

APRA Europe

COMPETITION AND ANTITRUST LAW POLICY

Preamble

APRA Europe is committed to complying with competition and antitrust law.

This document gives guidance to the APRA Europe Board of Directors as well as the association members on how to comply with relevant laws.

It defines rules for Board meetings, conferences, symposia, exhibitions as well as other meetings and events with contribution of APRA Europe because such meetings and events pose risks of exchanging inappropriate information with competitors.

General rules

APRA Europe neither contributes to any discussions or agreements with companies that might be competitors on the following issues nor does APRA Europe provide any framework or platform:

- Prices, margins, costs, profits, rates, surcharges, discounts, terms of contracts with customers or suppliers, volumes, capacities, production performance etc.
- Tenders, customer or supplier lists, future strategies, non-competition, division and allocation of customers, markets, regions, countries, products etc.

Rules for meetings (internal and external)

- All meetings shall have a detailed agenda and made available to all participants before the meeting
- The Agenda may include an item “Any other business (AOB)” where additional topics may be raised by any participant before the meeting. Such updated Agenda also must be made available to all participants before the meeting.
- Participants of the meetings shall have carefully read and understood the APRA Europe Code of Conduct on Competition and Antitrust
- Every meeting starts with a review of the APRA Europe Code of Conduct on Competition and Antitrust, also to be put as the first item on the agenda
- The Code of Conduct must be made available to all members and participants of meetings
- It shall either be circulated by electronic means or provided for public download on the APRA Europe website
- Every meeting shall be documented by meeting minutes which have to be provided to all participants

Rules for social and networking events

- Participants shall not contribute to inappropriate discussions
- Participants shall actively express disagreement and leave any inappropriate discussion

Rules for data exchange

- No sensitive or confidential data or business information shall be shared
- Any shared information must not include current or future figures/data

DOs and DON'Ts for complying with competition and antitrust law

DOs

- Inform yourself about competition and antitrust law requirements (i.e. read and understand the APRA Europe competition and antitrust law policy)
- Prepare a detailed Agenda to every meeting, mentioning all topics to be discussed
- Make Agenda available to all participants before the meeting
- Limit meeting discussions to the items mentioned on the Agenda
- Always prepare meeting minutes, including a list of participants
- Make meeting minutes available to all participants
- Never accept or contribute to inappropriate discussions
- Express disagreement in the case of inappropriate discussions and leave the meeting, if necessary
- In close connection with our association activities, you are allowed to exchange market information on:
 - General industry trends
 - Governmental policies and regulations
 - Technological/scientific developments

DON'Ts

Do not discuss the following issues with your competitors:

- Price, price changes, price differences, discounts, future pricing, pricing policy
- Profits, margins
- Rebate and condition requests from customers
- Conditions of sale, including conditions of loan approvals
- Costs, capacities, inventory, sales, wage, and salary rates
- Production restrictions (neither type, nor quantity of products)
- Suppliers, customers, competitors, and their creditworthiness
- Details of an offer, particularly prices
- Boycotting of other market participants
- Allocation of customer territories or markets
- Product or marketing plans, including product development, production, distribution, marketing of current and future products
- Changes in production or demand
- Participation in calls for bids
- Agreements restricting the hiring of each other's employees