

# Guidelines on Competition Law

## *Written for the Sea Cargo Charter Association*

To preserve the informal nature of the Association's work and meetings while exchanging opinions and experiences and to ensure that deliberations do not interfere with the competitive relations of Signatories, the guidelines below on competition and antitrust laws have been developed. These guidelines apply to formal Sea Cargo Charter Association communications and gatherings, and all Signatories and guests of the Association are obliged to ensure strict compliance.

### **DO**

- Discuss macroeconomic issues and how they impact the global economy.
- Discuss common problems and challenges of a general, administrative or logistical nature, as long as the purpose of the discussion is not to encourage uniform action or the elimination or restriction of competition, for example in relation to prices, capacity, inputs or outputs.
- Share your opinion and experience, as long as this does not result in confidential or sensitive business information being shared.
- Insist that any meeting has a list of topics known to you in advance; object if you see anything on the agenda that risks violating any of the prohibitions set out below.
- Terminate a discussion or leave a meeting if you consider there is a risk of violating any of the prohibitions set out below.
- Seek independent legal advice if you are at any time unsure of how to apply these rules.

### **DO NOT**

Discuss, recommend, or agree on the following matters with fellow Signatories, potential Signatories, or guests of the Association:

- Actual purchasing or selling prices, price trends, price changes and their implementation, methods of calculation, discounts, rebates, or margins.
- Costs, including input costs, staff costs or trend data.
- Terms and conditions of purchase or sale or choice of suppliers and supplier categories.
- Current or future levels of production and specific technological developments or changes that could have a competitive impact.
- Division or allocation of geographies or customer groups, sales volumes, or market shares.
- Limitations on business methods or practices including those based on ethical or "fair" business practices.
- Refusing to deal with customers or suppliers or agreeing to deal on specified terms or policies.

All Signatories should also be circumspect in relation to any conversations with competitors outside the formal meetings.

*The Association would like to thank the World Economic Forum and the Getting to Zero Coalition for these guidelines.*