



FIGIEFA BÜLTENİ

ARALIK 2018



FIGIEFA'nın açılımı nedir?

“Araç Parçaları İthalatçıları, İhracatçıları ve Toptancıları Uluslararası Federasyonu” anlamına gelen ve Fransızca olan “Fédération Internationale des Grossistes, Importateurs & Exportateurs en Fournitures Automobiles” tanımının kısaltmasıdır.

FIGIEFA nasıl bir kuruluş?

Avrupa’da yerleşik Otomotiv Satış Sonrası Pazarını temsil eden derneklerin çatı oluşumudur. 1956 ‘da kurulmuş bir çeşit dernekler federasyonudur. 22 ülkeden 25 derneği ve Uluslararası Satın Alma gruplarını temsil eder, merkezi Brüksel/ Belçika’da bulunmaktadır.

FIGIEFA'nın ana hedefi nedir?

Araç yedek parça, servis ve onarım için piyasadaki serbest ticaret ve etkili rekabeti korumayı amaçlamaktadır.

Ana görüşü; Avrupa’da kanun ve düzenlemelere karar veren politikaların (ve politikacıların), otomotiv endüstrisinin bir parçası olan ve 500.000’den fazla şirketin Avrupa çapında 4,3 milyondan fazla kişiyi istihdam eden ve 284 milyon araç sahibine hizmet sunan “Bağımsız Otomotiv Satış Sonrası Pazar” için araç üretici konumundaki OEM’lerle eşit düzeyde bir pazar alanı sağlaması gerektiğidir.

Avrupa yasal çerçevesi bir aracın tüm yaşam döngüsünü desteklemeli, yani taşıtın ömrü boyunca ilk edinme ve sonraki hareketliliği süresince servis ve parça ihtiyacının bağımsız karşılanması konusunu güvence altına alması gerekmektedir.

Bu bakış açısıyla, teknik bilgiye tam erişim, yedek parça tedarik etme ve tedarik etme özgürlüğü, teşhis araçları ve test ekipmanı, tüm piyasa işletmecilerinin mesleklerini icra edebilmeleri ve rekabetçi ürün ve hizmetlerini. otomobil tüketicilerinin yararına sunabilmeleri için çok önemlidir. Sadece bu bile, sürücülerin araçlarının nerede onarılacağına ve tamir edileceğine karar verme haklarını sağlar. Bu tür haklar, araç üreticilerinin, bağımsız operatörler için, aracın servis edilmesi için gerekli tüm yazılım, araç ve onarım bilgilerinin etkin ve uygun bir şekilde kullanılabilir olmasını gerektirmektedir.

FIGIEFA faaliyetleri nelerdir?

Avrupa, Avrupa Ekonomik İşler Komisyonu ve Birleşmiş Milletler’in Otomotiv Satış Sonrasına ilişkin mevzuat projelerinin izlemek.

Otomotiv yedek parça tedarik etmek ve/veya satın almak isteyen ve teknik bilgiye erişim sahibi olmak isteyen tüm piyasa operatörlerinin özgürlüğü üzerinde etkisi olan bu kurumlar nezdinde (Avrupa Parlamentosu, Birleşmiş Milletler) lobi yapmak.

Otomotiv satış sonrası pazarında etkin rekabetin önemi, motorlu araç tüketicilerin yararı ve bağımsız parça dağıtımının oynadığı kilit rol konusunda karar vericileri bilinçlendirmek.

Araç teknolojisindeki yeni gelişmeleri ve araçların “yedeklenebilirliği” üzerindeki etkilerini ve araç yedek parça, servis ve onarım pazarını takip etmek.

Bu hedefleri dünya çapında tanıtmak ve otomotiv endüstrisi ve satış sonrası standartlar ve düzenlemeler alanında düzenleyici bir uyumun savunulması için Avrupa dışındaki satış sonrası birlikleri ile ortaklaşa işbirliği yapmak.

FIGIEFA'nın faaliyetleri bizi neden ilgilendiriyor?

İşimizi yaparken uymamız gereken yasa ve tebliğlerin yasa yapıcılar nezdinde aleyhimize çıkmamasını ve/veya “Serbest Ticaret Adil Rekabet” ortamı için lehimize çıkmasını sağlamaya çalışır. Bu nedenle işimizle birebir alakalıdır.

FIGIEFA Yönetim Kurulu kimlerden oluşmakta?

Her biri kendi ülkesindeki Satış Sonrası Derneğin Yönetim Kurulu Başkanı veya Üyesi olan 8 üyeden oluşmaktadır. Yönetim Kurulu 3 yıl için Olağan Genel Kurulda 50 delegenin oyu ile seçilir. En son seçimli Genel Kurul 24 Mayıs 2018 'de yapılmıştır.

