

# Antitrust Dos & Don'ts



Antitrust law ensures that markets work effectively and businesses compete fairly by prohibiting agreements or practices that restrict competition. Complying with these laws is a legal obligation essential for sustainable market development and maintaining customer trust.

## Dealing with Competitors (Horizontal Agreements)

- **DO** make all commercial decisions independently based on the Group's best interests.
- **DO** compete vigorously and unilaterally for new and existing business.
- **DO NOT** coordinate with competitors to fix, increase, decrease, or stabilize prices.
- **DO NOT** agree to share or allocate markets, territories, or specific customers.
- **DO NOT** coordinate bids or discuss tender terms with competitors (Bid Rigging).
- **DO NOT** agree with competitors to limit production output or set sales quotas.

## Exchange of Competitively Sensitive Information (CSI)

- **DO** gather competitive intelligence only from public sources like trade reports, annual reports, or press releases.
- **DO** keep a written record of the source and circumstances if a customer provides info on a competitor.
- **DO NOT** exchange Competitively Sensitive Information (CSI) that reduces strategic uncertainty.
- **DO NOT** share or receive non-public data on future prices, discounts, costs, margins, or sales levels.

## Supply Chain & Market Power (Vertical & Dominance)

- **DO** contact the Legal & Governance Team before making substantial changes to business terms if we have a large market share.
- **DO NOT** dictate the price at which a customer must resell our products (Resale Price Maintenance).
- **DO NOT** prohibit "passive sales" where a distributor sells to an unsolicited customer from outside their area.
- **DO NOT** use significant economic power to exclude competitors through predatory pricing or conditional discounts.

## Meetings & Communications

- **DO** leave a conversation immediately and dismiss the subject if a competitor raises sensitive topics.
- **DO** ensure trade association meetings have a clear, legitimate agenda and an official minute-taker.
- **DO NOT** use language that implies coordination, such as "In our view, prices will rise industry-wide soon".
- **DO NOT** encourage secrecy or use expressions like "destroy after reading" or "strictly off-the-record".

## Consequences of Violations

Non-compliance carries severe risks:

- Very high fines for the company and individuals involved.
- Criminal sanctions, including prison terms in certain jurisdictions.
- Reputational damage and disqualification from executive positions.

If you have concerns or suspicions, **report them** to your superior and/or the Compliance Department via the confidential Whistleblowing Channel.

