



Conflicts of Interest and Anti-Competitive Behaviour Policy

Version 2.0

13 Feb 2025

Contents

Contents 1

1. Purpose 2

2. Scope 2

3. Definition of a Conflict of Interest..... 2

4. Definition of Anti-Competitive Behaviour..... 2

5. Disclosure Requirements 2

6. Management of Conflicts and Anti-Competitive Conduct: 3

7. Confidentiality and Transparency 3

8. Legal Compliance and Regulatory Referral..... 4

9. Non-Compliance:..... 4

10. Agreement to Comply..... 4

Version Control

This Code of Conduct is subject to regular review and update to ensure that Plastics New Zealand Incorporated remains compliant with relevant laws and regulations. Updates may also reflect changes in organisational practices, technological advancements, or stakeholder requirements.

The AFR Committee is responsible for regular review of this policy and presenting to the Board for approval of any amendments and ratification.

| Version | Date | Authors | Status |
|---------|-----------|---------------|-----------------|
| V1.1 | 30 Jan 25 | Rachel Barker | Initial version |
| V2.0 | 13 Feb 25 | Rachel Barker | Board Approved |

1. Purpose

This policy ensures that conflicts of interest and anti-competitive behaviours are identified, disclosed, and managed appropriately during meetings, board discussions, and stakeholder engagements, maintaining the integrity, transparency, and fair competition within Plastics NZ operations.

2. Scope

This policy applies to all Plastics NZ members, board members, staff, and participants in Plastics NZ meetings, committees, working groups and stakeholder engagements.

3. Definition of a Conflict of Interest

A conflict of interest arises when an individual's personal, professional, or financial interests may interfere with their obligations to Plastics NZ. This includes:

- Personal or financial relationships that could influence decision-making.
- Employment or consultancy roles with competing or related organisations.
- Holding a financial stake in a business affected by Plastics NZ policies or activities.
- Any other situation that could create a perception of bias.

4. Definition of Anti-Competitive Behaviour

Anti-competitive behaviour includes actions that could limit or distort fair competition within the industry. This includes but is not limited to:

- Price-fixing, bid rigging, or market allocation agreements.
- Sharing sensitive commercial information between competitors.
- Restricting supply or access to markets unfairly.
- Any conduct that may breach New Zealand's Commerce Act 1986.

5. Disclosure Requirements

- Members and participants must declare any potential conflicts of interest at the beginning of meetings, or when a relevant topic arises.
- Disclosures should be recorded in meeting minutes.
- Board members must disclose conflicts of interest in accordance with governance requirements and update any changes as they occur.
- An Interests Register shall be maintained and reviewed at the start of each Board meeting.
- Where appropriate, discussions may be conducted under Chatham House Rule to encourage open dialogue while maintaining confidentiality.

- Any potential anti-competitive discussions or behaviours must be immediately flagged and avoided.

6. Management of Conflicts and Anti-Competitive Conduct:

If a conflict of interest is disclosed or identified:

- The chairperson or meeting facilitator will assess its significance.
- The conflicted individual may be required to abstain from discussions or decision-making related to the conflict.
- In significant cases, the individual may be asked to leave the discussion or delegate responsibilities.
- If uncertainty arises, the matter may be referred to the Plastics NZ Board or CEO for further guidance.
- The final decision on conflict resolution lies with the Board.

For anti-competitive conduct:

- Participants must immediately cease discussions that risk breaching competition laws.
- Any suspected anti-competitive behaviour must be reported to the Plastics NZ Board or CEO for assessment and determination of next steps, which may include seeking external legal counsel for further guidance.
- Any individual found engaging in or facilitating anti-competitive conduct may be subject to disciplinary action, including removal from Board, Committee or Group, or exclusion from future activities.
- Participants are reminded that Plastics NZ social functions must also adhere to competition law principles, and sensitive commercial discussions must be avoided.

7. Confidentiality and Transparency

- All in-meeting disclosures and management actions should be documented to ensure transparency.
- Participants must not misuse confidential information for personal or financial gain.
- Members and stakeholders may report potential conflicts of interest or anti-competitive behaviour anonymously through the CEO. An independent third-party may also be used.
- Reports will be treated confidentially where requested or where disadvantage to the reportee might occur. Otherwise, reports will be documented to ensure transparency.

8. Legal Compliance and Regulatory Referral

- This policy aligns with New Zealand's Incorporated Societies Act 2022 and the Commerce Act 1986.
- Serious anti-competitive breaches may be referred to the New Zealand Commerce Commission or other regulatory bodies if necessary.

9. Non-Compliance:

- Failure to disclose a conflict of interest or engaging in anti-competitive conduct may result in disciplinary action, including removal from committees or exclusion from decision-making roles.
- The Plastics NZ Board has the final authority on resolving conflict of interest issues and investigating anti-competitive conduct.

10. Agreement to Comply

By participating in Plastic NZ meetings and activities, individuals acknowledge this policy and agree to adhere to its provisions.