Adı SOYADI	ÜLKESİ - DERNEĞİ	Görevi
Hartmut RÖHL	(DE - GVA)	Başkan
Christer LILJENBERG	(SE - SBF)	Başkan Yardımcısı
Wendy WILLIAMSON	(UK - IAAF)	Sayman
Serdar ASLAN	(TK - OSS)	Yönetim Kurulu Üyesi
Cor BALTUS	(NL - RAI)	Yönetim Kurulu Üyesi
Walter BIRNER	(AT - VFT)	Yönetim Kurulu Üyesi
Joaquim CANDEIAS	(PT - ACAP)	Yönetim Kurulu Üyesi
Mathieu SEGURAN	(FR - FEDA)	Yönetim Kurulu Üyesi

Daha detay bilgilere www.figiefa.eu adresimizden ulaşabilirsiniz.

Araç Üreticilerinin Araç İçi Veri Erişim Modelleriyle İlgili Yeni Bir Çalışma

“Genişletilmiş Araç Extended Vehicle” Sınırlamalarını Ortaya Koymakta ve Tescilli Birlikte Çalışabilir Platformların Devam Ettiğini Göstermektedir

Avrupa, yeni otonom hareketlilik ve servis merkezi haline gelen araçlar ile bağlantılı ve otonom sürüşe doğru ilerliyor. Bu, AB'yi bir dönüm noktasına koyuyor: Bağlantılı ve otonom hareketlilik için gelecekteki Pazar; yenilik, rekabet ve tüketici tercihini destekleyebilir mi? Daha gelişmiş telematik sistemlerinin iki örneğini ele alan çalışma, araç üreticilerinin aracın, verilerinin ve işlevlerinin yanı sıra sürücüyü doğrudan erişimleri sayesinde zaten ayrıcalıklı bir konuma sahip olduklarını gösterdi.

Tüketiciyi korumak için, önümüzdeki Avrupa yasama organına bağlı ve özerk hareketliliğin dağıtımıyla ilgili kararları ve kararlarını açacak olan panel, bu yıl 11 dernek tarafından imzalanan Manifesto 'da yer alan ve önemli üst düzey olan şu ilkeleri yineledi:

- Tüm sağlayıcıların araç sahibine / sürücüyü etkili bir şekilde hizmet sunma eşitliği;
- Araç içi üretilen veri ve fonksiyonlara doğrudan gerçek zamanlı erişim;
- Herkes için aynı kapsam ve veri / işlevsellik kalitesi;
- Sürücü ile güvenli erişim ve etkileşim;
- Araç üreticisi tarafından bağımsız operatörlerin izlenmesi yok.

Brexit Sonrası Araç Tipi-Onay

Birleşik Krallık AB'yi Mart 2019'da terk ettiğinde AB büyükelçileri, Avrupa Parlamentosu ile müzakere etmek için, motorlu taşıtların tip onayı ve sistemlerinin, bu taşıtlar için tasarlanan ayrı teknik ünitelerin düzgün onaylanmasını amaçlayan yeni kuralları kabul etti.

Hazırlanmış olan taslak yönetmelik, Bir Birlik tip onayı alma koşullarını ve bu tür araçların, sistemlerin,

bileşenlerin ve ayrı teknik birimlerin piyasaya sürülmesi, tescil edilmesi veya hizmete sokulması üzerindeki etkilerini ortaya koymaktadır. Aynı zamanda, birlik tip onayı veren otoritenin; hizmet türü uygunluk, onarım ve bakım bilgileri ile Birleşik Krallık tipi bazında piyasaya sürülen taşıtlar, sistemler, bileşenler ve ayrı teknik üniteler için potansiyel geri bildirimlerin sorumluluğunu üstleneceğini de belirtmektedir.



SOLVIT Şu Andan İtibaren Doğrudan İş Ortakları Tarafından Kullanılabilir

SOLVIT, her AB üye ülkesinde ve İzlanda, Lihtenştayn ve Norveç'te ulusal yönetim tarafından şirketlerin AB haklarının bir başka AB ülkesindeki kamu makamları tarafından ihlal edildiğinde yardımcı olabilecek yargı dışı bir hizmettir. SOLVIT ücretsizdir ve şikâyetin gönderilmesinden sonra 10 hafta içinde çözümler önermesi beklenir.

SOLVIT veri tabanına doğrudan erişim esas olarak aşağıdaki avantajları getirmektedir:

- Bir SOLVIT kullanıcısı olarak, sistem tarafından tanınır ve iletişim bilgilerinizi yeniden girmeniz gerekmez;
- Davaya katkınız ve kökeni tamamen şeffaftır;
- Bir vaka üzerinde yapılan ilerlemelerde doğrudan güncelleme ve takip sağlayabilirsiniz.

Avrupa Parlamentosu Komisyonu 2020'den Önce Araç İçi Verilere Erişim Konusunda Sağlam Bir Düzenleyici Sistem Oluşturma Konusunda Sıkıştırdı

22 Kasım'da, Avrupa Parlamentosu'nun TRAN Komitesi (Ulaşım ve Turizm), "Avrupa Taşımacılığında Otonom Sürüş" konulu kendi inisiyatif raporunu İletişim Komisyonuna cevap olarak, kabul etti.

