

SolarPower Europe BYLAWS

BYLAWS of EPIA: SolarPower Europe AISBL of 11.12.2015, revised on 24 November 2020 and 1 July 2021 (decided by the Board) – Membership fees revision 24 November 2021

SolarPower Europe is a member-led association representing organisations active along the whole value chain. SolarPower Europe’s aim is to shape the regulatory environment and enhance business opportunities for solar power in Europe.

The present Bylaws are adopted by the Board in accordance with Article 24 of the Statutes and shall clarify and adjust the relationship and responsibilities of and between the SolarPower Europe institutions (Board, Secretariat, Secretary General/CEO, Task Forces, Working Groups), not only to improve and speed up the internal relationship and positioning process, but also to sharpen and encourage the engagement of SolarPower Europe members.

Table of Contents

SolarPower Europe BYLAWS	1
Article 1 - Definitions	2
Title I – Membership	3
Article 2 - Membership Categories and Fees	3
Article 2.1 - Full Members	3
Article 2.2 - Associate Members	3
Article 3 - Membership fee payment	3
Article 4 - Membership Benefits	4
Article 4.1 - Voting Rights at the General Assembly	4
Article 4.2 – Member benefits, complementing the Statutes	4
4.2.1 - Benefits for Sponsor Members (FM-S)	4
4.2.2 - Benefits for Premium Members (FM-P)	5
4.2.3 - Benefits for Corporate Members (FM-C-4, FM-C-3, FM-C-2, FM-C-1)	5
4.2.4 - Benefits for Associate Members (AM-F and AM-S)	5
Title II - Organisation of the work of SolarPower Europe	5
Article 5 - Operational Structure	5
Article 5.1 - Advocacy Committee (“Advocacy Group”)	6
Role of the Chair of the Advocacy Group	6
Role of the Advocacy Group Vice-Chair	6
Article 5.2 – Workstreams (WS)	7
5.2.1 - Establishment / Dissolution of a WS	7
5.2.2 - Membership in a WS	7

5.2.3 - Governance of the WS	7
Article 5.3 – Working Groups (WG)	8
5.3.1 - Establishment / Dissolution of a WG.....	8
5.3.2 - Membership in a WG	8
5.3.3 - Governance of the WG	8
Article 5.4 - Roles of Workstream and Working Group members	8
5.4.1 - Role of the WS/ WG Chair.....	8
5.4.2 - Role of the WS/WG Vice-Chair.....	8
5.4.3 – Role of the Secretariat and the Secretary General/CEO.....	9
Title III - Position Papers	9
Article 6 - Right of Initiative	9
Article 7 – Procedure for the adoption of Position Papers	9
Title IV - Board.....	10
Article 8 – Organisation of Board meetings	10
Article 9 – Specific duties of the members of the Board	10
Article 10 - Specific duties of the President and the Vice-Presidents	11
Article 11 - Specialised Board committees.....	11
Title V - Secretary General/CEO.....	12
Art 12 - Specific duties of the Secretary General/CEO.....	12
Title VI – Final Provisions	12
Article 13 – Code of Conduct – Competition law	12
Article 14 - Publication of the Bylaws	13

Article 1 - Definitions

Advocacy Committee: shall mean the group of members which is mandated by the Board to draft Position Papers and engage in the advocacy work of the Association.

Association: shall mean the European Photovoltaic Industry Association: SolarPower Europe, abbreviated "SolarPower Europe", A.I.S.B.L.

Board: shall mean the Board of directors of the association composed in accordance with Article 18 of the Statutes.

Bylaws: shall mean the present bylaws adopted by the Board on 11.12.2015 and as they may be amended from time to time by the Board

Director: shall mean a director as a member of the Board of the association.

General Assembly: shall mean the general meeting of members referred to in Title IV of the Statutes, irrespective whether it concerns the annual general meeting or an extraordinary meeting.

Members: shall mean the Full Members and the Associate Members of the association.

