



Schindler

Sample Do's & Don'ts against Hard Core Cartels

Don'ts

Do not discuss or agree upon the following topics ("Hard Core Cartels") with Competitors:

Prices and costs

Never discuss or benchmark prices and costs together with Competitors, e.g.:

- sales or purchase prices, including related cost elements;
- minimum, standard or "list" prices;
- price increases or decreases and related evaluations, e.g. discussions about current price level;
- price related factors such as discounts, margins, calculation methods, formulas etc;
- sales or purchase conditions, whether standard or project-specific.

Allocation of sales territories

- where to sell or where not to sell.

Allocation of customers or projects

- in NI sales: e.g. whether to sell to customers of Competitors or not;
- in EI sales: e.g. whether to offer Services for Competitors' Products or not.

Allocation of market shares or quotas

- discussions or agreements on market shares;
- restriction of production or inventory in order to increase prices;
- determination of quotas for purchase and/or sale.

Bids / offers before submission (so-called "bid-rigging")

Competitors shall not:

- discuss about the participation or non-participation in a bid;
- pre-determine the "winner" of a bid by agreeing on the "winner's" and/or "loser's" prices.

Sensitive Business Information

Information which:

- is not publicly known and
- allows firm conclusions about Competitors' market behavior (e.g. development of turnover and market shares, profits & losses or pricing strategies) shall not be exchanged with Competitors, unless otherwise explicitly approved by Corporate Legal Services (CLS).

Dos

Stop attempted Hard Core Cartel discussions

In case a representative of a Competitor starts to discuss such topics, you must take the following measures:

1. request the Competitor to immediately stop such discussion;
2. if the Competitor does not stop, leave the meeting in such a way that others will remember that you left, either because it is on record or by making sure that everybody present realizes that you are leaving and why;
3. immediately inform your Legal Advisor and KG Head.