FIGIEFA Parlamentosu kendi inisiyatif raporunu memnuniyetle karşıladı ve araç-içi veri kullanımı üzerinde sağlam bir düzenleyici sistem kurma ihtiyacını vurgulamak ve 2020'den önce bunu yapmak için bir fırsat yakaladı.

Parlamentonun 13 Mart 2018 tarihli C-ITS Raporu ile uyumlu olarak komisyon, bu yılın sonunda araç içi verilere ve kaynaklara erişim konusunda bir yasama önerisi yayınlama çağrısında bulundu. Bu nedenle, FIGIEFA Komisyonu - geçen Mayıs ayında yayınlanan Üçüncü Hareketlilik Paketi'nin bir parçası olarak - "5G, siber güvenlik ve veri yönetim çerçevesi" hakkındaki planlı tavsiyeye rehberlik etmek ve teslim etmek için eşit rekabeti sağlayan bir yasal çerçeveye yol açan somut bir çalışma programı düzenlemesini tavsiye etti.



SMEUnited (eski UEAPME), Bir Sonraki Avrupa Parlamentosu ve Komisyonu Eşit Dijitalleşme Fırsatları İçin Çağrıda Bulundu

FIGIEFA'nın bir üyesi olduğu KOBİ'ler, dijital ve rekabet konularına gelince, otomotiv satış sonrası pazarında bağımsız operatörlerin düzenli destekçisi olmuştur ve özellikle adil dijitalleşme fırsatları için manifestonun geniş koalisyonuna katılmıştır.

Almanya'daki Görünür Parçalar İçin Daha Fazla Rekabet



Almanya'da, Federal Hükümet, görünür otomotiv yedek parçaları için pazarın serbestleşmesini önlüyor. Adalet ve Tüketici Koruma Bakanlığı "rekabeti güçlendirmek için bir yasa" getirilmesini öneriyor. Bu şirketlerin tasarım korumalı yedek parçaların üretilmesine ve dağıtmasına izin verir.

GVA tarafından yapılan tahminlere göre, bu yasa, yedek parçaların daha ucuz hale getirilmesini sağlayacaktır. Liberalleşmenin kazananları, rekabetçi fiyatlardan yararlanabilecek olan tüketiciler olacaktır. Ancak, kanunun amacına ulaşması için, hiçbir istisnanın yapılmaması ve tüm araç filosunun program kapsamında olma şarttır.

Bir İthalatçının Hizmet ve Dağıtım Ortaklarına Yönelik Rekabet Sınırlayıcı Uygulamaları İsviçre’de İptal Edildi

Ekim 2018’de, İsviçre federal rekabet otoritesi (Wettbewerbskommission - WeKo), AMAG’nin franchise edilmiş hizmet ve dağıtım ortaklarına yönelik bir dizi rekabet sınırlaması uygulamasına karar verdi.

AMAG, otomotiv sektöründe, ithalat, satış, satış sonrası ve yedek parça segmentinde çeşitli seviyelerde faaliyet göstermektedir. Aynı zamanda İsviçre’deki birkaç Volkswagen markasının özel genel ithalatçısıdır.

İsviçre’nin en büyük otomobil ithalatçısı, yeni araçların satışında ve müşteri hizmetlerinde kendi konumunu güçlendirmeyi amaçladığı için, çeşitli bayiler AMAG’nin pozisyonlarını zayıflatmak ve piyasadan çıkarmaya çalışmakla suçladı. Sonuç olarak WeKo dört yıl önce bir ön soruşturma başlattı.

Gelecekte, AMAG bu nedenle araba ticaretinde aktif olmayan saf hizmet ortaklarıyla işbirliği yapmalıdır ve bir takım kısıtlamaları gözde almalıdır.

Doğrudan Erişim Sürüş İlerleme Kampanyası Daha da Genişliyor

FIGIEFA’nın bir üyesi olduğu KOBİ’ler, dijital ve rekabet konularına gelince, otomotiv satış sonrası pazarında bağımsız operatörlerin düzenli destekçisi olmuştur ve özellikle adil dijitalleşme fırsatları için manifestonun geniş koalisyonuna katılmıştır.

Serbest Rekabeti Savunmak İçin Otomotiv Bağımsız Satış Sonrası Temsilcilerinin Dünya Çapında Bir Araya Gelmesi

Araç üreticileri dünya çapında mevcut olduğundan ve araç bakım ve onarımı için piyasadaki serbest rekabete meydan okurken, 13 Eylül 2018’de, Automechanika Frankfurt’ta yapılan “Onarım Hakkı” (R2RC) toplantısında, bağımsız satış sonrası pazarı temsil eden 22 dernek toplandı.

“R2RC” toplantısının ortak organizatörleri ve katılımcıları verimli işbirliğinin cesaret verici sonuçlar getireceğini öne sürmektedirler.

