



# **PT. KELLYS EXPRESS ANTI TRUST CHARTER**

**Commercial & Confidential**



## ANTI-TRUST CHARTER

Kellys Express is committed to conduct all of our business in an honest & ethical manner. In order to be compliant with FIDI FAIM requirements, we are committed to comply with the FIDI Anti-Trust Charter that fights against any unfair practices. Kellys Express also complies fully with Indonesian Antitrust Supervisory Commission (KPPU) and work closely with other Anti-Trust laws in the countries where we do business with.

Kellys Express never seeks a competitive advantage through unethical, illegal or unfair practices. We are determined to support the fight against cartels, which restrict competition among suppliers to the detriment of customers. This policy applies to individual employees, agents, suppliers, consultants or any other people or bodies associated with Kellys Express, or any of its subsidiaries and employees.

Kellys Express respects the Anti-Trust laws and regulations in the countries in which it operates and requires that its Affiliates do the same. Involvement in a cartel is unacceptable. It is against FIDI's core values of competing freely and fairly, based on the added value of its products and services. The laws and regulations that sanction cartel conduct are in place in most jurisdictions. These laws and regulations are designed to promote free and fair competition and to protect consumers.

In order to comply with the Anti-Trust Regulations, at Kellys Express, we :

- 1) Identify the risks Identify the key antitrust law risks faced by the business. These may include direct exchanges of commercially sensitive information with competitors or indirect exchanges via a third party (such as a common customer, supplier or other intermediary). For other businesses, frequent collaboration with competitors may give rise to antitrust risk; for some, abuse of market power may be a principal concern.
- 2) Assessing and identifying the risks according to their seriousness (e.g. low, medium or high) and assess which employees are in high risk areas (e.g. those who are likely to have contact with competitors and those in sales and marketing roles).
- 3) Mitigate the Risks Set up appropriate policies, procedures and training to mitigate the risks identified and to detect any issues that do arise.
- 4) Review the procedures - We frequent review steps 1 to 3, and consider the circumstances in which an additional review may be required.

5) Never make direct or indirect (via third parties including agents, suppliers or customers) contact with an actual or potential competitor or other third party, the object of which is to engage in cartel behavior.

6) Never propose or reach an agreement, whether directly or indirectly, formally or informally, with actual or potential competitors, regarding any sensitive competition-related issues, including:

- Fixing prices
- Dividing or sharing markets, customers or territories
- Rigging a competitive bidding process

Report any indication or initiative of improper anticompetitive business conduct by an actual or potential competitor in accordance to your internal reporting procedure, including but not limited to, reporting to a legal department and/or to the relevant Anti-Trust authorities.

Not to participate in a meeting of a trade association in which sensitive competition-related issues are discussed. If such subjects are raised during a meeting, employees of FIDI Affiliates must immediately ask for the discussion to end. If not, they must leave the meeting and ask for that to be noted in the minutes of the meeting.

Ensure that all internal and external correspondence, including e-mails and texts, and documents, discussions and public statements do not contain any statements that might be misinterpreted by third parties or Anti-Trust authorities and courts in the context of a potential Anti-Trust investigation.

Maintain independent judgment in pricing or selling of any products and/or services.

Limit any information discussed during commercial negotiations, with or disclosed to competitors or other third parties, to that which is strictly necessary for completing or assessing the transaction.