

ARTICLE XV
ANTI-TRUST COMPLIANCE



SECTION 1. POLICY

It is the undeviating policy of the Association to comply strictly with the letter and spirit of all federal, state and applicable international trade regulations and antitrust laws. Any activities of the Association or Association-related actions of its staff, members, officers, directors or chapter officials which violate these regulations and laws are detrimental to the interests of the Association and are unequivocally contrary to Association policy.

SECTION 2. IMPLEMENTATION

Implementation of the antitrust compliance policy of the Association shall include, but shall not be limited to, the following:

2.1 Association membership, directors and committee/alliance/division meetings shall be conducted pursuant to agendas distributed in advance to attendees; discussions shall be limited to agenda items; there shall be no substantive discussions of Association matters other than at membership, directors and committee/alliance/division meetings; minutes shall be distributed to attendees promptly.

2.2 All Association activities or discussions shall be avoided which might be construed as tending to: (1) raise, lower, or stabilize prices; (2) regulate production; (3) allocate markets; (4) encourage boycotts; (5) foster unfair trade practices; (6) assist monopolization; or in any way violate federal, state or applicable international trade regulations and antitrust laws.

2.3 No individual other than the Chair of the Board and Chief Executive Officer--whether staff, member, officer, director or committee/alliance/division official--is authorized to communicate on behalf of the Association to any person or firm outside the Association except with the explicit, unequivocal approval of the Chair of the Board or President. No such individual may bind or commit the Association to any offer, contract, policy, program, position or decision without that approval. And no such individual may hold out himself or herself, or willingly appear to do so, as representing the Association without that approval.

2.4 NGA legal counsel shall attend all NGA Board and membership meetings, either in person or via teleconference. Attendance of counsel at other meetings shall be at the discretion of the NGA Chair of the Board.

2.5 Association staff, members, officers, directors or committee/alliance/division officials who participate in conduct which the Board of Directors, by a two-thirds (2/3) majority vote, determines to be contrary to the Association anti-trust compliance policy shall be subject to disciplinary measures up to, and including, termination.