Position Papers: shall mean a detailed report to be discussed and adopted by the Board of the association in respect of a certain development or proposal potentially impacting the PV industry and which usually explains or recommends on behalf of the association a particular course of action.

President: shall mean the President of the Board appointed in accordance with Article 18.2 of the Statutes.

Secretariat: shall mean the secretary team of the association.

Secretary General/CEO: shall mean the Secretary General/CEO of the association appointed in accordance with Article 23 of the Statutes and vested with the duties and rights defined there.

Workstreams (WS): shall mean the organization of advocacy activities, events and webinars as well as regular information of members on a specific topic by the Secretariat.

Working Group (WG): shall mean a working group consisting of association members and established ad hoc to work on a specific deliverable or position.

Title I – Membership

Article 2 - Membership Categories and Fees

Art 6 of the Statutes establish the following membership categories and membership fees:

Article 2.1 - Full Members

- Sponsor Members (FM-S) will pay an annual membership fee of minimum € 60.000 (sixty thousand Euros);
- Premium Members (FM-P) will pay an annual membership fee of minimum € 35.000 (thirty-five thousand Euros);
- Corporate Members (FM-C): The four categories of Corporate Membership are:
 - Corporate Members 4 (FM-C-4) will pay an annual membership fee of minimum € 26.000 (twenty-six thousand Euros)
 - Corporate Members 3 (FM-C-3) will pay an annual membership fee of minimum € 15.000 (fifteen thousand Euros)
 - Corporate Members 2 (FM-C-2) will pay an annual membership fee of minimum € 8.000 (eight thousand Euros); and
 - Corporate Members 1 (FM-C-1) will pay an annual membership fee of minimum € 3.000 (three thousand Euros)

Article 2.2 - Associate Members

There are two (2) categories of Associate Members (AM).

- Full Associate Members (AM-F) will pay an annual membership fee of minimum € 3.000 (three thousand Euros)
- Associate Members-Small and Small and Start-ups (AM-S) will pay an annual membership fee of minimum € 2.000 (two thousand Euros)

Art 2.3. Membership fees in 2022

In the period between 1.1. – 31.12. 2022 the following annual membership fees shall apply for all members joining SolarPower Europe before 31.12.2021.

- Sponsor Members (FM-S): € 52.000 (fifty-two thousand Euros);
- Premium Members (FM-P): € 30.000 (thirty thousand Euros);
- Corporate Members 3 and 4 (FM-C3- and-C4): € 12.000 (twelve thousand Euros);
- Corporate Members 2 (FM-C-2): € 6.000 (six thousand Euros);
- Corporate Members 1 (FM-C-1): € 1.500 (one thousand five hundred Euros).
- Full Associate Members (AM-F): € 3.000 (three thousand Euros);
- Associate Members (AM-S): € 1.500 (one thousand five hundred Euros).

Article 3 - Membership fee payment

Any application for membership submitted before the 30th of June of the financial year (i.e. January to December of each year) will imply that 100% of the membership fees established for the concerned financial year in course will be due by the newly admitted member

Any application for membership submitted after the 30th of June of the financial year will imply that 50% of the membership fees established for the concerned financial year in course will be due by the newly admitted member.

Only members which have paid their membership fees before the yearly General Assembly will be able to vote at the General Assembly.

Article 4 - Membership Benefits

Article 4.1 - Voting Rights at the General Assembly

According to Art 15 of the Statutes, members benefit from the following voting rights:

- Sponsors (FM-S): 15 voting rights
- Premium members (FM-P): 5 voting rights
- Corporate Member 4 (FM-C-4): 3 voting rights
- Corporate Members 3 (FM-C-3): 2 voting rights
- Corporate Members 2 (FM-C-2): 1 voting right
- Corporate Members 1 (FM-C-1): 1 voting right
- Associate Members (AM-F): 2 voting rights
- Associate Members – Small and Start-ups (AM-S): 1 voting right

Article 4.2 – Member benefits, complementing the Statutes

Title III of the Statutes define the general membership rights and benefits. Corresponding with the Statutes, certain membership benefits of Full and Associate Members are defined in the Bylaws, as follows.

