



CONSTRUCTION EQUIPMENT ASSOCIATION

Corporate Compliance policy

This Corporate Compliance Policy governs the conduct of CEA members' dealings with the CEA. The CEA expects all its members to comply with the Policy and not to prejudice any of the aims or activities of the CEA by any departure from it.

1. General

Meetings of competitors under the guidance of the CEA are not prevented by competition law. However, CEA members must not use the forum provided by the CEA in order to coordinate their commercial activities or to influence the conduct of a competitor. Each CEA member must exercise its independent business judgment in pricing its products and services, dealing with its customers and suppliers, and choosing the markets in which it will compete. Any activity that could create even the appearance of a restriction or distortion of competition must be strictly avoided.

2. Individual Responsibility

Whilst the CEA expects all its members to comply with this Policy in the course of its dealings with the CEA, members must take individual responsibility for complying with competition law and are advised to seek legal advice if they are unsure about the application of these rules.

3. Discussion Topics

The CEA can discuss issues of general concern to CEA members, share non-sensitive (historical, aggregated and/or publicly available data) and report on pricing trends and market trends within the construction equipment industry over a period of time in general terms but the CEA must not talk about commercially sensitive issues or current market information, or exchange data, which allows the practices of individual companies to be easily identified (other than information already in the public domain).

It is not possible to provide an exhaustive list of objectionable discussion topics, as the competitive significance of many issues is dependent upon the context in which they are raised. However, this Policy prohibits any discussions or exchange of information between CEA members that might constitute or imply an agreement or concerted practice concerning:

- prices or price factors, including discounts, rebates, and reductions;
- costs and demand structure;
- profits and profit margins;
- output and sales;
- product data if it contains commercially sensitive information such as cost and supply elements;

- technical data that relates to current and future research and development into new products;
- production capacity and forecasts;
- market shares and sales territories;
- investments and marketing plans;
- credit conditions or any other terms or conditions of sale;
- exclusionary practices;
- selection, rejection, or termination of customers or suppliers.

Members are permitted to exchange opinions and experiences in relation to general industry studies/statistics/market research provided that confidential information relating to individual companies is not disclosed.

4. Meetings

Agendas are circulated to members in advance of the meeting and include a note about this Policy at Item 1. Attendees are required to confirm their agreement to abide by the Policy by signing the attendance sheet prior to the start of the meeting. Minutes are produced as an official record of the meeting.

Breakout meetings before or after the formal CEA meetings at which individual competitors exchange commercially sensitive information are strictly prohibited.