



**ADVOCACY WORKING GROUP**  
**MARKET STUDIES PROJECT**

**MARKET STUDIES INFORMATION STORE**

**SECTOR:**

**CAR RETAILING AND REPAIRS**

**UPDATED: DECEMBER 2015**

## Information Store

### Car Retailing and Repairs

<b>Jurisdiction:</b>	Croatia											
<b>Market:</b>	Motorcycles and scooters	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	27 October 2014	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	Up to one year											
<b>Source of idea for study:</b>	Own initiative.											
<b>Outcome (tick relevant columns):</b>												
<b>Reason for study (what were the problems)?</b>	To define the situation on the market.											
<b>Link to report:</b>												

<b>Jurisdiction:</b>	Turkey											
<b>Market:</b>	Motor Vehicles	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	May 2014	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	3 Years											
<b>Source of idea for study:</b>	Board Decision											
<b>Outcome (tick relevant columns):</b>												
<b>Reason for study (what were the problems)?</b>	The study was conducted to see whether the targets set by the regulation: Motor Vehicles Block Exemption No: 2005/4 was reached or not and to understand its effects on the market. As European Commission made a clear difference between the markets of distribution of motor vehicles and for the distribution of spare parts and the provision of repair and maintenance services under its recent regulation (COMMISSION REGULATION No 461/2010 of 27 May 2010), Turkish Competition Authority aimed to find out whether it goes same with Turkish market or not.											
<b>Link to report:</b>	Full Report ( In Turkish): <a href="http://www.rekabet.gov.tr/File/?path=ROOT%2f1%2fDocuments%2fSekt%C3%B6r+Raporu%2fmotorlutasityeni.pdf">http://www.rekabet.gov.tr/File/?path=ROOT%2f1%2fDocuments%2fSekt%C3%B6r+Raporu%2fmotorlutasityeni.pdf</a>											

## Information Store

<b>Jurisdiction:</b>	Norway	<b>Range of Possible Outcomes</b>										
<b>Market:</b>	Car warranty											
<b>End Date:</b>	2013	<b>Competition Enforcement</b>	<b>Consumer Enforcement</b>	<b>Consumer Education</b>	<b>Business Education</b>	<b>Voluntary Business Compliance</b>	<b>Voluntary Business Action</b>	<b>Recommendations to Government for Changes in the Law</b>	<b>Recommendations to Government to Change Market Structure</b>	<b>Recommendations for Changes to Government Policy</b>	<b>Referral to Third Parties</b>	<b>No Problems Found</b>
<b>Duration:</b>												
<b>Source of idea for study:</b>	Tips and concerns raised with the NCA											
<b>Outcome (tick relevant columns):</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	<p>The report "Your car - your choice of auto repair shop" revealed that vague and misleading warranty terms created uncertainty among car owners, and restricted competition in the market. Warranties with conditions for the car owner having repairs and maintenance carried out within the authorized repair networks of the car manufactures may be caught by the Competition Act Section 10, first paragraph (EEA agreement Art. 53 (1)). The NCA had a twofold aim in conducting this market investigation. Firstly, to inform the consumers of their rights of a free choice of repair shop and secondly, to inform car manufacturers/importers about warranties that potentially could be in conflict with the Competition Act. During the market investigation, the NCA had meetings with several players in the automotive industry. As result of this review, the majority of the car manufacturers/importers have changed their warranty conditions to be in accordance with the competition law.</p>											
<b>Link to report:</b>	<a href="http://www.konkurransetilsynet.no/globalassets/filer/publikasjoner/rappporter/rappport_om_bilgaranti-.pdf">http://www.konkurransetilsynet.no/globalassets/filer/publikasjoner/rappporter/rappport_om_bilgaranti-.pdf</a> (in Norwegian)											

