



Code of conduct

SMI Standard Motor Interface e.V

20 February 2014

Rev. 1.0

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A. Purpose of the association and area of application of this code; general rules of conduct

1. The purpose of the SMI Standard Motor Interface e.V. ("association") is to support the expansion, use and refinement of a communication interface between building services systems and drives for sun-protection technology and similar applications under the name of Standard Motor Interface, SMI.

The SMI Standard Motor Interface e. V. association owns the rights to all work results, to the documentation and to the SMI trademark. The members undertake to care for and develop the intellectual property in the sense of the objective. To this end the framework conditions according to the competition law shall be complied with.

2. Members of the association's committees represent the interests of the association and not those of their own (or other's) employers.
3. This code was agreed on 20th February 2014 by the inaugural meeting and applies for work in the bodies and committees of the association. The board shall ensure that all bodies and employees of the association are familiar with this code and agree to uphold it in writing.

B. Conduct during meetings

The following requirements shall be complied with:

4. Meetings require an invitation being sent in good time giving details of the agenda. The agenda must be sufficiently detailed to provide the individual member and/or his/her delegate with a precise idea of the subject of the meeting. The agenda must be written in such that it permits the appraisal of any problematic competition law related areas.
5. At the start of each meeting - whether it is a meeting of members, commission or committee meeting or otherwise, the participants shall be reminded by the chair of the meeting of the requirement to comply with the competition law (particularly with this code of conduct). The chair of the meeting is obliged to ensure that the regulations of this code and of the competition law are complied with to a reasonable degree by his/her chairing of the meeting. This does not affect the responsibility of the individual participants of the meeting.
6. One employee or designated representative of the association should be present at commission and/or committee meetings. If this is not possible in exceptional circumstances (particularly due to a high number of commission meetings) at least the chairman of the respective commission and/or of the respective committee or, if s/he is unable to attend, his/her deputy should be present. The regulations under the present article 5 clauses 1 and 2 apply accordingly.
7. Minutes shall be taken during the meetings and all those present shall be listed. The responsibility for ensuring this takes place lies with the respective chair of the meeting. The minutes shall be sent to all delegates soon after the meeting and to all members for any meetings other than subcommittee meetings.



C. Conduct regulations with regard to competition law requirements

Members of the association may be competitors in different areas. Offences against the competition law may have severe consequences for all those involved and for their companies/organisations.

Therefore, the following rules must be observed by members and their delegates with regard to work within the association, its bodies, committees and commissions and also when representing the association externally:

8. The members and their delegates shall not make available to other members/their delegates in any manner or exchange views about, or gather or produce for such purposes any competition-related information which cannot be easily acquired from publicly accessible sources. This particularly includes information about prices/price components, profits, intended price increases; customers, sales regions, distribution methods and -strategies, market shares, sales, sales expectations; development plans and new products. This does not affect the option to make one's own competition-relevant information available to another member who is not a competitor (subject to a confidentiality agreement) outside work within the association.
9. Irrespective of whether such information is in the public domain or otherwise, the participants/delegates shall above all desist from making agreements, of whatever sort, about the topics named in article 8.
10. Should any member or his/her delegate deem it necessary in exceptional circumstances to exchange information or make an agreement about any of the topics named/covered in article 8 and/or 9 in the context of the cooperation within the association, said member shall clarify the admissibility with regard to the competition law first of all with its own legal department and only once this has been confirmed in writing shall submit the intention - with reference to the competition law check - to the executive board of the association.
11. In implementing the obligations cited in article 8, employees of the office and - where present - a managing director or member of bodies of the association shall refrain from making available to members any information about other members (including information relating to a company operated by another member) and/or their delegates or gathering such information unless the information can be obtained from publicly accessible sources or the documents are essential for quality assurance (certification and registration of products).
12. Special regulations for standardisation processes: inasmuch as harmonisation or standardisation is to take place within the association or the association wishes to take a substantial part in such a standardisation, the members shall ascertain the competition law related framework conditions applicable to the actual situation beforehand. (To err on the side of safety, the following is generally necessary: restriction to the open, transparent and non-discriminating processes necessary to create compatibility/interoperability/security; accessibility of the results under reasonable and non-discriminatory conditions for all interested parties).
13. Special regulations for joint future developments: joint developments are not always prohibited even in the event of the participation of competitors. However, before any undertaking, the admissibility thereof should be examined as general propositions are rarely possible. Admissibility depends amongst other things on the affected markets, the market strengths (market shares) of the participants, their competitive situation and particularly the accompanying competition agreements.

