



Antitrust Policy Statement

Prelude

The *Netherlands Maritime Technology Association (NMTA)* is a not-for-profit organization (further: **the Association**). The Association and its Board and other committee members are committed to full compliance with all laws, regulations, and ethical standards, including any and all antitrust laws effective. To safeguard the public interest, compliance with both the letter and spirit of such antitrust laws is an important goal for the Association and is essential to maintaining its reputation for the highest standards of ethical conduct. Therefore the Association hereby publishes this Antitrust Policy Statement (further: **the/this Policy Statement**).

The Association is not organized to and may not play any role in the competitive decisions of its members or their employees, nor in any way restrict competition among members or potential members. Rather it serves as a forum for a free and open discussion of diverse opinions without in any way attempting to encourage or sanction any particular business practice.

The Association provides a forum for exchange of ideas in a variety of settings including its annual meeting, educational programs, committee meetings, and Board meetings. The Board of Directors emphasizes the need to refrain from any agreement or concerted practice which could affect competition. Therefore, this Policy Statement clearly and unequivocally supports the policy of competition served by the antitrust laws and to communicate the Association's uncompromising policy to comply strictly in all respects with those laws.

Given the importance of strict compliance to antitrust laws, the Association's Board intends to take all necessary and proper measures to ensure that violations of the antitrust laws do not occur. By conducting its business openly and avoiding even the appearance that it is engaging in activities that might seem to have an effect on competition, the Association and its (Board) members can prevent a violation of antitrust laws.

Policy

In order to ensure that the Association and its members comply with antitrust laws, the following principles will be observed:

- The Association or any committee, section, chapter, or activity of the Association shall not be used for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, expressed or implied, among two or more members or other competitors with regard to prices or terms and conditions of contracts for services or products. Therefore, discussions and exchanges of information about such topics will not be permitted at Association meetings or other activities.



- There will be no discussions discouraging or withholding patronage or services from, or encouraging exclusive dealing with any supplier or purchaser or group of suppliers or purchasers of products or services, any actual or potential competitor or group of actual potential competitors, or any private or governmental entity.
- There will be no discussions about allocating or dividing geographic or service markets or customers.
- There will be no discussions about restricting, limiting, prohibiting, or sanctioning advertising or solicitation that is not false, misleading, deceptive, or directly competitive with Association products or services.
- There will be no discussions about discouraging entry into or competition in any segment of the marketplace.
- There will be no discussions about whether the practices of any member, actual or potential competitor, or other person are unethical or anti-competitive, unless the discussions or complaints follow the prescribed due process provisions of the Association's by laws.
- More in general members must not use any forum provided by the Association in order to co-ordinate their activities, to influence the conduct of a competitor or to discuss commercially sensitive issues. This Policy Statement strictly prohibits any behavior, including exchanges of information between members, that might constitute or imply an anti-competitive arrangement. Each member must exercise its independent business judgement and compete actively in the marketplace. Any activity that could create even the appearance of a restriction or distortion of competition must be strictly avoided.

Rules for meetings

Members should comply with the following guidelines when meeting:

1. Agendas should be prepared for each Association's meetings and should be reviewed for compliance with this Policy Statement.
2. Items not on the agenda will not be allowed if they raise issues which violate this policy.
3. All participants have the right to question any topic or discussion that might violate this policy. Any participant has the right to state their objection and leave a meeting immediately if they feel that any topic or discussion violates the competition policy, and have this recorded in the minutes.
4. Minutes of all meetings should be accurate, should reflect the main decisions made and actions to be taken.
5. All meetings should be scheduled. It is strongly advised not to hold or attend any informal, unscheduled, ad-hoc, or side discussions, sessions or (breakout) meetings of whatever kind at the site of any Association meeting or event, however if ever such an



encounter should take place all participants are expected to fully observe the same standards of personal conduct as are required of the Association in its compliance.

6. During any meetings and always subject to this Policy Statement, discussing issues of general concern and the sharing of non-competition sensitive information, e.g. general market trends (*'rondje markt'*) and/or historical, aggregated and/or publicly available data are not prohibited, however do not discuss or agree on information in relation to any possible competition sensitive or competition affecting information.

Established by the Association in its Board meeting of April 16th 2018.