4.2.1 - Benefits for Sponsor Members (FM-S)

- Nominate candidates for the election of the President, the Vice-President and the Directors of the Association,
- Initiate Workstreams
- Nominate the Chair / Vice Chair of the Associations Workstreams and Working Groups
- Can apply to act as Chair of the Advocacy Group
- Participation in Advocacy group, Workstreams and Working Groups
- Logo display on an event banner at 3 SolarPower Europe events of choice per year (alongside other sponsor members)
- Logo as a supporter in the Global Market Outlook
- Free sponsorship of 1 webinar
- Exclusive invitations to meetings with regulators, policy makers & industry VIPs
- Priority invitation to speak at high profile events
- Press/Polycymaker trips to your company facilities, projects, events
- Unlimited access to our experts-phone assistance & private meetings
- Priority speaking opportunities & free participation to industry delegations to emerging markets
- Exclusive video testimonials for C level executives on our media channels
- Free participation to the annual SolarPower Summit
- Attendance to exclusive networking events
- Profit from discounts with SolarPower Europe's partners
- Free participation to thematic webinars
- Company profile on the online members director

- Member-only communications and access to exclusive information on website

4.2.2 - Benefits for Premium Members (FM-P)

- Nominate candidates for the election of the President, the Vice-President and the Directors of the Association,
- Nominate the Chair / Vice Chair of the Associations Workstreams and Working Groups
- Can apply to act as Chair of the Advocacy Group
- Participation in Advocacy group, Workstreams and Working Groups
- Free participation to the annual SolarPower Summit
- Attendance to exclusive networking events
- Profit from discounts with SolarPower Europe's partners
- Free participation to thematic webinars
- Company profile on the online members director
- Member-only communications and access to exclusive information on website

4.2.3 - Benefits for Corporate Members (FM-C-4, FM-C-3, FM-C-2, FM-C-1)

- Participation in Advocacy Updates, all Workstreams and Working Groups (except for FM-C-1 members who can only attend one Workstream / Working Group at time)
- Attendance to exclusive networking events
- Profit from discounts with SolarPower Europe's partners
- Free participation to thematic webinars
- Company profile on the online members director
- Member-only communications and access to exclusive information on website

4.2.4 - Benefits for Associate Members (AM-F and AM-S)

- Participation in Advocacy Updates, all Workstreams and Working Groups
- Free participation to the annual SolarPower Summit
- Attendance to exclusive networking events
- Profit from discounts with SolarPower Europe's partners
- Free participation to thematic webinars
- Company profile on the online members director
- Member-only communications and access to exclusive information on website

Title II - Organisation of the work of SolarPower Europe

Article 5 - Operational Structure

The Secretariat organizes the day-to-day work on thematic subjects which are of strategic importance for the solar sector in **Workstreams (WS)**. Each Workstream is coordinated by one or more members of the Secretariat. Through the Workstream, the Secretariat updates members on a regular basis on key activities and news, gathers input from WS members, organizes advocacy activities, events and webinars. The activities of the Workstream are supported by the Chairs and Vice-Chairs of the Workstream.

Working Groups (WG) can be established ad hoc to work on a specific deliverable (e.g. report) or position.

The **Strategic Advocacy Committee ("Advocacy Group")** supports the development of positions of the association and organises regular updates of the broader membership on relevant topics.

Article 5.1 - Advocacy Committee (“Advocacy Group”)

The Advocacy Committee is mandated by the Board to draft Position Papers and engage in the advocacy work of the Association.

The Advocacy Committee is composed of Sponsor members (FM-S) and Premium members (FM-P). In case relevant, the Advocacy Committee can request the participation of Workstream representatives or national associations. Members other than FM-S, FM-P or national associations do not have a voting right.

