

ACL

Code of Conduct

The foundation of the ACLP reflects the uniqueness of the plant breeding industry: breeding companies compete with each other in order to provide better varieties and traits, yet, there are overlapping activities in our work which bring us closer together for the benefit of society, none more so than how we access and share technologies and the material with which we work.

We recognise that plant varieties are the result of extensive and costly research efforts and members of the ACLP are encouraged to protect their innovations wherever needed and wherever practically possible. Besides plant breeder's rights also patents play an increasing and important role in the European seed and plant breeding sector. The co-existence of these intellectual property rights offering adequate protection for each kind of inventive activities in living matter and results thereof should be recognized and respected.

The ACLP shares a number of overarching principles, as summarized in this Code of Conduct which members are expected to respect and adhere to.

Nevertheless, non-compliance with this Code of Conduct by members may lead to exclusion from the ACLP as set forth in the Articles of Association.

In view of the above, members of the ACLP commit to abide by the following code of conduct:

- Respect anti-trust rules and not engage in any activities infringing competition laws, and ensure that their affiliates and employees do the same.
- Act in accordance with the ACLP Articles of Association and Internal Rules of Procedure
- Act lawfully, honestly, ethically and in the best interests of the ACLP at all times.
- Acknowledge the importance in the Territory of both plant variety protection rights and patent rights directed to technical processes and the products obtained therefrom.
- Keep/have kept accurate records including sales and plant breeding records that can be used to support royalty agreements and to demonstrate the source of plant breeding material. Such records must be available for eventual audit/inspection in a

timely manner as provided by the ACLP Articles of Association, the Internal Rules of Procedure and the Standard License Agreement, if applicable.

- Respect the ownership rights applicable to plant breeding material including stock seed and seed produced.
- Ensure that this Code of Conduct will be respected by its permanent and temporary employees within their organisations, as well as those of their affiliates, licensees and third party service providers.
- Respect and prevent from disclosure the confidential, proprietary, competitive, or other sensitive information of other Members
- Recognize the importance of appropriate stewardship compliance and undertake to fulfil their obligations related thereto.

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