### Information Store

<b>Jurisdiction:</b>	<b>Bulgaria</b>	<b>Range of Possible Outcomes</b>									
<b>Market:</b>	- Distribution of new motor vehicles - After-sales (repair and maintenance) services - Distribution of genuine spare parts										
<b>End Date:</b>	December 2012	<b>Competition Enforcement</b> <b>Consumer Enforcement</b> <b>Consumer Education</b> <b>Business Education</b> <b>Voluntary Business Compliance</b> <b>Voluntary Business Action</b> <b>Recommendations to Government for Changes in the Law</b> <b>Recommendations to Government to Change Market Structure</b> <b>Recommendations for Changes to Government Policy</b> <b>Referral to Third Parties</b> <b>No Problems Found</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Duration:</b>	1 year 6 months										
<b>Source of idea for study:</b>	Media publications.										
<b>Outcome (tick relevant columns):</b>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	<p>Availability of data on potential problems for competition in the distribution of motor vehicles, spare parts and repair services. The national markets for new motor vehicles, genuine spare parts and after-sales services were found to be sufficiently competitive with low levels of concentration within the supply chain and infrequent occasions of anticompetitive practices affecting a limited share of the market. In particular the inquiry identified a few occasions of exclusive supply obligations for new vehicles and spare parts, misuse of warranties and quantitative criteria for access to service networks. The inquiry also identified individual occasions of resale price maintenance and restrictions on active sales outside the authorized dealer territory.</p> <p>Results: Based on the findings of the inquiry the CPC initiated two separate proceedings against members of the distribution networks for new vehicles and after-sales services of the HYUNDAI and SEAT brands.</p>										
<b>Link to report:</b>	Decision (in Bulgarian): <a href="http://reg.cpc.bg/Decision.aspx?DecID=300034960">http://reg.cpc.bg/Decision.aspx?DecID=300034960</a>										

### Information Store

<b>Jurisdiction:</b>	France	<b>Range of Possible Outcomes</b>										
<b>Market:</b>	Competition in the vehicle repair and maintenance sector and the spare parts manufacturing and distribution sector											
<b>End Date:</b>	October 2012	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	14 months											
<b>Source of idea for study:</b>	Internal											
<b>Outcome (tick relevant columns):</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	<p>The prices for maintenance and repair services as well as spare parts have increased in France well above both the inflation rate and the levels observed elsewhere in Europe.</p> <p>The Autorité identified regulatory or behavioural factors that may limit the intensity of competition in the automotive after-sales sector:</p> <ul style="list-style-type: none"> <li>-the protection provided by French IP law on so-called “visible” car spare parts,</li> <li>-the scarcity of spare parts for newer models within the independent distribution network,</li> <li>-the lack of access for independent repairers to the full range of technical information made available to authorized repairers,</li> <li>-the fact that some manufacturers’ warranty terms discourage consumers from turning to an independent repairer during the warranty period,</li> <li>-the use throughout the sector of recommended retail prices and its impact on the intensity of competition between manufacturers’ and independent channels.</li> </ul> <p>Among other recommendations, the survey suggested the law be amended by introducing a "repair clause" which would remove the IP protection in respect of “visible” spare parts destined for repairs. In order to take into account the current economic difficulties faced by the car industry, this legal restriction would be removed gradually and in a controlled manner per family of spare parts.</p>											
<b>Link to report:</b>	<p>Press release in English:  <a href="http://www.autoritedelaconurrence.fr/user/standard.php?id_rub=418&amp;id_article=1985">http://www.autoritedelaconurrence.fr/user/standard.php?id_rub=418&amp;id_article=1985</a></p> <p>Full opinion in English  <a href="http://www.autoritedelaconurrence.fr/doc/12a21_EN.pdf">http://www.autoritedelaconurrence.fr/doc/12a21_EN.pdf</a></p>											