FIGIEFA, Üyelerinin ve Paydaş Etkinliklerinin Fırsatlarına İlişkin Avrupa Siyasi ve Yasal Etkinliklerini Sundu



Farklı AB ülkelerinde düzenlenen bir dizi etkinlikte, Genel Müdür Yardımcısı Sylvia Gotzen, Teknik Direktör Neil Pattemore ve AB İşlerinden Sorumlu Direktör Yardımcısı Jan Bambas, Avrupa Birliğindeki son siyasi ve yasal gelişmeler hakkında üyelerini bilgilendirdi.

FIGIEFA E-Bülteni Aralık 2018



FIGIEFA’nın sektördeki güncel gelişmeleri içeren Aralık Ayı e-bültenine ilerleyen sayfalarda ulaşabilirsiniz.



FIGIEFA
Automotive Aftermarket Distributors

NEWSLETTER

December 2018



Newsletter – December 2018

New study on vehicle manufacturers' in-vehicle data access models reveals limitations of 'Extended Vehicle' and shows that proprietary interoperable platforms are underway

Europe is on its way to connected and automated driving, with vehicles becoming the new mobility and services hub. This puts the EU at a crossroads: Will the future market for connected and automated mobility in general still be able to support innovation, competition and consumer choice?

To discuss this question, eight associations representing vehicle dealers, a wide range of aftermarket operators and the European representations of SMEs and Motorist Consumers have come together during an event in Brussels on the 20th of November 2018 - united in their goal of securing consumer choice, independent entrepreneurship, competition and innovation for digital services 'around the car'.

Wim van de Camp, Member of the European Parliament and Rapporteur for the Transport Committee's Own Initiative Report on Autonomous Driving in the EU, and Eddy Hartog, Head of Unit in charge of Smart Mobility and Living at the European Commission (DG CNECT), gave an overview of the latest political and regulatory developments, stressing their willingness "to make sure that we have an ecosystem to keep European connected and mobility services at the top".

Against this background, a new technical field study was presented by the consultancy Knobloch & Gröhn who had examined a number of existing vehicle manufacturers' own telematics systems and then compared them to the data access models being offered to third parties. Taking the examples of two of the more advanced telematics systems, the study showed that vehicle manufacturers already have a privileged position, thanks to their direct access to the driver as well as to the vehicle, its data and functions.

Besides that, the study revealed two myths concerning the supposed widespread development of the so-called Extended Vehicle (ExVe) model, and the ability for this system to be a satisfactory solution for fair and equal access to data. Indeed, ExVe is not widely implemented across various vehicle manufacturers, and where it is implemented it provides very poor access to in-vehicle data and functions. This is wholly insufficient for undistorted competitive services.

Instead, it was found that a number of vehicle manufacturers have developed, or are developing, alternatives access methods based on in-vehicle platforms - although these remain proprietary and only open to the vehicle manufacturers' chosen partners. However, these proprietary platforms are interoperable and are examples of how independent service providers could safely and securely access the vehicle, its data and its functions.

In a video presentation, Bertin Martens, who conducted a study looking at the economic impact of the "Extended Vehicle" for the European Commission's Joint Research Centre (JRC), underlined the risks induced by it for fair competition.

In view of the upcoming Recommendation which will pave the way for the forthcoming European legislature's actions and decisions on the deployment of connected and autonomous mobility, the panel reiterated key high-level principles as included in the Manifesto co-signed by 11 associations this year:

- Equal ability for all providers to effectively offer a service to the vehicle owner/driver;
- Direct real-time access to in-vehicle generated data and functions;
- Same scope and quality of data/functionalities for all;
- Safe, secure access to and interaction with the driver;
- No monitoring of independent operators by the vehicle manufacturer.



[Get more from the event: executive summary, presentations, studies...](#)



EU institutions

Type-Approval after Brexit

EU ambassadors agreed in late October on a mandate to the presidency of the Council of the European Union, to negotiate with the European Parliament new rules aimed at ensuring a smooth transition for the type-approval of motor vehicles, as well as of systems, components and separate technical units intended for these vehicles, when the UK leaves the EU in March 2019.

The agreed text enables manufacturers of motor vehicles, systems, components and separate technical units holding a UK type-approval to obtain a Union type-approval (i.e. a type-approval granted by an approval authority of one of the EU27), provided that the application for the Union type-approval is made before the UK's withdrawal from the EU.

The draft regulation sets out the conditions for obtaining a Union type-approval and its effects on the placing on the market, registration or entry into service of such vehicles, systems, components and separate technical units. It also states that the authority issuing the Union type-approval will assume responsibility for in-service conformity, repair and maintenance information and potential recalls also for vehicles, systems, components and separate technical units put on the market on the basis of the UK type-approval.

End-of series vehicles, systems, components and separate units that were produced on the basis of UK-type approval, where this has become invalid as a result of granting Union type-approval, will be able to be placed on the market, registered or entered into service until the date of the UK's withdrawal from the EU.

The presidency of the Council of the EU will now start negotiations with the European Parliament, with the aim of reaching an agreement on the proposed regulation at the first reading once the Parliament has finalised its position, which is expected by the end of this year.

