

COMPETITION LAW

CHECKLIST FOR MEETINGS



Ensure strict performance in areas on:

Oversight / Supervision

- Have a Cefic/Sector Group Secretariat representative at each meeting
- Consult with appropriate counsel on all questions which might be related to competition law
- Limit meeting discussions to agenda topics
- Provide each attendee with a copy of this checklist, and have a copy available for reference at all meetings

Recordkeeping

- Have an agenda and minutes which accurately reflects the matters which occur
- Ensure the review of agendas, minutes and other important documents by appropriate staff or counsel, in advance of distribution
- Fully describe the purposes, structures and authorities of the groups

Vigilance

- Protest any discussion or meeting activities which appear to violate this checklist
- Ask for those activities to be stopped so that appropriate legal check can be made by counsel
- Dissociate yourself from any such discussion or activities and for the attendees, leave any meeting in which they continue (and have it minuted)

This checklist is for the conduct of Cefic-sponsored meetings. Prohibited discussion topics apply equally to social gatherings incidental to those meetings. The checklist is not exhaustive.

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In fact or appearance, discuss or exchange information not in conformity with competition law, including for example on:

Prices, including

- Individual company/industry prices changes, price differentials, discounts, allowances, credit terms, etc
- Individual company data on costs, production, capacity (other than nameplates capacities), inventories, sales, etc

Production, including

- Plans of individual companies concerning the design, production, distribution or marketing of particular products, including proposed territories or customers
- Changes in industry production capacity (other than nameplates capacities) or inventories, etc

Transportation rates

- Rates or rate policies for individual shipments, including basing point systems, zone prices, freight, etc

Market procedures, including

- Company bids on contracts for particular products; company procedures for responding to bid invitations
- Matters relating to actual or potential individual suppliers or customers that might have the effect of excluding them from any market or influencing the business conduct of firms towards them, etc
- Blacklist or boycott customers or suppliers

