

## **Annex B**

### **Small Cell Forum Limited Antitrust and Competition Law Policy** *January 2008 (revised February 2012 to reflect name change from Femto Forum)*

#### **A. Interpretation**

In this Policy:

“**ETSI Guidelines**” means, subject to paragraph C2 below, the ETSI Guidelines for Antitrust Compliance (version endorsed by the General Assembly #49 on 28 March 2007);

“**Proceedings**” means all proceedings of, and activities relating to, the Small Cell Forum (including, without limitation, the conduct of Working Groups);

“**this Policy**” means this Antitrust and Competition Law Policy; and the other capitalised terms used shall have the meanings given to them in the Articles of Association of Small Cell Forum (as revised from time to time).

#### **B. Introduction**

This Policy sets out the Antitrust and Competition Law Policy of the Small Cell Forum (formerly the Femto Forum). It has been approved by the Members of Small Cell Forum under Section D14 of the company’s Articles of Association pursuant to a resolution dated 21 January 2008. It binds the Members in accordance with Section G1 of the Articles of Association and the terms of their Application Form.

The purpose of this Policy is to ensure that Small Cell Forum’s activities are always in compliance with the applicable antitrust and

competition rules. In particular, this Policy:

(i) underlines the importance which the Small Cell Forum and its Members attach to compliance with all applicable antitrust and competition law ("**Antitrust Law**"); and

(ii) provides guidance to Members regarding compliance with Antitrust Law during the Proceedings of the Small Cell Forum.

### **C. Policy**

C1. Until such time as the Small Cell Forum develops a bespoke antitrust and competition law, its Members shall:

(i) acquaint themselves with and have regard to the background matters set out in Section B of the ETSI Guidelines; and

(ii) ensure they conduct all Proceedings of the Small Cell Forum in accordance with the principles and guidelines set out in Sections C and D of the ETSI Guidelines.

C2. For the purposes of this Policy, reference to the ETSI Guidelines shall mean the ETSI Guidelines interpreted after making such changes as are necessary to the context of the Small Cell Forum (including, the substitution of the term "Small Cell Forum" for "ETSI" and ignoring any terms or parts which are not relevant to the Small Cell Forum - e.g. references to Technical Committees).