

CCAM Association Code of Conduct regarding Compliance with European competition rules

Introduction and purpose

The Connected, Cooperative and Automated Mobility (CCAM) Association is an international non-profit making association engaged with the European Commission into the co-programmed CCAM Partnership under Horizon Europe. The CCAM Association represents the Partners other than the Union in the Partnership. It aims to promote and facilitate pre-competitive research on CCAM within the European Research Area, by bringing together the different actors of the CCAM value chain. The Association focuses on the coordination of research and innovation activities in the field of CCAM at European and at international level, to harmonise European R&I efforts aiming to accelerate the implementation of innovative CCAM technologies and services.

As stated in the Statutes of the Association (Article 8.5), each member of the CCAM Association commits to comply with the European Union regulations in the field of competition and antitrust, and to fight against bribery and corruption.

The purpose of this document is to complement the CCAM Association Statutes by clarifying relevant EU antitrust rules while outlining the principles followed within the CCAM Association to ensure compliance by all association's members.

Reminder of EU Antitrust Policy

EU Antitrust rules prohibit agreements between market operators that would restrict competition, and the abuse of a dominant position on any given market.

The most important antitrust rule relating to the CCAM Association's activities is set out in Article 101 of the Treaty on the Functioning of the European Union, which prohibits anti-competitive agreements between market operators: *"The following shall be prohibited as incompatible with the internal market: all agreements between undertakings, decisions by associations of undertakings and concerted practices (...), which have as their object or effect the prevention, restriction or distension of competition within the internal market"*.

Anti-competitive agreements include, for example, price-fixing or market-sharing cartels. They are prohibited regardless of whether they are concluded between companies that operate at the same level of the supply chain (horizontal agreements) or at different levels, i.e. an agreement between a manufacturer and its distributor (vertical agreements).

Scope of Compliance

General Rule

The CCAM Association shall comply fully with all applicable laws and in particular shall ensure that its activities do not lead to any violations of relevant antitrust laws.

In support of this policy, the CCAM Administration Board shall be diligent to ensure that all new programmes and activities of CCAM Association or changes in existing programmes and activities do not generate any antitrust violations.

Exchange of Information

The activities of CCAM Association may involve the collection and analysis of information from its members where there are legitimate objective reasons for such work, e.g. impact assessment of projects and analysis of industry trends only for precompetitive research activities.

The collection and analysis of such information will be undertaken by the Secretariat of the CCAM Association and its results should be used in full compliance with the Antitrust Rules.

Any dissemination of information shall be undertaken in a manner that prevents the disclosure of market sensitive information between competitors which could give rise to an agreement or concerted practice between competitors which infringes anti-trust laws.

Market Studies

In order to ensure compliance with applicable antitrust laws, in conducting market studies, benchmarking and similar activities, the CCAM Association shall not allow the attribution of specific information to a specific member company customer or transaction. This work is outsourced to specific consultants who are required to abide by the applicable compliance rules.

- Sensitive information will be published in aggregated form;
- Information shall always be collected from at least 5 different member companies and competitors;
- Information shall be anonymised so that individual companies or customers shall not be capable of identification.

Benchmarking

When the CCAM Association undertakes or assists in benchmarking exercises in which competitors take part, the CCAM Association will adopt the principle that market sensitive data shall only be benchmarked if it is:

- derived from at least 5 companies;
- aggregated and anonymised;
- historic in nature (i.e. more than 12 months old).

The CCAM Association shall not undertake or facilitate direct benchmarking between competitors nor frequent benchmarking if it involves market sensitive data and if identification of the individual member companies in question is facilitated.

Communication and Internal Procedure

This code of conduct shall be circulated to all CCAM staff and made available to all CCAM members via the website and/or other appropriate media.

All CCAM staff and CCAM members (through agreement in the General Assembly) should declare that they have read and accept this Code of Conduct and shall comply fully with all its principles. Compliance with this Code of Conduct is a condition of membership of CCAM Association.

The CCAM Association shall take all appropriate measures to ensure its activities and programmes are in compliance with this Code of Conduct.

The CCAM Secretariat shall ensure that CCAM governance bodies are established in accordance with this Code and will endeavour to ensure that their business and meetings are conducted in accordance with this Code.

The CCAM Secretariat shall be entitled to stop any activity including any meeting that is not fully compliant with this Code and shall report immediately any suspected compliance issues to the CCAM Administration Board.

Common Responsibility

Notwithstanding the foregoing it is the responsibility of each CCAM member to ensure that, when involved in the association's activities, its representatives:

- shall not undertake any activity which is an infringement of applicable competition law or anti-trust rules, including entering into any prohibited agreements or exchanges of market sensitive information with competitors;
- shall fully comply with the EU Competition Law and Anti-trust Policy and avoid any activity which is non-compliant;
- shall be vigilant and protest any conduct or behaviour which is an actual or potential infringement of the EU Competition Law and Anti-trust Policy.