

# HMSDC Antitrust Policy

The Houston Minority Supplier Development Council (HMSDC) is dedicated to actively involve its members in efforts that will increase and expand business opportunities and business growth for minority business enterprises (MBEs).

As a non-profit business organization, HMSDC may not play any role in the competitive decisions of its members or their affiliates or business partners, nor in any way restrict competition among its members, MBEs, or any other company. Accordingly, any activity that intentionally or unintentionally reduces competition or restrains trade is contrary to HMSDC policy.

In order to ensure that HMSDC members, MBEs, and staff understand HMSDC's antitrust policy, the Board of Directors, through this statement of policy, makes clear its unequivocal support for the policy of competition served by the antitrust laws and its intent to fully comply with those laws.

## **Antitrust Laws and Penalties for Violations**

Trade associations and their members are subject to both federal and state antitrust laws. Violations of these laws can result in criminal convictions punishable by fines and imprisonment, or both.

## **HMSDC Antitrust Guidelines and Statement of Policy**

It is the responsibility of every member to abide by HMSDC's policy of strict compliance with antitrust laws in connection with all HMSDC activities. It shall be the responsibility of the HMSDC Board of Directors, Committee Chairs, officers, and staff to ensure that this policy is known and adhered to the course of activities pursued under their leadership. In an effort to assist in recognizing situations which may raise the appearance of an antitrust problem, the Board provides the following General Rules of Compliance with Antitrust Regulations.

## **General Rules of Compliance with Antitrust Regulations**

The following rules are applicable to all HMSDC activities and must be observed in all situations and under all circumstances without exception.

1. No activity of HMSDC shall be used for the purpose of bringing about or attempting to bring about any understanding or agreement, written or oral, formal or informal, express or implied, among competitors with regard to business practices, the form or content of documents or contracts, prices, terms or conditions of sale, distribution, volume of sales, territories or customers.
2. No HMSDC activity or communication shall include discussion for any purpose or in any fashion of pricing methods, quotas or other limitation on either timing, costs, or sales volume, or allocation of territories or customers or other competitively sensitive information.
3. No HMSDC activity or communication shall include any discussion which might be construed as an attempt to prevent any person or business entity from gaining access to any market or customer for goods or services, or to prevent any business entity from obtaining a supply of products or services or otherwise purchasing products or services freely in the marketplace.
4. Neither HMSDC nor any of its Committees shall engage in any effort to inhibit competition, restrain trade or impede free choice among consumers for products and services.
5. No HMSDC activity or communication shall include any discussion which might be construed as an agreement or understanding to refrain from obtaining funding or purchasing any equipment or services or other supplies from any supplier.
6. Should participants have any doubt concerning whether a discussion or proposed activity violates HMSDC Antitrust Policy or raises any antitrust considerations, they should promptly raise their concerns to HMSDC so the issue may be immediately addressed.