



CEB-BEC code of conduct for delegates and experts

General introduction

This document provides brief guidelines on issues which experts may be confronted with as participants in the BEC standards process and as delegates and/or experts in the CENELEC/IEC standards process. It provides additional information to that given in the BEC statutes and internal regulations and to the CEN/CENELEC guides and the ISO/IEC directives (all parts). Reference should be made to these for further details.



Conduct in meetings

There are broadly two types of meetings that you may find yourself taking part in: TC/SC meetings and Working Group (WG), Project Team (PT), Maintenance Team (MT), ad hoc Group (ahG) meetings.

In all BEC meetings you take part as an expert, acting in a personal capacity. In any meeting you will find people from around the world, with different cultural practices on conduct in meetings. You will therefore need to be tolerant about other procedures and practices.

The chair is responsible for running any meeting and it is therefore important to let him/her carry out this task. There should be an agenda for all meetings and discussion should revolve around each individual item on the agenda. Avoid discussions on other issues. Do not speak at a meeting unless the chair or secretary has given you the floor. If you want to speak, attract the chair's or secretary's attention, by either raising your hand or your nameplate, if you have one.

Dutch and/or French are the working languages in the BEC and everyone is allowed to use any of these two languages to express him/herself, however to accommodate for the lack of knowledge of the other language (Dutch for the French speaking people or French for the Dutch speaking people) the people present can choose to use English as the working language for a meeting. When you use any language please consider that not everyone present will be a native speaker in your language, so be prepared to make concessions to others. Please speak clearly, use short sentences, avoid metaphors, irony and be aware that jokes and humor may not translate very easily.

Make use of breaks and informal sessions to discuss issues unrelated to the meeting with other experts. You'll be surprised how often it is possible to reach an agreement on matters which look intractable simply by having people with differing views discuss the matter informally.

Be prepared to make concessions. A good meeting is one where everyone leaves satisfied with the results achieved and not where there are winners and losers.

Belgian delegates and experts, in meetings organized by CENELEC, should also comply and follow the guidelines set out in the CENELEC Code of conduct (https://boss.cenelec.eu/media/CEN/ref/code_conduct_experts.pdf) and the CEN- CENELEC guides in addition to the CEN/CENELEC internal regulations. All can be found on the reference documents page of the CENELEC BOSS : <https://boss.cenelec.eu/reference-material/refdocs/pages>

Belgian delegates and experts, in meetings organized by IEC, should also comply and follow the guidelines set out in the 'IEC Code of conduct for technical work' (<https://www.iec.ch/basecamp/iec-code-conduct-technical-work>) in addition to the IEC/ISO Directives which are of course also applicable in those meetings. (<https://www.iec.ch/news-resources/reference-material>)

Conduct on electronic social media

Social media (LinkedIn, Facebook, Twitter, etc.) can make a valuable contribution to spreading information about the BEC as well as contributing to the process of standards development, but they will only do so if they are used wisely.

The lines between public and private, personal and professional are blurred in online social media. You are personally responsible for any content you publish on such media (you are not allowed to communicate on behalf of BEC).

Remember that anything you publish will be visible for a very long time, so protect your privacy. Don't say anything you might regret in five years' time, or that you would prefer that your friends, family and colleagues didn't see.

To ensure compliance with local laws and regulations on e.g. privacy, participants may not record audio or video of any BEC meeting without the consent of all participants. Any information posted on social media, discussion groups, or websites may not name individual positions or companies when discussing events of the meeting. Whilst there's nothing wrong with disagreeing with someone or something, you should do so in a manner which is respectful and not abusive.

Respect copyright (see p.11).



Conduct on IT tools

BEC uses the Collaboration Platform to distribute documents, votes and information to experts and delegates. As an expert and delegate, you have access to this system whose main purpose is to facilitate your work in a technical committee. BEC also uses the platform to distribute information that is in line with its statutory purpose.

When uploading and commenting on documents, experts and delegates are expected to observe principles of good conduct.

BEC reserves the right, in its sole discretion, to remove inappropriate content – such as defamatory or unlawful statements – from Collaboration Platform. Experts and delegates who believe they have found inappropriate content on the platform can report this to centraloffice@ceb-bec.be. The Secretary-General and the chairman of the governing body jointly decide whether or not to remove the content.

