



European Chamber of Commerce in Vietnam (EuroCham): Antitrust & Competition Law Guidelines

Subject to article 2.6 of the Sector Committees (SC) rules, SC members must not engage in any illegal activity or proceedings under Vietnamese and/or international laws, or engage in SC activities with the purpose to circumvent certain international laws, in particular with regards to Vietnamese and international competition- and/or antitrust laws.

I. According to 2.6 of EuroCham SC rules, EuroCham SC members may meet and discuss matters concerning their industry at SC meetings, provided they do so without a specific and continuing purpose, understanding or agreement to pursue actions tending to unreasonably restrict commerce or violate any laws, rules or regulations. Activities ordinarily considered appropriate for discussion in SC meetings include:

- Reports on general and industry economic trends;
- Research and demonstrations of technology relating to the solution of industry problems;
- Demonstrations of cost control methods by which member companies can become more efficient and profitable;
- Reports on effective marketing or manufacturing techniques;
- Reports on new and improved products;
- Reports on governmental developments and their impact on the industry.

II. Specifying article 2.6 rules, the following rules are intended to prevent the initiation of inappropriate discussions or actions apply:

1. *Do not engage in discussions or activities which may (tend to):*

- Fix or otherwise restrict the prices charged or paid for goods or services;
- Allocate markets, sales territories or customers between members;

- Initiate or encourage boycotts of specific products or services, or refusals to deal with designated customers or suppliers;
- Limit production levels of members and otherwise restrict the availability of products or services;
- Purposely hinder or disparage the competitive efforts of non-members;
- Coerce or encourage members to refrain from competing;
- Limit, impede or exclude anyone of the manufacture, production or sale of goods or services;
- Promulgate or encourage unfair or misleading practices involving advertising, merchandising of products or services; or
- Condition or tie the purchase of one product or service to the purchase of another product or service.

2. ***Do not discriminate against competitors when:***

- Developing standards or specifications for products or services;
- Setting ethical standards; or
- Dealing with customer credit information.

3. ***Do not exchange data concerning prices, production levels and costs, or customer credit,*** however, the exchange of past data (as distinguished from future data) does not in itself constitute a violation of antitrust laws if the past data reflects composite or average figures without identifying a company or if the past data is from public sources.

4. ***Do not participate in the dissemination of suggested price lists of members.***

5. ***Do not participate in informal "rump sessions" outside the formal sessions which disregard these guidelines.***

