



**PERSATUAN KEBANGSAAN KONKRIT SIAP BANCUH MALAYSIA
NATIONAL READY-MIXED CONCRETE ASSOCIATION OF MALAYSIA**

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**Guidelines of Conduct during National Ready-Mixed Concrete Association of Malaysia
(NRMCA) Meetings**

It is the NRMCA policy to fully and actively comply with the Competition Act 2010 (“Act”) not only in form but also in substance.

In view of contact between competitors during association meetings, members should be aware that they may be potentially at risk of anti-competitive issues. Consequently, NRMCA meeting(s) are to be conducted strictly in compliance with the Act to eliminate without any appearance of anti-competitive behavior.

In general, the following should NOT be discussed at NRMCA meetings:

- a) commercially sensitive information such as pricing, credit terms or other terms given to customers, details about potential customers, production capacity or sales figures;
- b) production and sales quotas, price fixing, price changes, discounts, and allowances;
- c) information on bidding or tenders on contracts;
- d) allocation of customers, contracts, sites, geographical areas or types of services;
- e) future or current market shares, company business plans including proposed territories or customers;
- f) boycotting or any part or denying any party access to markets and products; or
- g) any other sensitive information which may lead to co-ordination and collusion between the members.

Discussions are to be in accordance with the pre-arranged agenda and limited to acceptable NRMCA policy-approved areas such as:

- a) industry employment and training issues;
- b) education and training;
- c) programs to promote product and health safety or environmental protection;
- d) collection and dissemination of data for industry benchmarking purposes provided that the data is sufficiently historical and cannot be traced to individual members; and
- e) research and development of the industry.

The penalties under the Act for infringements and offences are severe. The NRMCA and its members can each be fined up to 10% of its worldwide turnover for the period of infringement. Individuals can be fined up to RM1,000,000 and/or imprisoned up to 5 years for offences. Separately, third parties who suffer loss or damage because of the violation of the Act can sue for damages.