

## **BVRLA Meeting Rules of Procedure**

BVRLA members meet on a regular basis to look at furthering the interests of its corporate and broker members. Their activities are diverse but they can be broadly categorised as:

- representing to Government, the European Commission and other public bodies the interests of members on legislation, regulations, taxation and policy matters likely to affect them
- promoting and protecting the interests of members in the media, collecting and disseminating statistics and market information, and information about legislation and Government policy
- developing standards, codes of practice or standard terms and conditions of sale
- providing a range of services of an advisory or consultancy nature on, for example, legal, accounting, training or environmental matters, and providing advice of a more commercial nature.

### **Competition Law**

The Competition Act 1998 and Enterprise Act 2002 do not prohibit active participation in trade association meetings and contact with competitors at those meetings. However, these guidelines are aimed at clarifying what may and what may not be discussed formally or informally at any BVRLA meetings to ensure that actions or decisions which may be deemed as being anti-competitive or collusive do not occur. Activities of trade associations which have no appreciable effect on competition will be of no concern to the Competition and Markets Authority.

### **Rules of Committees and Meetings**

- Committees and other BVRLA group meetings should not make any decision where the effect of that decision is to limit the freedom or action of any BVRLA corporate or broker members.
- Committee or group members should bear in mind that at committee meetings they act as representatives not only of their own company but also of the BVRLA membership and any decisions taken by committee members should consider the impact on the wider membership as a whole.
- A committee or group members should declare any conflict of interest should individual commercial issues have a bearing on the decision required without revealing the detail of such issues.

### **BVRLA Meeting Procedures**

- **BVRLA executive** will ensure that comprehensive agendas, papers and minutes of meetings are circulated to all committee or group members. Minutes will be sufficiently detailed to identify a committee or group member who dissented from any particular decision or abstained from a discussion.
- **The chairman presiding over the meeting** will ensure that discussions are restricted to agenda items and that discussions are terminated should any of the matters not permissible for discussion arise, for example discussion on an individual company or industry pricing policy.
- **A senior member of the BVRLA staff** will attend committee meetings in an advisory capacity and will, where required, offer guidance on compliance with these guidelines.
- **All committee or group members** should be vigilant as to what is discussed bearing in mind these guidelines. Such vigilance extends not only to the formal business of the meeting but also to informal discussions with other committee members before and after the meeting. The same guidance applies to all contact with business competitors.

### **Matters which may be discussed at BVRLA meetings**

- Any matter relating to the aims and objectives of the committee, for example issues of law and policy affecting the industry.
- Easily accessible publicly available information, non-confidential, technical and promotional issues including general promotional opportunities or new technology and equipment available to the industry. However, this must not be extended to discussions about any member company's specific proposals.

- Industry standards which aim to introduce or enhance best practice which may include provisions, for example, for dealing with customer complaints and a redress procedure.
- Best practice statements which seek to raise standards in the industry without recommending specific policy or practice.
- Matters affecting the standards of operation within the industry, for example inspection reports on members, complaints history or media reports on standards
- Information about industry activities obtained from third parties or other media sources provided the availability of the information has not been arranged with a competitor.
- Model terms and conditions of business compliant with current legislation which benefit the customer, providing no recommendation is made that members must adopt standard terms and conditions.
- Products or services which are of benefit to the industry, as long as no pricing or terms of purchase are discussed.
- Discussion with other trade bodies or organisations which will be of general benefit to the industry.
- Reports from other committees of the BVRLA
- General cost pressures facing the industry
- Strategic issues facing the industry e.g. removal of block exemption, used car market trends, trends in new car prices.
- The development of services to members, for example the RISC database, driver licence check service

#### **Matters which would never be discussed at meetings**

- Individual company prices, price changes, terms of sale and profit margins.
- Industry pricing policies, price levels, price changes etc.
- Price differentials, price mark-ups, discounts, allowances, credit terms.
- Production or distribution costs, cost accounting formulae, methods of computing costs.
- Individual (own or other) company figures on sources of supply, cost, production, inventories, sales etc.
- Information as to future plans of individual companies, production, distribution or marketing plans, including proposed new territories or customers.
- Information relating to market share
- Matters relating to individual suppliers or customers.
- Matters relating to companies where the objective or result of highlighting the matter could be to exclude a company from membership. Unless specifically requested by the executive to support an application for membership.
- The actual data emerging from benchmarking surveys collected and disseminated by the BVRLA.
- Technical information where the circumstances of the exchange of that information restricts a member's commercial freedom or seeks to influence or determine market behaviour in a particular way –e.g. agreeing to charge a rate for a specific service.