non-profit associations typically do not have the same resources available as commercial entities and are typically not direct beneficiaries of the ODBA activities, although their members would be. The function of this group within the Open Database Alliance is to provide the necessary diversity of views and balance the interests of the other members with a market and end-user perspective. This is part of the feedback cycle in the Open Source/Free Software ecosystem and essential for successful operation of the Open Database Alliance, thereby benefiting all members.

In order to facilitate participation of this group in the Open Database Alliance the active participation in the work of the association, including in honorary position on the Board of Directors, shall usually be deemed sufficient as in-kind contribution for the membership fees.

Whether a member meets the requirements to be eligible under this section of the ODBA policy for in-kind contributions shall be evaluated by the Board of Directors on a case-to-case basis, and the decision

shall only be revisited upon request by a Director of the ODBA.