FM-S, FM-P or national associations willing to participate in the Advocacy Group can do so by simple notification to the Secretary General/CEO or the Secretariat.

Decisions of the Advocacy Committee are taken by simple majority whereas every member has one vote.

The Advocacy Committee has a Chair and up to two Vice Chairs. The Chair and Vice Chairs are elected by the members of the Advocacy Committee every two years. Each member present shall have the number of votes as outlined in Art 4.1 of the Bylaws.

The election of the Chair and Vice Chairs of the Advocacy Group shall be organised as follows:

First, the Chair shall be elected from among the candidates from the Sponsor (FM-S) and Premium Members (FM-P) of the Association. Subsequently, the Vice-Chairs shall be elected from among the candidates from the Sponsors (FM-S) and Premium Members (FM-P) of the Association.

If several candidates receive the same number of votes, additional subsequent votes between them shall take place. Candidates for the role of Chair who were not elected may be presented for the election of Vice-Chairs. For the election of Vice Chairs, Directors, members will be able to cast the vote for up to two candidates.

Role of the Chair of the Advocacy Group

- Define the Position Papers to work on, jointly with the Secretariat;
- Sets the agenda for advocacy activities, jointly with the Secretariat;
- Facilitate the development of Position papers;
- Organize the personal temporal availability to fulfil all duties of a Chair of a WG;
- Report in writing to the SolarPower Europe Board and the Secretary General/CEO of any illegal attempts of Advocacy Group members to engage in anti-competitive practices during meetings.

Role of the Advocacy Group Vice-Chair

- Replace and fulfil the duties of the Advocacy Group Chair when the Chair is not available;
- Be co-responsible for the smooth operation of the Advocacy Group in order to ensure transparency;
- Organize the personal temporal availability to fulfil all duties of a Vice-Chair.

The Secretariat together with the Chair and Vice Chairs of the Advocacy Group organises **quarterly Advocacy updates – so called “Strategy and advocacy quarterly meetings”** for SolarPower Europe members to inform members about current regulatory and legislative developments, exchange with policy makers on actual topics and positions developed by SolarPower Europe.

Article 5.2 – Workstreams (WS)

5.2.1 - Establishment / Dissolution of a WS

A WS can be launched by the Secretariat or the Board and Sponsor Members.

The power to dissolve a WS belongs to the Board upon proposal of the Secretary General/CEO or a Board member.

5.2.2 - Membership in a WS

Membership in a Workstream is open to all members.

All members of the association have the right to appoint a representative of the company to take part in a WS at any time. In general, the number of persons representing a member in a WS shall be limited to one.

The establishment of a WS is communicated to members, indicating the objectives and the duration, and inviting members to participate in the WS.

A member who wants to join a WS will notify the Secretary General/CEO or the Secretariat, specifying who shall represent the member in the WS.

The Secretariat will publish and update a list of the WS members in the member's area of the association's website.

5.2.3 - Governance of the WS

Each WS has a Chair and at least one Vice Chair and not more than two Vice Chairs.

The position of the Chair can be held by Sponsor and Premium members of the WS. Each Sponsor or Premium Member can only chair one WS. In addition, a Sponsor or Premium member can hold one Vice Chair position. In case a Sponsor or Premium Member is not chairing a workstream a second Vice Chair position can be held.

The Chair and Vice Chair(s) shall be elected by the members of the WS by simple majority.

The Chair and Vice-Chair(s) shall be appointed for a period of 2 years, except for new Workstreams where the Chairmanship can be extended for another year upon request of the Chair and subject to Board validation. The Secretariat organises an electronic secret ballot among all members of the WS; each member present shall have the number of votes as outlined in Art 4.1 of the Bylaws.

The election of the Chair and Vice Chairs of the Advocacy Group shall be organised as follows:

First, the Chair shall be elected from among the candidates from the Sponsor (FM-S) and Premium Members (FM-P) of the Association. Subsequently, the Vice-Chairs shall be elected from among the candidates from the Sponsors (FM-S) and Premium Members (FM-P) of the Association.

