

Code of Conduct

With regard to Competition Law

About buildingSMART International Limited

buildingSMART International Limited (“buildingSMART”) is a not for profit organisation established to promote the use of open sharable asset information in the creation and operation of civil infrastructure and buildings worldwide.

buildingSMART’s membership consists of businesses operating across all areas of the building and infrastructure industry, including owners, contractors, manufacturers, software vendors, operators and consultants.

Commitment to competition law compliance

buildingSMART and its members are committed to complying with all applicable laws, including the competition laws of the United States, the European Union, the United Kingdom and all other relevant jurisdictions.

As part of this commitment, buildingSMART has produced this competition law compliance statement to provide guidance to its members.

buildingSMART’s approach to standards

buildingSMART’s activities include facilitating the development of standards to enable civil infrastructure and building asset data to be shared across all providers to the industry.

buildingSMART is committed to ensuring that:

- participation in the development of standards is unrestricted and the process for their adoption is transparent; and
- standards that are developed:
 - do not favour any particular provider; and
 - are open, non-binding and accessible to all.

Anti-trust Guidelines for members

Members may not use buildingSMART's meetings or other activities as a forum for discussing or agreeing any matters that would breach competition laws. The following topics are prohibited at all times within and on behalf of buildingSMART:

- fixing or recommending prices, rates or terms (including levels of commission, discounts, rebates or minimum prices);
- the terms of any tender (including the level of any bids to be submitted);
- limiting capacity or output;
- matters relating to particular customers or suppliers;
- boycotting particular customers or suppliers;
- information disclosing business strategies or future market conduct, as far as this information is not publicly available;
- information disclosing profits, profit margin, market shares, and intended investments, as far as this information is not publicly available;
- dividing or allocating markets, territories or customers; or
- any other matter that involves commercially sensitive information relating to a member being disclosed to another member that is a competitor.

Conduct of meetings

At the outset of its conferences / meetings buildingSMART will remind all participants of this Code of Conduct for compliance with competition laws.

Where any attendee at a meeting considers that a matter under discussion may raise a potential competition law issue, that attendee should raise the matter at the earliest opportunity. Where it is not possible to resolve the concern, the chair will suspend discussion of the matter in order for competition law advice to be taken.

Execution/enforcement

buildingSMART will implement this Code of Conduct by informing all buildingSMART members about this regulation with binding rules for members and their representatives. Furthermore it will stipulate that violation or non-observance may result in immediate termination of membership. Other forms of sanction include warnings, bars on participation, reprimands and suspensions.

This buildingSMART Code of Conduct has been approved and accepted by the buildingSMART Board members unanimously at their meeting on 6 September 2017.