

COMPETITION COMPLIANCE TRADE ASSOCIATION GUIDELINES

Trade associations can and often do serve as useful means for advancing an industry's and Orora's business perspective. On the other hand, Orora representatives at trade association meetings must exercise caution and avoid discussing terms and conditions of sales or costs, which could be interpreted as contrary to the competition laws.

To avoid engaging in such conduct or even giving the appearance of engaging in such conduct, below is a list of guidelines that must be followed when participating in a trade association. If at any time you question whether certain conduct is permissible, you should immediately consult with Orora counsel.

1. Trade Association Standards

- The trade association should be recognized as an official association in the industry with publicly disclosed officers, committees, and legal counsel.
- The trade association should have a publicly disclosed mission or purpose statement.

2. Trade Association Agendas and Meeting Minutes

- Every trade association meeting, including committee and sub-committee meetings, should have a written agenda that has been approved by counsel and circulated to all participants prior to the meeting.
- Participants should strictly adhere to the agenda items. If a participant attempts to discuss items not on the agenda or that raise competition concerns, you should leave the meeting immediately and report the incident to Orora counsel.
- Following the meeting, minutes should be circulated, identifying the attendees and accurately outlining the topics discussed.

3. Participating in Trade Association Meetings

- Participants should never discuss or share information related to discounts, rebates, prices, costs, terms of sale, or future business plans.
- Participants should never collectively discuss or share information related to how competitors or customers should structure tenders or how suppliers will or should respond to customer tenders.
- It may be permissible to exchange certain types of information and data if it is not competitively sensitive (e.g., aggregated and historical) and disclosed with appropriate safeguards (e.g., through means of a consultant or independent third party); however, you should consult with Orora counsel prior to doing so.
- You should avoid attending meetings or joining sub committees consisting only of a few competitors and seek guidance from Orora counsel if you have questions about the appropriateness of a trade association committee.

4. Attending Social Functions with Trade Association Participants

- Social functions and informal gatherings (e.g., hospitality suites, luncheons, and golf outings) can lead to impermissible discussions, as they are often unstructured. Before attending you should weigh the risks against the benefits that you will receive.
- If you choose to attend, you should be especially aware of competition issues. You should follow the relevant guidelines outlined above and never discuss items related to competition, customers, pricing, rebates, discounts, or costs with competitors.
- You should seek Orora counsel's advice prior to attending such functions of the trade association if you have any concerns about the nature of or attendees at the event.

5. Consult Orora's Competition and Compliance Program Materials and talk to Orora's Counsel

- Prior to attending any trade association meetings, you should consult Orora's Competition Compliance Program materials (e.g. Do's & Don'ts) to familiarize yourself with the governing principles.
- If you have any questions or concerns related to your participation in a trade association, talk to Orora counsel.

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