

Compliance Regulations

Resolution adopted by the Assembly of Delegates on March 3, 2018

Effective from: March 4, 2018

Last updated on: April 15, 2023

1. tekomp Europe advocates free and undistorted competition. Therefore, it strongly opposes any distortion of competition by companies or professional associations. Antitrust Laws prohibit companies – and in particular competing companies – from agreeing or coordinating their market behavior in any way.

Within its capabilities, tekomp Europe, as a professional association, shall not provide its members with a forum for illegal and anticompetitive agreements. This applies to the following points in particular:

- Illegal agreements to fix prices or price components
- Illegal agreements on delivery and payment terms
- Illegal agreements on allocation of customers or customer groups
- Illegal agreements regarding distribution areas
- Illegal agreements regarding service capacities that are made available to the market
- Illegal bid-rigging regarding prices or terms
- Illegal agreements regarding technical innovations
- Illegal agreements with direct or indirect effects on non-competing parties such as sales agents
- Illegal calls for boycotts or other measures which impede business activities

Antitrust Laws apply to companies as well as professional associations. “Decisions by associations of undertakings” are strictly prohibited. Therefore, it must be stated that the following actions are strictly prohibited within tekomp Europe:

- Illegal decisions that demand uniform market behavior from its members.
- Illegal decisions, recommendations, opinions, position papers, press releases, presentations and trainings that are intended to serve as guidelines for market behavior.
- Illegal decisions, recommendations, opinions, position papers, press releases, presentations and training courses intended or to be understood as guidelines for market behavior.
- Illegal requests or demands that members should not cooperate with certain companies.

2. The Assembly of Delegates instructs all function holders, especially if they chair a tekomp board, committee, working group or event, to specifically emphasize compliance with this regulation and the code of conduct (No. 16 of tekomp Europe Articles) at the beginning of all meetings and events. If more detailed information is required, this resolution of the Assembly of Delegates can also be quoted. Compliance with this regulation shall be noted in the meeting minutes with this sentence:

“name of chair / function holder explicitly referred to the tekomp Europe Code of Conduct, in particular, the compliance regulations.”

Each member, function holders, notably the chairs of boards and working groups, shall immediately report to the Executive Board any indication of possible infringements of fair competition.