SOLVIT can from now on be used directly by business associations



Direct access to the SOLVIT database is now also available to business organisations. This gives the possibility of submitting and following cases directly in the database. With the enlargement of potential users, SOLVIT expects that business organisations will be able to better support their members, in particular SMEs, to benefit from the Single Market.

SOLVIT is a non-judiciary service provided by the national administration in each EU member state and in Iceland, Liechtenstein and Norway that can help companies when their EU rights as a business are breached by public authorities in another EU country (but cannot intervene in case of B2B or B2C problems). SOLVIT is free of charge and is supposed to propose solutions within 10 weeks after the complaint has been submitted.

Typical issues SOLVIT can help with are: VAT refunds; getting professional qualifications recognised; trade & services (businesses); vehicles & driving licences; cross-border movement of capital or payments.

Having a direct access to the SOLVIT database (i.e. becoming a SOLVIT partner) brings several advantages which are mainly:

- As a SOLVIT user, you are recognised by the system and don't need to re-introduce your contact details; several people in your organisation can register;
- Your contribution and origin of the case is fully transparent;
- You can provide updates and follow-up directly on progress made on a case.

Source: SMEunited

[Access SOLVIT](#)



EU institutions

European Parliament urges the Commission to put in place a robust regulatory system on access to in-vehicle data before January 2020

On the 22nd of November, the TRAN Committee (Transport and Tourism) of the European Parliament adopted its own initiative report on "Autonomous Driving in European Transport", to respond to the Commission Communication "On the road to automated mobility: An EU strategy for mobility of the future".

FIGIEFA welcomes that the Parliament own-initiative report - led by the Dutch MEP Wim Van de Camp (EPP) - seized once more the opportunity to stress the need to establish a robust regulatory system on the use of in-vehicle data, and to do so before January 2020. This is also in line with the Parliament's Report on C-ITS of 13th of March 2018, which called on the Commission to publish a legislative proposal on access to in-vehicle data and resources by the end of this year.

FIGIEFA therefore calls on the Commission to act upon its recommendation - as part of the Third Mobility Package published last May - to include guidance into the planned recommendation on "5G, cybersecurity and data governance framework" and to deliver - also in line with the Parliament's Report on C-ITS - a concrete work programme leading to a legal framework enabling equal competition in digital services.

Most important parts of the report:

- Paragraph 4a

"Affirms the need to explore legislative actions to ensure fair and secure, real-time and technology-neutral access to in-vehicle data by some 3rd party entities; such access should enable end users and third parties to benefit from digitalisation and promote a level playing field and security with regard to storage of in-vehicle data."

- Paragraph 8

"Notes that reliable in-vehicle and route data are fundamental building blocks for the achievement of both autonomous and connected driving in a Single European Transport Area and for competitive services for end users; urges the Commission, therefore, to ensure that obstacles to the use of such data, are dismantled and a robust regulatory system in this respect is put in place before 1 January 2020, ensuring the same data quality and availability across Member States."

SMEunited (formerly UEAPME) calls on the next European Parliament and Commission for equal digitalisation opportunities

At the General Assembly in November, the European trade association of crafts and SMEs evolved from UEAPME to SMEunited, and published its memorandum ahead of the next European elections. In particular, it underlines the urge for:

- A holistic approach among Commission initiatives, alignment between the DGs and involvement of representative organisations to reply to concrete needs on the ground;
- An enabling legal framework which is sufficiently flexible, neutral and future-proof for digital front-runners, while ensuring fairness, transparency and a level-playing field for all companies;
- Equal access to data for SMEs, investments in cybersecurity and involvement in steering Artificial Intelligence;
- A facilitating environment ensuring the right level of skills development, financial support, capacity building, appropriate infrastructure and standardisation;
- Supporting the set-up of a Digital Knowledge Centre as part of capacity building.

SMEunited, of which FIGIEFA is a member, has been a regular supporter of independent operators in the automotive aftermarket when it comes to digital and competition topics, joining in particular the wide coalition of the "Manifesto for fair digitalisation opportunities".



[Read the full Memorandum](#)



European countries

Towards more competition for visible parts in Germany

In Germany, the Federal Government is pushing ahead the liberalisation of the market for visible automotive spare parts. A draft bill from the Ministry of Justice and Consumers' protection for a "law to strengthen competition" suggests the introduction of a repair clause. This would allow companies other than the respective right holder to produce and distribute design-protected spare parts. The legitimate rights of vehicle manufacturers to the design of new cars remain unaffected by the repair clause, the Gesamtverband Autoteile-Handel (GVA) explained.

For body and body-integrated spare parts - such as bonnets, fenders, exterior mirrors and tail lights - car manufacturers in Germany can register a design, the GVA added. Independent market participants may then neither produce nor distribute these parts. According to the draft bill now submitted, "there is no design protection for a design which is used as a component of a complex product with the aim of enabling the repair of this complex product in order to restore its original appearance". However, this should "not apply to existing rights under a registered design which were applied for or registered before the date of entry into force".

