

Title	FinDatEx Competition Law Compliance Statement
Our reference:	
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Pages:	2

Competition law compliance statement

1. Competition law aims to preserve effective competition. To that end, competition law prohibits certain behaviour by undertakings or associations of undertakings, including entering into agreements that appreciably restrict competition or the unilateral abuse of a dominant position. Compliance with competition law is of primary importance and failure to comply can have severe consequences such as significant fines, third-party claims for damages, void and unenforceable contracts, and reputational damage.
2. FinDatEx is subject to competition law and takes compliance with competition law very seriously.
3. With this statement, FinDatEx reiterates its commitment to upholding European and national competition laws when carrying out its activities. FinDatEx will not tolerate, facilitate, sponsor or participate in any activity that does not comply with European or national competition laws. Moreover, with this statement, FinDatEx acts to increase awareness of competition rules among all participants in FinDatEx's activities (including participants in FinDatEx's working bodies and the companies they represent) (hereinafter collectively referred to as "the Participants") in order to ensure that they co-operate fully with FinDatEx's policy of compliance with competition law.
4. This document reiterates FinDatEx's policy on competition law issues and provides guidance to ensure compliance with relevant competition law in the framework of FinDatEx's activities, including (i) in FinDatEx's technical working groups and any other structures created by, managed by or affiliated with FinDatEx, and (ii) FinDatEx's participation in the activities of any other organisations, such as advisory groups, discussion fora and international organisations.
5. FinDatEx is committed to the following policies and principles:
 - o i. FinDatEx does not tolerate, facilitate, sponsor or participate in anti-competitive concerted practices and/or agreements (irrespective of the form) or discussions relating to commercially sensitive topics between the Participants.
 - o ii. The Participants are not restricted in taking independent decisions in relation to commercially sensitive matters.
 - o iii. The Participants are responsible for their own compliance with relevant European or national regulators.
 - o iv. FinDatEx only issues non-binding templates to facilitate data exchange between market participants that are based on objective criteria and do not relate to any competitive parameters or conditions. If the Participants decide to adopt these templates, they are free to adapt them as they see fit.
 - o v. FinDatEx will only be involved in the collection and dissemination of qualitative and quantitative information, including statistical data, with the aim of providing general industry information. The participation in such exercises will be voluntary. The output of such exercises will be anonymised and aggregated to the extent that the Participants do not receive commercially sensitive information and cannot derive commercially sensitive information on the basis of the output.
6. In practice, the above policies and principles entail that, amongst other things, the following behaviour is prohibited during and in the context of meetings of FinDatEx, its technical working groups and any other structures created by, managed by or affiliated with FinDatEx:

- i. Agreements (irrespective of the form), discussions or exchanges of non-public information about commercially sensitive topics, including but not limited to premium rates, costs, margins, discounts, conditions, risk exclusions, current and future investments, and strategic plans.
 - ii. Agreements (irrespective of the form) or discussions on the division and/or allocation of markets or customers.
 - iii. Agreements (irrespective of the form) or discussions on limiting or controlling output or technical developments.
 - iv. Agreements (irrespective of the form) or discussions to blacklist or boycott competitors, suppliers or customers.
 - v. Agreements (irrespective of the form) or discussions relating to the participation in tenders and the pricing strategy pursued therein.
7. FinDatEx also commits to not tolerate, facilitate, sponsor or participate in the above-mentioned behaviour during and in the context of meetings with external parties.
8. With the aim to exclude the risk of competition law infringements, the following guidelines should be strictly adhered to for all meetings of FinDatEx, its technical working groups, and any other structures created by, managed by or affiliated with FinDatEx:
- i. At the beginning of each meeting, reference is made to this Competition Law Policy Statement by the chair of the meeting and the meeting participants confirm that they act in full compliance with competition law during and in the context of the meeting.
 - ii. Meetings will only cover generic sector issues that are clearly removed from competitive parameters.
 - iii. Each meeting must proceed on the basis of a written agenda that is clear and unambiguous. Discussions during the meeting must be confined to the topics listed on the agenda.
 - iv. Minutes (or conclusions) of each meeting must be drawn up and must be accurate, clear and unambiguous.
 - v. Immediate objections must be raised if topics are discussed that are problematic from a competition law perspective (see above). Any objections must be clearly recorded in the minutes. The meeting must be terminated immediately if the discussion continues. Such incidents must be immediately reported to the secretariat of FinDatEx

In case of doubt or questions about whether certain conduct or discussions are compatible with competition law, it is recommended to consult with FinDatEx's secretariat.