

Statement of competition law compliance

The Chartered Institute for Archaeologists (CifA) promotes high professional standards and strong ethics in archaeological practice to its members and the profession generally, and this extends to compliance with competition law. CifA works for the public good and espouses institutional values of reliability, integrity, resourcefulness, teamwork and trust.

CifA members and non-member attendees or participants in CifA-organised meetings and events must:

- act with high regard for their ethical, legal and professional obligations, and CifA purposes, values, and legal interests; and
- follow the CifA guiding principles in relation to competition law compliance as follows.

Guiding principles - information that cannot be shared

Competitively sensitive commercial information should never be discussed between market competitors (whether or not members of CifA), either formally or informally, intentionally or inadvertently, directly or indirectly, whether at or under the auspices of a CifA meeting or event, or otherwise, including through a third party. This includes information relating to:

- current or future pricing for archaeological services, or matters affecting prices
- company-specific sales information
- company-specific cost information
- salaries and wages, hiring practices or limitations on hiring a competitor's employees
- commercial planning or strategy information including geographic growth and business expansion or contraction plans
- key contract terms, such as any matters relating to specific suppliers and customers that are significant to core drivers of competition within the market for archaeological services.

Also, market competitors (whether or not members of CifA), must never reach any agreement or understanding (including tacitly) on the following:

- prices that either company will announce or charge their customers
- the timing or method of price increases
- terms of sale or delivery that either company will offer customers
- allocating geographic markets in which either company will sell or not sell
- allocating customers to which either company will sell or not sell
- bids to any customers, including whether to bid or not to bid
- capacity, or sales volumes
- soliciting each other's employees or employee salaries and benefits.

These types of agreements (cartel agreements) are automatically illegal. There can be no justification; the agreement itself is unlawful.

Guiding principles - information that can be shared

There are many positive aspects to collaboration among and between members (and non-members) of CifA, which may commonly take place under the auspices of CifA-organised meetings and events. The information that can legitimately be shared among and between members (and others) (who - to outsiders - are likely to be considered competitors within the same market) can include:

- information relating to professional standards that improve outcomes from archaeological work
- information relating to technical and ethical matters, including good practice guidance
- information relating to technical and ethical developments which may benefit members, archaeological services providers, customers, or the public generally
- information relating to industry public relations or lobbying initiatives, provided competitively sensitive information is not shared in the process
- information relating to challenges faced by the profession, including the legal, policy or economic environments it operates in
- information on the impact of low pay in archaeology
- CifA-specific information that is in the public domain
- any non-confidential information that is in the public domain.

This statement of compliance does not address how competition law might impact on the operation of joint ventures between members or on the procurement of archaeological services by one member from another outside a CifA-organised meeting or event, nor does it purport to advise members on compliance with competition law. Members are advised to seek independent professional legal advice to help them comply with the requirements of applicable competition law.

Queries

Any questions relating to this statement, or its contents, should be directed to CifA's Head of Governance and Finance, or Chief Executive.

Any suspected breach of this statement should be reported to CifA's Head of Governance and Finance, or Chief Executive.

Dated: February 2024.