

The Competition Act – Guidelines for RELE’s activities

These guidelines are based on the recommendations of A.I.S.E. "Association Internationale de la Savonnerie, de la Détergence et des Produits d'Entretien", and have been laid down by the Board of RELE and shall apply to all activities under the auspices of RELE.

Section 10 first paragraph of the Norwegian Competition Act imposes a general ban on cooperation that restricts any form of cooperation where the aim or effect is the prevention, restriction or distortion of competition. This provision applies to “*All agreements between undertakings, decisions by associations of undertakings and concerted practices*”.

This provision affects the coordination of conduct among those involved in a trade organisation, and also includes both formal decisions and other concerted practices. Examples of parameters which for the purposes of competition it is illegal to share are price-fixing, the giving of discounts, specific developments and innovation, special offers to customers and any information that enables those involved to foresee how their competitors will act in the future. RELE’s members are competitors and due care must be taken to ensure compliance with the competition rules in all activities within the association.

This means that:

- There must be no form of agreement, decision or concerted practice (neither written or verbal), discussions or proposals concerning sharing of the market, customers or products, prices, customer terms or other sensitive information between RELE’s members. This provision applies both to formal decisions made by RELE’s bodies and informal discussions in connection with the association’s activities.
- Discussions on, or the exchange of, confidential and sensitive competition-related information are not permitted. This includes prices, price changes, credit terms, costs, discounts, marketing activities, production volume/capacity, terms of trade etc.
- Historical sales data may be collated by the administration and distributed to members in an aggregate form only.
- All meetings in RELE shall be conducted in accordance with an agenda determined beforehand, and minutes must be kept of all meetings. RELE’s administration secretary must be present at all meetings. At the beginning of all meetings a reminder shall be made of these guidelines.
- All participants at meetings have an independent responsibility to ensure that discussions take place within a legal framework that does not restrict competition. If during the course of a meeting a participant feels that the discussion is approaching the bounds of what is permitted, the subject shall be dropped or deferred until legal advice has been obtained.
- It should be noted that these guidelines also apply to informal discussions that take place in connection with events organised by RELE.

RELE’s policy is to comply with the competition rules. RELE is not only concerned about preventing a breach of these rules but also avoiding any action which may raise suspicion that a breach of the rules has occurred. An action that may appear to be acceptable when viewed in isolation may, in the opinion of the competition authorities, be construed as part of a pattern of actions which in sum comprise contravention of the law.

Oslo, 18 January 2011
RELE/The Board