



ANTITRUST GUIDANCE FOR AIR TRANSPORT ASSOCIATION OF AMERICA MEETINGS

Antitrust laws determine the way in which companies can act together in business activities, such as ATA meetings and programs. These laws are intended to promote competition. Many countries in addition to the United States have and enforce such laws. You should follow the guidance described below at every meeting that you attend or communication that you have, whether or not it occurs in the United States.

The basic principle of the antitrust laws is that groups of companies cannot join together to combine their economic power to limit or otherwise harm competition. This means that what can be done *individually by a firm* could be unlawful if done *collectively by a group of firms*. Something that may seem to make “good business sense” when done by an individual company can injure competition when done collectively or in coordination by a group of companies and therefore may be prohibited under the antitrust laws. This is especially so when the collective or coordinated action involves competitors. Violation of the antitrust laws does not require a formal or written agreement among companies.

Violation of the antitrust laws can result in civil or criminal penalties, or both. These penalties can be severe and can be imposed on companies or individuals, or both. Neither ATA nor any of our programs is exempt from the antitrust laws.

Because of these antitrust law considerations, we do not discuss, exchange information or reach agreements about such subjects as:

- **Price- or service-related terms**—Passenger fares; cargo rates; service fees; discounts; credit terms; warranty terms; refund policies; claims policies; travel agents’ commission rates; frequent flyer program policies; methods of recouping costs, taxes or fees (including ticket or waybill surcharges); or service terms
- **Division or allocation of markets or customers**—Limiting the geographic availability of a service or product, dividing up the territory in which a service or product will be provided, or dividing up customers
- **Boycotts or blacklists**—Limiting or refusing to do business with a customer, group of customers or category of customers, or a supplier, group of suppliers or category of suppliers
- **Requiring use of specific standards, specifications or vendors**—For example, requiring suppliers to use an ATA specification or the specification of another organization, or agreeing to use only specified suppliers
- **Competitively sensitive internal information** such as pricing, yield, or capacity data, or marketing or service plans
- **Bids or requests for proposals**—This includes government contract bids or RFPs

If you are uncomfortable about discussing or acting on a matter because you believe that it is competitively sensitive, you should immediately say so and seek the advice of legal counsel before further discussing or acting on it.