

Brussels, 28 September 2009

FIGIEFA calls upon the Commission to adopt ‘future-proof’ rules for the automotive aftermarket

Following the release of policy orientations concerning the future of the competition law framework in the automotive sector in July 2009, FIGIEFA sent its response to the European Commission on 25th September 2009. In its reaction, FIGIEFA notably welcomes the propositions of the Commission to address core issues affecting the automotive aftermarket and **calls for a clarification and a modernisation of the existing rules** in the legal framework that will follow the expiry of the current Motor Vehicle Block Exemption Regulation 1400/2002.

In its Communication, the European Commission outlined several options for the aftermarket, including the design of a sectoral Block Exemption Regulation or the application of the general competition rules completed by sector-specific guidelines. However, FIGIEFA regrets that the Commission did not concretely propose a combination of these two solutions as a valid option to be considered, as was inferred in the Commission press release¹ accompanying the publication of the Impact Assessment.

Nevertheless, FIGIEFA gladly observed that the Commission aims at maintaining and improving key provisions for the independent aftermarket operators such as those on access to technical information, access to parts and warranties. “The MV-BER presently in force was designed in 2001” says FIGIEFA President Michel Vilatte, “considering the technological advances of the past ten years, it is of crucial importance that the conditions of access to technical information spare parts and tools should keep up with the evolutions of the market”. FIGIEFA therefore invites the Commission to update the provisions on access to technical information and spare parts in the future regulatory framework. As for warranties, FIGIEFA also concurs with the European Commission approach to reinforce the message that motorist consumers should not be tied to a specific network of repairers by means of restrictive warranty terms. On this point, FIGIEFA calls for more robust rules which would also cover long-time warranties and warranties linked to the purchase of a new vehicle.

Besides, FIGIEFA is not the only stakeholder to support the need for clear and robust rules for the automotive aftermarket: indeed, a petition led by the Right to Repair Campaign² (R2RC) has now gathered more than 30,000 supporters in favour of a sector-specific legislative framework that would maintain sound conditions of competition in the automotive aftermarket to the benefit of 260 million motorist consumers in Europe.

Together with these 30,000 voices, FIGIEFA calls upon the European Commission to adopt future-proof rules for the aftermarket **in the form of a sector-specific Block Exemption Regulation to be completed with clear Guidelines.**

For further information, please contact Jean-Ludovic Basset at the FIGIEFA Secretariat on +32 2 761 95 10 or log on to www.figiefa.eu .

Background:

Since 2002 the regulatory framework provided by the MV-BER 1400/2002 has determined competition rules in the sales distribution of motor vehicles, automotive replacement parts and aftermarket servicing. It contains provisions designed to safeguard freedom of choice for consumers and competition in the automotive sector and is due to expire in May 2010.

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Created in 1956, FIGIEFA is the International Federation representing the interests of the independent distributors of automotive replacement parts and components. FIGIEFA represents 27 member associations worldwide. Its aim is to maintain free competition in the production, supply and distribution of automotive replacements parts and to ensure fair access to technical information.

¹ Press release IP/09/1168

² The R2RC gathers a wide range of aftermarket stakeholders and motorist representatives promoting a competitive regulatory environment for the automotive aftermarket. Its members are FIGIEFA, AIRC (Association Internationale des Réparateurs en Carrosserie), EGEA (European Garage Equipment Association), CECRA (European Council for Motor Trade and Repairs), FIA (Fédération Internationale de l'Automobile) and FIRM (International Association of Engine Rebuilders and Remanufacturers).

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