If several candidates receive the same number of votes, additional subsequent votes between them shall take place. Candidates for the role of Chair who were not elected may be presented for the election of Vice-Chairs. For the election of Vice Chairs, Directors, members will be able to cast the vote for up to two candidates.

The decisions of a WS shall be taken by consensus. Where consensus cannot be reached, the Chair may organize a vote where decisions are taken by simple majority. WS members shall have each one vote.

Article 5.3 – Working Groups (WG)

5.3.1 - Establishment / Dissolution of a WG

For specific topics or projects WG can be established by the Secretary General/CEO, the chair of a WS or a Sponsor Member being member in the WS, after consultation and in agreement with the Secretary General/CEO and the WS members.

5.3.2 - Membership in a WG

Membership in a WG is open to members of the WS involved.

The establishment of a WG is communicated to members, indicating the objectives and the duration, and inviting members to participate in the WG.

A member who wants to join a WG will notify the Secretariat, specifying who shall represent the member in the WG.

The Secretariat will publish and update a list of the WG members in the member's area of the association's website.

5.3.3 - Governance of the WG

The WG is chaired by the WS Chairs and/or Vice-Chairs, charged with the follow-up of the specific topics/tasks/projects entrusted to the WG.

The decisions of a WG shall be taken by consensus. Where consensus cannot be reached, the Chair may organize a vote where decisions are taken by simple majority. WG members shall have each one vote.

Article 5.4 - Roles of Workstream and Working Group members

5.4.1 - Role of the WS/ WG Chair

- Initiate the agenda of the WS/WG, jointly with the Secretariat;
- Fix the dates of the meetings of the WS/WG, jointly with the Secretariat;
- Establish an action plan of the activity of the WS/WG, jointly with the Secretariat;
- Organize the personal temporal availability to fulfil all duties of a Chair of a WS/WG;
- Report in writing to the SolarPower Europe Board and the Secretary General/CEO of any illegal attempts of WS/WG members to engage in anti-competitive practices during WG meetings.

5.4.2 - Role of the WS/WG Vice-Chair

- Replace and fulfil the duties of the WS/WG Chair when the Chair is not available;
- Assist with the setting of the agenda of the WS/WG meetings;
- Be co-responsible for the smooth operation of the WS/WG in order to ensure transparency;
- Organize the personal temporal availability to fulfil all duties of a Vice-Chair of a WS/WG.

5.4.3 – Role of the Secretariat and the Secretary General/CEO

The Secretary General/CEO appoints a member of the Secretariat as the responsible person for matters of the WS or WG.

This member of the Secretariat will be present at the meetings of each WS or WG and shall:

- Jointly with the WS or WG Chair and the WS/WG members prepare and discuss the annual working plan of the WS or the working plan of a WG;
- Support the WS or WG Chair in preparation of the WS or WG meetings (e.g. invitation, agenda etc.);
- Organize direct and regular contact with the WS/WG Chair, in addition to the WS/WG meetings;
- Organize the publication of important news and documents on the SolarPower Europe website for members only;
- Ensure the correct functioning of the WS or WG and compliance with the Statutes and these Bylaws;
- Document and keep records of any illegal attempts of WS/WG members to engage in anti-competitive practices during WS/WG meetings.

In cases of disagreement or unclear situations inside the WS/WG or between the WS/WG and the member of the Secretariat, the Secretary General/CEO shall be involved and try to find a solution.

The Secretary General/CEO together with the Secretariat will involve the WS or WG in the process of defining the action plan of the association of the next year.

Title III - Position Papers

Position Papers represent the view of the members of the Associations on specific topics relevant to the solar industry.

Article 6 - Right of Initiative

The initiative for drafting a Position Paper can be taken by either:

- the Board
- the Advocacy Group or
- the Secretary General/CEO

A WS or WG can submit a request for drafting and adopting a Position Paper to the Secretary General/CEO. Such a request has to be adopted by the majority of the members of the WS or WG present during a meeting (each having one vote).

