

Policy:	Antitrust and Competition Law	Policy Reference and Revision Number:	HR 029 Rev 000
Department:	Compliance	Effective Date:	01/01/2022
Authorized By:	SVP and General Counsel	Page:	Page 1 of 1

PURPOSE

This Policy applies to all managers, officers, directors, and employees (collectively, “**employees**”) of BWC Terminals (the “**Company**”). BWC is committed to ethical, fair, and vigorous competition and will provide services based on its abilities and competitive pricing. Antitrust and Competition laws serve the public interest by protecting the free-market system and preventing unfair business practices.

POLICY

It is the Policy of the Company to engage in fair competition. All employees are expected to maintain a basic familiarity with the principles and purposes of these laws as they apply to BWC’s business.

These laws deal with agreements and practices “in restraint of trade” such as price-fixing, fixing other terms of sale or purchase, bid-rigging, dividing customers or markets, abusing market power, boycotting suppliers or customers, monopolization, and other anti-competitive business arrangements. They also bar pricing intended to run a competitor out of business, and disparaging, misrepresenting, or harassing a competitor.

Violations of antitrust and competition laws may result in severe penalties such as the voiding of agreements, forced sales of parts of businesses and significant fines against the Company. Individual employees may also face substantial fines and imprisonment.

Prohibited Conduct

Any verbal or written agreement with a competitor of the Company to engage in anti-competitive practices is illegal and prohibited by this Policy. It is a violation of this Policy to ask or invite any competitor to enter into any of these types of agreements. If you are aware of any such agreement or receive a request from a competitor to enter into a discussion of this type, it is your obligation to report it immediately.

Dealing with Competitors

Due to these strict prohibitions against agreements between competing companies, employees must be especially cautious when engaging in activities where they may come in contact with employees of our competitors. Do not have any discussion with a competitor concerning fees, discounts, pricing methods, costs, warranties, or other proprietary information without first consulting the Legal Department.

Dealing with Customers

Employees must consult the Legal Department before entering into agreements that are exclusive and require a customer or potential customer to only do business with the Company.

Disciplinary Action

Any violation of this Policy may subject the employee to disciplinary action, up to and including termination. In addition, any employee with knowledge of any violation who does not report it may be subject to disciplinary action, up to and including termination.