According to a report, changes in the law planned by the Ministry of Justice could have an effect on the costs of car repairs. Federal Justice Minister Katarina Barley wants to abolish the legal protection for visible spare parts, as the "Frankfurter Allgemeine Zeitung" (FAZ) reported online on Friday with reference to a bill. The regulation is part of a larger package that also deals with warning abuse.

According to estimates by the GVA, this should make spare parts cheaper. Thus, the prices on the free market were 30 to 40 per cent lower, as the "FAZ" reported. "More competition in this market will probably lead to falling prices for body and body-integrated spare parts" said Hartmut Röhl, FIGIEFA and GVA President. He also added: "The introduction of the repair clause would deprive car manufacturers of the possibility to create monopolies in this important product segment of the automotive aftermarket. The winners of liberalisation would be consumers, who could benefit from competitive prices. However, in order to achieve this stated objective of the law, it is essential that no exemptions are made and that the entire vehicle fleet is covered by the scheme".

Competition-limiting practices of an importer towards its service and distribution partners outruled in Switzerland

In October 2018, the Swiss federal competition authority (Wettbewerbskommission - WeKo) ruled out a number of competition-limiting practices of AMAG towards its franchised service and distribution partners. AMAG is active at several levels in the automotive sector, namely in the import, sales, after-sales and spare parts segment. It is also the exclusive general importer of several Volkswagen brands in Switzerland. In the area of repair and customer service, it has set up a selective workshop network including the sale of original spare parts.

The investigation was prompted by complaints from dealers and service partners on the termination of AMAG's contracts with them. Various dealers had accused AMAG of weakening their position and trying to drive them out of the market, as Switzerland's largest car importer was said to intend strengthening its own position in the sale of new vehicles and in customer services. As a consequence, the WeKo opened a preliminary investigation four years ago.

According to its results, the importer must now implement a number of recommendations to prevent restrictions of competition. In the future, AMAG should therefore cooperate with pure service partners who are not active in the car trade. Interestingly for spare parts distribution, in the aftersales services, AMAG has also to inform its trading partners that they are free to purchase original spare parts and equipment or spare parts of equivalent quality from a supplier of their choice and to use these parts within the scope of providing services. AMAG has to adapt its discount and bonus system in after-sales in such a way that its own network has no incentive to purchase spare parts (exclusively or as many as possible) from AMAG in all product groups.

However, the WeKo sees no discrimination by AMAG against independent car dealers. It determined that the numerous cancellations of trade and service contracts comply with the principles of the WeKo, as indicated in the full preliminary report.

[Read the WeKo statement and preliminary report \(esp. p.8\)](#)



FIGIEFA

Direct Access Driving Progress campaign expands further

The Direct Access Driving Progress campaign is moving forward, releasing a set of videos explaining what is at stake for independent operators in the automotive aftermarket regarding access to the vehicle, its data, its functions and its users.

Six interviews from representatives of the replacement parts distributors, the data publishers, the dealers and repairers, the leasing and renting companies and the garage equipment manufacturers provide concrete examples of their business needs and call for a level playing field, ensuring undistorted competition in the automotive aftermarket.

In the meantime, more companies from Denmark, Germany, Italy and Spain have contributed to the online testimonials wall, explaining how data access is empowering their business by helping them to improve their catalogues, logistics and preparedness, to reduce their operating costs and to increase the level of services delivered to consumers.



"#DataAccessEmpowers us to send the needed spare parts to our repair shop customers even before the car arrives at their premises, so that they can fix the car without waiting on parts."

Philipp J. Hess, Managing Director - HESS Group



[Read all the testimonials](#)

[Share your own testimonial](#)

[Watch all the videos](#)





FIGIEFA

Worldwide gathering of representatives of the automotive independent aftermarket to defend free competition

As vehicle manufacturers are present globally and challenge free competition in the market for vehicle servicing and repair, 22 associations representing the multi-brand independent aftermarket across the world 'Right to Repair' (R2RC) meeting gathered in Frankfurt during Automechanika, on the 13th September 2018. Trade associations from Australia, Brazil, Canada, China, the European Union, Japan, South Africa and the United States of America shared information and exchanged news on recent activity campaigning for fair competition in their respective countries, in order to maintain a level playing field across the entire automotive aftermarket.

It appears from this exchange of experiences and good practices that despite the opposition from vehicle manufacturers to keep the independent aftermarket open, progress has been accomplished in many countries and regions of the world, especially in the improvement of access to repair and maintenance information and the mitigation of vehicle manufacturers' use of warranty limitations. By securing freedom of repairs, these steps enable true, free consumer choice.