Anti-competition issues

Most countries, including Belgium, have substantially similar laws regarding any acts that result in unfair competition in the marketplace. In general, most countries in the world prohibit agreements and certain other activities that unreasonably restrain trade. The Belgian competition legislation can be found in book IV of the Code of economic law. (The complete and up-to-date information can be found on the website of the Belgian government : <https://economie.fgov.be/nl/themas/mededinging> (NL))

Competition authorities throughout the world uniformly condemn actions that are referred to as “naked restraints on trade” – that is, agreements that do nothing more than limit competition between competitors. The classic examples that could arise in the standards process – and the kinds of violation that most frequently result in criminal prosecution for the individual participants as well as their organisation – include:

- price fixing (for example, where standards participants or other competitors agree on the prices that they will charge for compliant products);
- output restrictions (for example, where standards participants or other competitors agree on how much of a compliant product, they will each produce);
- allocations of customers or territories (for example, where competitors agree on where or to whom they will each sell compliant products).



There are many things you can discuss in standards meetings, but this is a non-exhaustive list of topics that you cannot discuss in BEC meetings:

- prices at which products or services implementing the standard should be sold (“price” includes discounts, terms, and other conditions of sale).
- profits or profit margins.
- individual companies’ market shares or sales territories.
- allocation of customers, markets, production levels, or territories; or restricting the customers to whom, or territories in which, a company may sell or resell products.
- using standards or certification programs to exclude suppliers or competitors from the marketplace for any reason other than cost-performance or technical considerations.
- conditioning the implementation of a standard on the implementer’s use of products or services from a specific supplier [such as requiring use of a manufacturer’s components or requiring implementers to use a specific service provider(s) for compliance certification].
- bidding (or terms of bids) or refraining from bidding to sell any product or service.
- any matter which restricts any company’s independence in setting prices, establishing production and sales levels, choosing the markets in which it operates, or the way it selects its customers and suppliers.

Standards meetings are rather special in that they are one of the few areas where competing companies can meet with each other. The competition authorities are aware of this and indeed encourage the standardization process, but participants must respect the limits of what they can and cannot discuss.

Patent rights

Standards are increasingly the subject of patent rights. However, TC/SC/WGs are strongly recommended to orient standards towards specifying performance requirements, rather than specifying specific technologies, as this will help to avoid making use of patented items.

BEC publications are non-binding; their objective is to ensure compatibility of technologies and systems. To meet this objective, which is in the common interests of all those participating, it must be ensured that publications, their applications, use, etc. are accessible to everybody.

It follows, therefore, that a patent embodied fully or partly in a deliverable must be accessible to everybody without undue constraints. The sole objective of the code of practice (see below), in general, is to meet this requirement. The detailed arrangements arising from patents (licensing, royalties, etc.) are left to the parties concerned, as these arrangements might differ from case to case.

This code of practice may be summarized as follows:

- The BEC is not able to give authoritative or comprehensive information about evidence, validity or scope of patents or similar rights, but it is desirable that the fullest available information should be disclosed. Therefore, any party participating in the work of BEC should, from the outset, draw the attention of the BEC to any known patent or to any known pending patent application, either their own or of other organizations, although the BEC is unable to verify the validity of any such information.



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- If a standard is developed and such information as referred to in the previous paragraph has been disclosed, three different situations may arise:
 1. The patent holder is willing to negotiate licenses free of charge with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside BEC.
 2. The patent holder is willing to negotiate licenses with other parties on a non-discriminatory basis on reasonable terms and conditions. Such negotiations are left to the parties concerned and are performed outside BEC.
 3. The patent holder is not willing to comply with the provisions of either paragraph 1 or paragraph 2; in such case, the standard shall not include provisions depending on the patent.
 - Whatever case applies (1, 2 or 3), the patent holder must provide a written statement to be filed at BEC using the appropriate “Patent statement and licensing declaration” form. This statement must not include additional provisions, conditions, or any other exclusion clauses in excess of what is provided for each case in the corresponding boxes of the form.

Any party participating in the work of BEC should, from the outset, draw BEC’s attention to any known essential patents (or patent applications). Such information should be disclosed as early as possible during the development of the BEC publication. This may not be possible when the first draft appears, since at this time the text might still be too vague or subject to subsequent modifications. Such information should be provided in good faith and on a best effort basis, but there is no requirement for patent searches.

Copyright issues

BEC needs to be able to exploit all the standards it publishes freely. For that reason, BEC has copyright on all its published standards.

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You also must respect the copyright of any material that you contribute to the BEC standards process from sources other than yourself, including from other organizations, even if you participated in the development of that material or the work of that organization. Before you contribute or distribute any material from another source, for whatever purpose, you should make sure that you have that source's permission to do so and communicate that permission to the BEC.

By submission of a contribution to the BEC, you are also agreeing to allow the BEC to have a nonexclusive copyright license of that material for use in a BEC publication. You should make sure that you are able to provide such a license to the BEC before submitting it.



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