



Antitrust Compliance Policy

August 2017

Background

ResponsibleSteel™ is the first global multi-stakeholder standard and certification initiative for steel. It is a not for profit organisation which will administer an independent third-party certification programme for the steel value chain. The standard will be developed through an ISEAL Code-compliant process during 2018 / 2019.

ResponsibleSteel™ is a membership led programme, and new members are welcome from anywhere in the world, from every part of the steel supply chain, and from businesses, civil society groups, associations, and other organisations.

ResponsibleSteel™ is developing an independent third party certification program to ensure sustainability and human rights principles are increasingly embedded in steel production, use and recycling. This policy has been adopted as a by-law and applies to all participants in ResponsibleSteel™ activities.

Antitrust Policy Principles

ResponsibleSteel™ members and participants acknowledge and understand that activities must at all times be undertaken with an understanding of the importance of compliance with all applicable laws and regulations, including but not limited to laws and regulations relating to antitrust and competition. These laws are intended to preserve and promote free, fair and open competition.

ResponsibleSteel™ members must act at all times in accordance with, and strictly adhere to, the letter and the spirit of all applicable national and international antitrust and competition laws and regulations.

ResponsibleSteel™ undertakes to ensure that this policy is made known to all members, individuals and groups participating and engaged in administering its activities, and given due regard. Antitrust compliance is the responsibility of every participant. Any violation of antitrust laws or of this policy may result in immediate suspension from participation in activities.

Guidelines for Antitrust Compliance

- ResponsibleSteel™ will not become involved in the competitive business decisions of its members and participants, nor will it take any action that would attempt to restrain competition in the steel value chain.
- ResponsibleSteel™ activity shall not be used to discuss, bring about, or attempt to bring about, any understanding or agreement(s) that violates or causes a violation of antitrust laws, whether written or oral, formal or informal, expressed or implied, among its participating companies with regard to, but not limited to, price fixing, market sharing, bid-rigging, limiting production or supply, boycotting, or unfair discrimination.
- ResponsibleSteel™ activity shall not involve the exchange or collection and dissemination of business secrets or other commercially sensitive information among its participants. Such commercially sensitive information includes (but is not limited to) information (other than information already publicly available) regarding:
 - previous, current or future negotiations with individual customers, or negotiation strategies generally;
 - previous, current or future terms of trade, including but not limited to prices;
 - capacity, production or sales forecasts;
 - previous, current or future stock levels;
 - previous, current or future production and/or export data, whether by asset or otherwise; and
 - previous, current or future sales data, whether by asset, customer or otherwise.
- ResponsibleSteel™ activity shall not include any discussion or action which might be construed as an agreement or understanding to prevent any business entity from gaining access to any market or to any customer for goods or services; or to prevent or boycott any business entity from obtaining a supply of goods or otherwise purchasing goods or services, freely in the market.
- ResponsibleSteel™ activity shall not include any discussion or action that might be construed as an agreement or understanding to refrain from purchasing (or limit the prices paid for) any raw materials, semi-finished products, equipment, services or other goods from any supplier.
- No company shall be unreasonably or arbitrarily excluded from participation in ResponsibleSteel™ activity to compete effectively in the steel value chain.
- Prior to the commencement of any ResponsibleSteel™ activity, the following statement must be read to all attendees and recorded in the minutes:

“Attendees are kindly reminded that the SSC [ResponsibleSteel™] is committed to complying with all relevant anti-trust and competition laws and regulations and, to that end, has adopted an antitrust policy statement, compliance with which is a condition of continued SSC [ResponsibleSteel™] membership. Failure to abide by these laws can potentially have extremely serious consequences for the SSC [ResponsibleSteel™] and its members, including heavy fines and, in some jurisdictions, imprisonment for individuals. You are therefore asked to have due regard for this policy today and indeed in respect of all other SSC [ResponsibleSteel™] activity.”

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