According to the different speakers, business-based agreements and self-commitments by vehicle manufacturers are often a first chosen step but are rarely really implemented. Therefore, the participants agreed that intervention of public authorities is required to find more efficient and sustainable solutions to ensure access for independent market operators to technical information, parts, tools and test equipment. In particular, and depending on the respective legal tradition in each country, legislative texts (as in the European Union with the Type Approval Regulation) or a firm commitment from competition authorities (as shown recently in Australia and South Africa) appear to allow and guarantee a level playing field for independent aftermarket operators.

Participants have also discussed the new challenges for the aftermarket brought by the uptake of telematics systems. In particular, they have exposed the strong limitations of the so-called "Extended Vehicle" promoted by some vehicle manufacturers. This black box system results in a 'de facto' monopolisation of data by vehicle manufacturers, who can choose if, how, when and to which conditions they share with competitors the data collected from vehicles. Involving consumers in the political process is decisive as ultimately, they are the ones who could benefit from bigger competition when it comes to servicing, maintaining or repairing their vehicles.

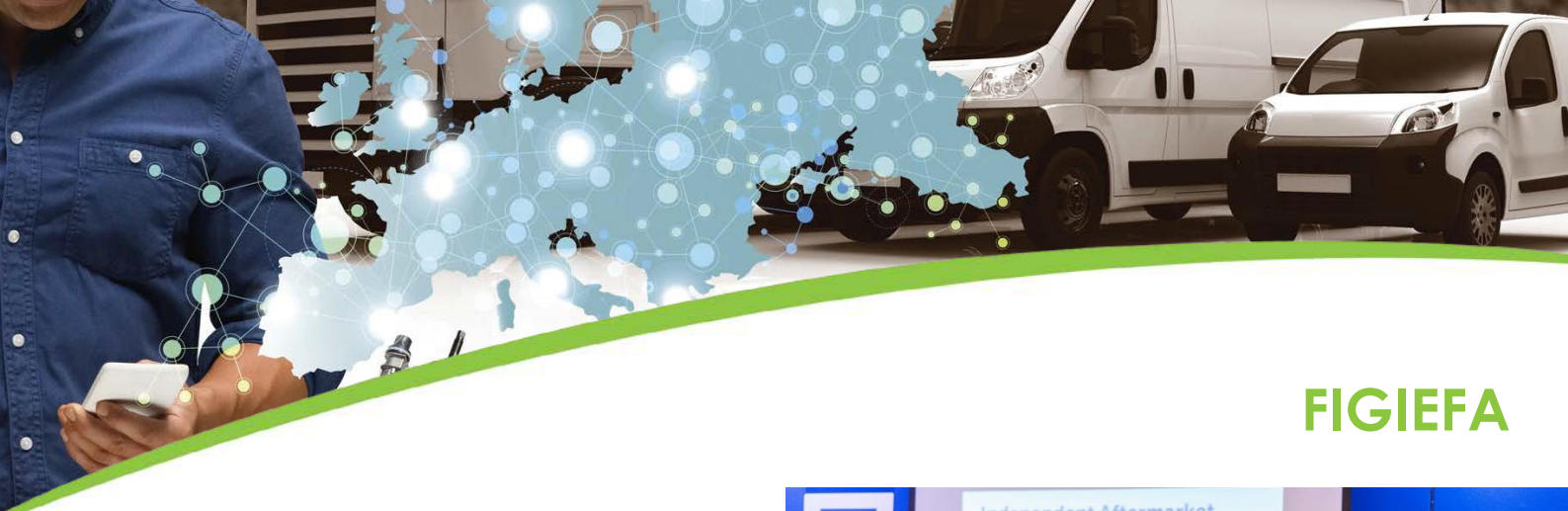
The co-organisers and participants of the 'R2RC' meeting have agreed that considering the encouraging results brought by their fruitful cooperation, and considering the rising, global threat of monopolisation of the entire aftermarket value chain on its most value-added aspects, international cooperation and exchange of best practices has to be pursued on a regular basis.



Some of the leaders of independent automotive aftermarket associations throughout the world.



The four other co-organisers: AAAA (Australia), AIA (Canada), FIGIEFA (European Union), AutoCare (United States of America) and MIWA (South Africa).



