

# Antitrust law: the dos

- Important for your session
- ✓ **You must ensure this!**
- *Together with the chairperson of the meeting, make sure there is no antitrust violation in connection with an Association gathering. The following points must be strictly observed:*

## PREPARING FOR THE MEETING

- ✓ **Agenda items and meeting documents** may not contain any topics which might implicate antitrust law.

## DURING THE MEETING

- ✓ **Restrict discussion to the agenda items** or activity programme set beforehand
- ✓ **Have the session fully minuted**

- ✓ **In case of spontaneous statements with antitrust content**, react immediately and actively dissociate yourself from the violation:

- **Point out to participants** that this issue may not be discussed
- **If necessary, postpone the discussion** until you have received relevant legal clarification
- **If the discussion continues**, note your objection in the minutes, suspend the meeting or leave the meeting premises (also to be recorded in the meeting minutes)
- **Report the matter to the Secretary-General** of the Association and your company.

## AFTER THE MEETING

- ✓ **The minutes of the meeting** should be concise and straightforward.

# Antitrust law: the don'ts

- Important for your session

- ✗ **You must avoid this!**

- *Employees of competing companies are prohibited from holding formal or informal discussions, exchanging information or entering into agreements on any of the following matters:*

- PRICES, in particular:**

- ✗ **Pricing**, price differentials and pricing strategies
- ✗ **Individual sales and payment terms**, individual discount, credit notes and credit conditions.

- PRODUCTION, in particular:**

- ✗ **Individual manufacturing or sales costs**, cost accounting formulas, methods of cost calculation, figures related to products or product groups on procurement costs, production, inventories, sales, etc.

- ✗ **Production changes**, e.g. due to maintenance work, or the limitation of the market supply of a product.
- **FUTURE MARKET BEHAVIOUR, in particular:**
  - ✗ **Allocation of markets or sources of supply**, whether geographic or by customer
  - ✗ **Relationships with individual suppliers or customers**, in particular where this could lead to their disappearance from the market
  - ✗ **"Blacklists" or boycotts of customers**, competitors or suppliers
  - ✗ **Proposed technology**, investment, design, production, distribution or marketing activities of individual companies concerning specific products.