Article 7 – Procedure for the adoption of Position Papers

The Secretariat, together with the Advocacy Group, will compile and analyze the relevant information and draft the Position Paper. Relevant Workstreams and Working groups, and if needed external experts, should be consulted during the process.

Draft position papers shall be adopted by consensus in the Advocacy Group. In case needed, the Position Paper is put to a vote and will be adopted as a draft by the majority of the Advocacy Group members.

The draft Position Paper will be submitted to the Board for comments and/or final validation. The Board will approve the Position Paper either in a board meeting or through written procedure. The Secretary

General/CEO will strive for consensus of the Board on Position Papers. However, in case needed, the adoption of the Position Paper by the Board can be taken by simple majority, whereby every Board member has one vote.

Draft Position Papers should be sent to the Board by the Secretary General/CEO or the Secretariat at least 2 days in advance for position papers approved by the Advocacy Committee. The Secretary General/CEO or the Secretariat will define a deadline for feedback on the Position Paper by the Board members. If no feedback is provided by Board members within the deadline set by the Secretary General/CEO or the Secretariat it is deemed that the respective Board members agree with the Position Paper.

Upon final adoption by the SolarPower Europe Board, all Position Papers shall be published in the member's area of the association's website and shall be publicly advocated at the discretion of the Secretary General/CEO and/or the Board.

Title IV - Board

The rights and duties of the Board are set out in Article 18 of the Statutes and are further defined in the following.

Article 8 – Organisation of Board meetings

Strategic decisions concerning the Association are taken by the Board during Board meetings. Other decisions requiring the involvement of the Board (e.g. admission of new members or adoption of position papers) can also be taken in a written procedure.

Board meetings shall be organised four times a year physically. If a physical meeting is not possible, the meeting can also be organised virtually. One meeting per year shall be dedicated to discuss and adopt the further strategy of the Association.

Preparatory documents for the Board meeting shall be sent to the Board members at least ten days in advance. The Minutes of the Board meeting are prepared by the Secretary General. The draft minutes are sent to the Board members before the next Board meeting.

Board members will only be able to vote at the Board meeting if they have paid their membership fee of the ongoing membership year.

Article 9 – Specific duties of the members of the Board

The members of the Board shall:

- Attend Board meetings and be knowledgeable about the background and support documentation provided prior to the tenure of the Board meeting;
- Participate actively in Board discussions moderated by the President, adopt Board rules and norms and implement the decision making process under the management of the President;
- Organize their temporal availability to fulfil all duties as a member of the Board;
- Participate in specialised Board committees upon decision of the Board as established in Article 11 below;
- Support the President of the Board in the execution of his mission.

Members of the Board may take over speeches on behalf of the association and represent the position of SolarPower Europe in lectures, performances in debates, etc. The Secretary General/CEO should be informed about these events at an early stage. In cases of different opinions between the association and the company for which the person works, the association's position should be very clearly mentioned, when the person is speaking on behalf of SolarPower Europe. In general terms only members of the SolarPower Europe Board or the Secretary General/CEO have the right to represent the association. Members of the Secretariat may represent SolarPower Europe when deemed appropriate by the Secretary General/CEO. If appropriate, other members of SolarPower Europe may represent the association (e.g. WS or WG Chairs or Vice-Chairs).

Article 10 - Specific duties of the President and the Vice-Presidents

The President shall:

- Provide leadership to the Board;
- Review with the Secretary General/CEO issues of concern to the Board and prepare the Board agenda together with the Secretary General/CEO;
- Chair meetings of the Board and lead timely execution of the agenda;
- Ensure implementation of Board norms and rules;
- Moderate the discussions and manage the decision process;
- Hold accountability for the effectiveness of the Board;
- Monitor performance of the Secretary General /CEO.

