

ECG Rules for Meetings

Competition Law Compliance

ECG is committed to conducting its activities in strict compliance with applicable EU and national competition rules.

These Rules for Meetings identify a number of general guidelines, summarised into lists of “DOs” and “DON'Ts”, that must be observed by ECG members and their representatives when attending an ECG meeting (such as general assemblies, board meetings, working group meetings etc.) in order to ensure compliance with competition rules. All ECG members and their representatives who participate in meetings should read these Rules for Meetings, which are attached to every agenda of every ECG meeting.

SUMMARY DOs (both for the ECG Secretariat and for participants in ECG meetings)

1. DO provide each attendee of a meeting with a copy of these Rules for Meetings and have a copy available at all meetings
2. DO draft an agenda, prior to any meetings, that accurately reflects what is to be discussed, and review the agenda and any documents to be exchanged in the meeting before they are distributed in order to make sure that they do not include any particularly sensitive issues (e.g. disaggregated -i.e., company-specific- information on pricing, sales, customers, output and capacity).
3. DO stick to the agenda and require the other attendees to do the same without allowing a discussion on any diverging topics.
4. DO strictly limit discussions and/or common industry approaches to subjects linked with ECG's purposes.
5. DO immediately end discussions if an improper subject is raised which appears to violate these Rules for Meetings, dissociate yourself from any such discussions, request that your objections be specified in the minutes, leave any meeting in which improper discussions continue, and notify the ECG Secretariat.
6. DO discuss with the ECG Secretariat as soon as possible, should you be uncertain of whether any discussion or meeting activities may have violated competition rules. If necessary, ECG will consult outside legal counsel.
7. DO draft detailed minutes, including a list of attendees, and a description of all topics discussed.
8. DO use care creating documents to avoid misstatements or subjective commentary.
9. DO circulate the minutes after the meeting to the other attendees with the aim to obtain joint approval.
10. DO keep an archive of all agendas, minutes and documents concerning ECG activities.
11. DO make sure that all ECG members, whatever their size, are equally treated and have access to the benefits resulting from participation in the association.
12. DO keep a list of your employees participating in ECG activities and make sure they are aware of their obligations under the ECG Code of Conduct as well as these Rules for Meetings.
13. DO apply the above principles in any discussions that may take place outside the formal ECG association meetings.

SUMMARY DON'Ts (both for the ECG Secretariat and for participants in ECG meetings)

1. DON'T discuss, exchange information about, recommend or agree upon matters that raise a risk of infringing competition rules, including the following topics:
 - disaggregated (company-specific) purchase or sale prices or rates, including price trends, price changes, price differentials and their implementation and methods of calculation of discounts, rebates, trade margins, surcharges or any other element of pricing;
 - the use of specific terms and conditions of purchase or sale, whether standard or not, by the ECG members;
 - individual companies' market situation or plans including customer or supplier relations, costs, etc.;
 - individual sales strategies and business plans for future sales strategies, including current customers;
 - market partitioning such as the allocation of customer or supplier groups or territories between competitors, or bid rigging;
 - controls or limitations on certain business methods or practices, such as advertising and “fair trading practices”,
 - blacklisting or boycott of customers, competitors or suppliers.
2. DON'T engage in any vote which has as its purpose the exclusion of any member of the industry without valid reasons.
3. DON'T discuss topics that are not on the agenda.
4. DON'T remain at any meeting where the attendees engage in improper discussions, which appear to violate these Rules for Meetings, even if you are silent. Dissociate yourself from any such discussions, request that your objections be specified in the minutes, leave any meeting in which the improper discussions continue, and notify the ECG Secretariat.