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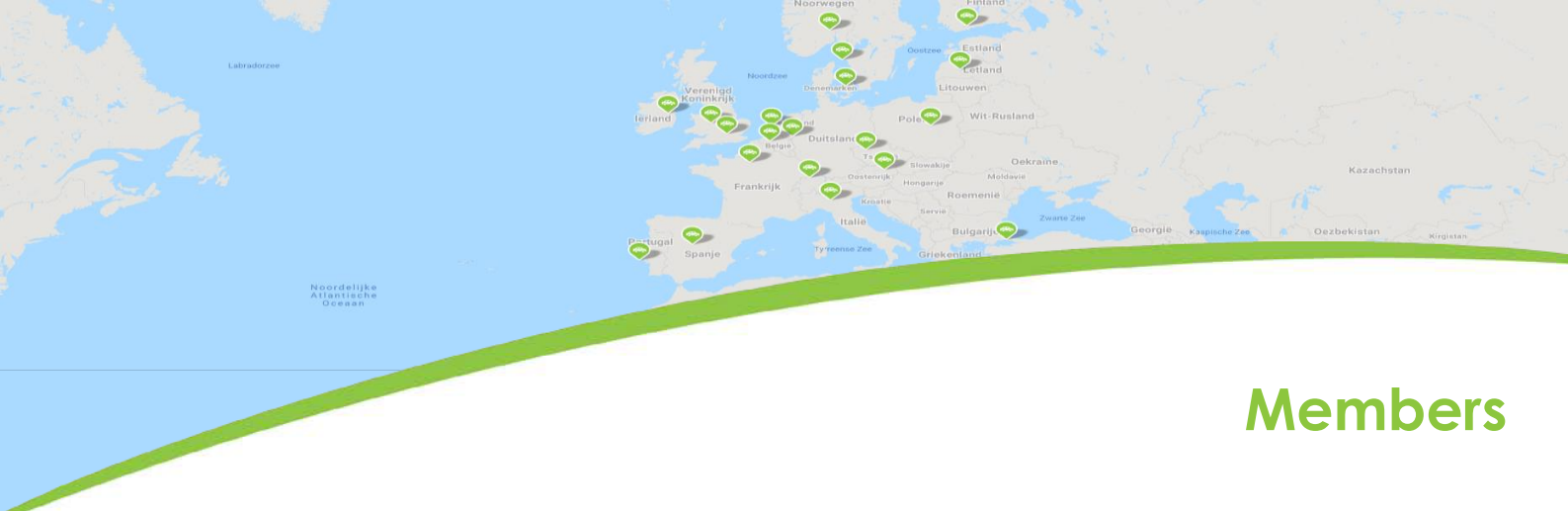
FIGIEFA presented its European political and legislative activities on the opportunity of Members' assemblies and stakeholder events

In a series of events organised in different EU countries, Sylvia Gotzen, Chief Executive Officer, Neil Pattemore, Technical Director, and Jan Bambas, EU Affairs Director, have informed Members' members about the latest political and legislative developments in the European Union affecting their businesses.

Members from SIMI (Ireland), SAA (Switzerland), SDCM (Poland), SBF (Sweden) and IAAF (United Kingdom), as well as participants of the Parts Aftermarket Congress in Rome and the CAM Conference in Prague were briefed on the most relevant issues and latest activities of FIGIEFA, including:

- The Third Mobility Package and the upcoming recommendations on 5G initiated by the European Commission, as well as mirroring European Parliament's own-initiative report on autonomous driving in EU transport;
- The different activities in view of obtaining legislation guaranteeing direct access to data, vehicles, functions and drivers for all aftermarket operators;
- The FIGIEFA and AFCAR participation of the Proof of Concept process together with ACEA (vehicle manufacturers) and CLEPA (parts manufacturers), aimed at establishing whether the "Extended Vehicle" and the "Neutral Server" can maintain fair competition in the automotive aftermarket;
- Threats of an indirect closure of the OBD port;
- The implementation of the Type-Approval Regulation, especially when it comes to repair and maintenance information and spare parts identification;
- The involvement of FIGIEFA in AFCAR (the Alliance for the Freedom of Car Repair in the EU) and all related joint activities, such as the Manifesto for fair digitalisation opportunities, the Direct Access Driving Progress opinion-building campaign, and the study and policy event on myths behind the "Extended Vehicle".





Members



Germany – GVA calls for fair access to data, drivers and vehicles

In a high-level event in Berlin, the GVA pointed to the urgent need to establish an appropriate legislative framework to ensure that connected vehicles are designed to safeguard competition. The basis and prerequisite for any automotive aftermarket is indeed fair access of service providers to the customer in the vehicle and to the vehicle itself. [More here](#)



Poland – Members confident about the future of automotive businesses at large SDCM Congress

According to a survey organised for the SDCM Congress which gathered some 400 market operators, almost 90% of parts distributors expect a significant increase of their operations next year. Electromobility, connected mobility and mobility as a service, including shared mobility, are seen as the most decisive trends for the near future. [More here](#)



Spain – ANCERA welcomes the national transposition of the roadworthiness directive

The law that establishes requirements to be met by the roadworthiness test in order to improve road safety and the environment, which comes from Directive 2014/45 / EU, came into force in Spain. It should maintain impartiality and safeguard operations of small businesses. [More here](#)



UK – 2018 IAAF Conference warns aftermarket of ‘profound transformation’

The IAAF Annual Conference addressed some of the ongoing issues that loom large and threaten to impact the aftermarket in 2019 and beyond, including the future UK-EU relationship, the danger of counterfeit goods, fast evolving technology and vital legislation to access in-vehicle data. [More here](#)



UK – SMMT launches contingency aid package in case of hard Brexit

With less than four months to secure a withdrawal deal and concerns of a cliff-edge on the 30th of March, the programme, involving five major legal and accountancy firms, is part of ongoing efforts to provide support for companies in general and small and medium sized businesses in particular at this critical time. [More here](#)

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