The Vice-Presidents shall:

- Replace and fulfil the duties of the President when the President is not available;
- Assist with the setting of the agenda of the Board meetings;
- Be co-responsible for the smooth operation of the Board in general terms;
- The President and the Vice-Presidents shall organize their temporal availability to fulfil all duties of that position.

Article 11 - Specialised Board committees

Specialised Board committees are constituted upon decision of the Board by simple majority. These Board committees are accountable to provide highly focused advice and recommendations to the Board about certain topics or disciplines. They can be associated to a work plan including specific goals, objectives and deadlines for achievement. Committees shall also report to the Board on the progress in relation to the mission or work plan.

Art 12 – Voting procedure for Board elections

The principles are set out in Article 18 of the Statutes.

Sponsors (FM-S) and Premium Members (FM-P) will be invited together with the invitation to the General Assembly to put forward their candidacy by the deadline set in the invitation. Only FM-S and FM-P members who have paid their membership fee at the latest one day before the day of the elections will be valid candidates.

For the election of Directors, members of the General Assembly will be able to cast the vote for several

candidates, up to the total number of Directors to be elected. The same applies for the election of Vice-Presidents in case more than one Vice-President is up for election.

Title V - Secretary General/CEO

The duties of the Secretary General/CEO are set out in Art 23 of the Statutes and further defined in the following:

Art 12 - Specific duties of the Secretary General/CEO

- Work closely with the President to develop a coherent strategy for the association in relation to policymaking, communications and financial performance of the association;
- Take ultimate responsibility for managing the budget and the team of SolarPower Europe ;
- Be an Ambassador for the solar sector in Europe towards the European Institutions, the media, non-governmental organisations, the energy sector at large and the solar sector in particular;
- Speak at high-level events to convey the positions of the association to important stakeholders;
- Seek and attend meetings with the highest level of policymakers;
- Devise, support and implement lobbying and advocacy activities;
- Develop, support and contribute to the communications activities of the associations;
- Build alliances with partners to achieve goals in the policy arena;
- Support the development of membership numbers by actively attending meetings with companies and organisations active in the solar sector;
- Devise and support business development activities to further the association's presence in front of the sector;
- Prepare and participate the Board meetings and the General Assembly;
- Any other activity deemed necessary by the President.

Title VI – Final Provisions

Article 13 – Code of Conduct – Competition law

SolarPower Europe members, their representatives and employees shall conduct all business undertakings in accordance with the principles of fair competition and adhere to both the letter and spirit of EU competition law and applicable national competition laws and regulations. They shall avoid any practice that may result in or be perceived to result in prevention, restriction or distortion of competition.

In particular, SolarPower Europe members, their representatives and employees shall not, directly or indirectly, disclose to, seek from or exchange with competitors or potential competitors any commercially sensitive information. They shall not discuss or reach an agreement or engage in concerted practices with any competitors or potential competitors or otherwise participate in matters which might unlawfully prevent, restrict or distort competition, the orderly operation of markets or functioning of the competitive system. SolarPower members, their representatives and employees understand that an agreement need not be in writing to constitute a competition law violation. Attendance at meetings involving anti-competitive practices may suffice to establish a violation of competition law.

In particular, SolarPower Europe members, their representatives and employees shall not:

- Participate in meetings when it is clear beforehand that commercially sensitive information (e.g. regarding prices and other trading conditions) will be exchanged;

- Agree or attempt to agree with competitors e.g. to fix prices, divide customers or markets, on product quantities, specifications, or performance;
- Exchange or attempt to exchange with competitors information of confidential nature, e.g. rebates, discounts, volumes, production or marketing costs.

SolarPower Europe members, their representatives and employees undertake to terminate any such discussions immediately and inform the CEO of any illegal attempts during meetings to engage in anti-competitive practices.

Article 14 - Publication of the Bylaws

The Bylaws and each modification thereof are notified to the members in accordance with article 2:32 of the CCA and made available in the members section of the SolarPower Europe webpage and communicated in a dedicated mailing to members.