

BDVI Company Association Meeting

Rules for Anti-Trust-Compliance

BDVI:

BDVI is a professional and scientific association organized to further promote the application of the sciences in the packaging and related industries. Its aim is to promote research and education in the areas of interest of its members. BDVI is not intended to, and may not, play any role in the competitive decisions of its members or their employers, or in any way restrict competition in the packaging and related industries.

Albeit the membership in BDVI or any other professional or trade associations does not as such raise any antitrust law concerns, certain guidelines should be respected as regards to the behaviour of members of the BDVI. This applies in particular where representatives of competitors attend meetings or seminars of BDVI.

Behaviour at BDVI Meetings:

An Industry association meeting provides an opportunity for members to discuss and exchange information related to their industry. However, these discussions must be limited to matters of legitimate association business. It is important that attendees do not engage in discussions or agreements that may lead to a restraint of trade or competition in violation of anti-trust laws.

Any discussion or agreement regarding prices, rates, discounts, or other terms of sale is strictly prohibited. Attendees are **prohibited from discussing or agreeing on allocation of markets, customers, territories, or sources of supply, or boycotting any supplier, customer, or competitor**

Moreover, attendees must **refrain from exchanging sensitive or proprietary information.**

Any violation of the anti-trust policy will not be tolerated, and may result in immediate expulsion from the association and/or legal action. It is also important to note that the policy applies not only to the association meetings but also to any other communication between members

The BDVI is committed to upholding all applicable anti-trust and competition laws. Our association meetings provide a forum for open and honest discussions among members. However, to prevent any violation of anti-trust laws, we require all attendees to agree to and strictly adhere the following:

- 1. Discussions and exchanges of information at association meetings shall be limited to matters of legitimate BDVI Company Association business;**
- 2. Agreements or actions that may lead to restraint of trade or competition in violation of anti-trust laws are strictly prohibited;**
- 3. No discussion or agreement shall be made regarding prices, rates, discounts, or other terms of sale;**
- 4. No discussion or agreement shall be made regarding allocation of markets, customers, territories, or sources of supply;**
- 5. No discussion or agreement shall be made regarding the boycott of any supplier, customer, or competitor;**
- 6. No discussion or agreement shall be made regarding the exchange of sensitive or proprietary information;**
- 7. No BDVI member should undertake the collection of individual (member)company cost data, or contribute to the dissemination of any compilation of such data.**

BDVI Company Association-Meeting-Rules

Short Version

The main purpose of this document is to prevent any discussion or action that may lead to a **violation of anti-trust laws**. Please strictly adhere to this document as well as comply with the BDVI Anti-Trust Policy that can be found at:

<https://place-conference.eu/about-us/competition-compliance-program/>

Anti-trust laws are designed to promote fair competition in the market and prevent any practices that may harm consumers or other businesses.

Before the meeting, please always request and carefully check the agenda and list of participants. Check the agenda with a view to the issues set out below. Always contact your company's legal counsel in case of any doubt as regards to the issue to be discussed in the meeting. Be mindful in case other participants represent a competitor of your Company and avoid any suspicious activity, also before the meeting (i.e. shared travel etc.).

During the meeting, please take minutes of all issues discussed if such minutes are not provided by the association itself. Please avoid discussions or exchange of information as regards to the issues set out below. If any such discussions or exchange of information occurs, please actively distance yourself (ideally by having your protest recorded in the minutes) and walk out from the meeting. If there is an investigation at a later date concerning possible antitrust violations at the meeting, mere attendance may impute liability and a perception of collusion by the company. Immediately after leaving the meeting, please contact the company's in-house legal counsel.

Ideally, a legal counsel with anti-trust expertise is present during the entire meeting.

After the meeting, please always check the minutes, even if you have not been present. If you find evidence that discussions or exchange of information as regards to the issues set out below occurred at the meeting, please actively distance yourself by way of a protest in writing and immediately contact the company's in-house legal counsel. If there is an investigation at a later date concerning possible antitrust violations at the meeting, you may have to show that you either were not aware of its existence or have actively distanced yourselves from it before the investigation started.

On a number of topics/issue, discussions in association meetings should be avoided. Such topics/issues comprise amongst others:

- **conversations with competitors regarding the prices of products; If a presentation or communication contains historical pricing trends for the industry, it requires prior approval by legal experts;**
- **conversations with customers or resellers regarding the maintenance of resale prices of products;**
- **conversations with competitors regarding quantity of production or other factors that might impact the price;**
- **conversations with competitors regarding construction, addition or alteration of manufacturing facilities;**
- **conversations with competitors regarding limiting product line-ups;**
- **conversations with competitors regarding territorial, customer or other restrictions on distributions;**
- **conversations with competitors regarding restricting the licensing of a patent pool to new entries into the market;**
- **conversations with competitors regarding agreements or understandings to refuse to do business with one or more third parties (boycott);**
- **conversations with competitors regarding achievement of joint policy goals / strategic promises.**

When attending meetings of the BDVI, you should always collect and record the following information in writing for the purpose of confirming compliance with antitrust laws.

- **Agenda of the meeting which show when and where the meetings are held and the attendees of the meetings (as evidence that the association does not violate antitrust laws);**
- **Existence of compliance programs and/or conduct guidelines;**
- **Presence of antitrust counsel for the trade association (to show measures by the association to prevent the exchange of suspicious information).**
- **Minutes of the meeting, incl. list of participants and (in case of deviations) time of arrival, leave, interruption.**