### Information Store

<b>Jurisdiction:</b>	<b>Sweden</b>										
<b>Market:</b>	<b>Aftermarkets for cars - warranties</b>	<b>Range of Possible Outcomes</b>									
<b>End Date:</b>	March 2010	<b>Competition Enforcement</b> <b>Consumer Enforcement</b> <b>Consumer Education</b> <b>Business Education</b> <b>Voluntary Business Compliance</b> <b>Voluntary Business Action</b> <b>Recommendations to Government for Changes in the Law</b> <b>Recommendations to Government to Change Market Structure</b> <b>Recommendations for Changes to Government Policy</b> <b>Referral to Third Parties</b> <b>Limited Problems Found</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Duration:</b>	4 months										
<b>Source of idea for study:</b>	Own initiative after receiving consumer complaints and enquiries										
<b>Outcome (tick relevant columns):</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	The SCA regularly received complaints or inquiries about aftermarkets for cars, including complaints about extended warranties which only cover repairs by manufacturers' authorised repair shops. The study examined which offers from suppliers of new private cars regarding guarantees and other services that include a requirement that servicing must be carried out by repair shops authorized by the supplier concerned.										
<b>Link to report:</b>	<a href="http://www.konkurrensverket.se/globalassets/aktuellt/nyheter/las-rapporten-garantivillkor-vid-nybilsforsaljning-5439kb.pdf">http://www.konkurrensverket.se/globalassets/aktuellt/nyheter/las-rapporten-garantivillkor-vid-nybilsforsaljning-5439kb.pdf</a> (in Swedish with English summary)										

<b>Jurisdiction:</b>	<b>Denmark</b>										
<b>Market:</b>	<b>Motor vehicles repair and maintenance services</b>	<b>Range of Possible Outcomes</b>									
<b>End Date:</b>	16 June 2009	<b>Competition Enforcement</b> <b>Consumer Enforcement</b> <b>Consumer Education</b> <b>Business Education</b> <b>Voluntary Business Compliance</b> <b>Voluntary Business Action</b> <b>Recommendations to Government for Changes in the Law</b> <b>Recommendations to Government to Change Market Structure</b> <b>Recommendations for Changes to Government Policy</b> <b>Referral to Third Parties</b> <b>No Problems Found</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Duration:</b>	9 and a half months										
<b>Source of idea for study:</b>	<ul style="list-style-type: none"> <li>Complaints</li> <li>Hope to identify agreements/abuse that could lead to competition cases</li> </ul>										
<b>Outcome (tick relevant columns):</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	<ul style="list-style-type: none"> <li>Competition concerns for the repair market.</li> <li>Brand specific markets for authorised networks of repairers - have high markets shares.</li> <li>Consumer habits were not promoting competition in this market.</li> </ul>										
<b>Link to report:</b>											

### Information Store

<b>Jurisdiction:</b>	Czech Republic											
<b>Market:</b>	Distribution and repairs of Motor vehicles	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	February 2008	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	20 months											
<b>Source of idea for study:</b>	Consumers, governmental bodies, own initiative											
<b>Outcome (tick relevant columns):</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	<ul style="list-style-type: none"> <li>• Relatively high prices</li> <li>• Suspicion of RPM</li> <li>• Insight into the characteristics of services and the circumstances in which the motor vehicles were sold.</li> </ul>											
<b>Link to report:</b>												

<b>Jurisdiction:</b>	Estonia											
<b>Market:</b>	Distribution of New Motor Vehicles	<b>Range of Possible Outcomes</b>										
<b>End Date:</b>	2008	Competition Enforcement	Consumer Enforcement	Consumer Education	Business Education	Voluntary Business Compliance	Voluntary Business Action	Recommendations to Government for Changes in the Law	Recommendations to Government to Change Market Structure	Recommendations for Changes to Government Policy	Referral to Third Parties	No Problems Found
<b>Duration:</b>	3 months											
<b>Source of idea for study:</b>	Publicly available information, information from market participants											
<b>Outcome (tick relevant columns):</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	RPM suspicion.											
<b>Link to report:</b>												



### Information Store

<b>Jurisdiction:</b>	Czech Republic	<b>Range of Possible Outcomes</b>										
<b>Market:</b>	Car Retailing and after sales market											
<b>End Date:</b>	December 2007	<b>Competition Enforcement</b>	<b>Consumer Enforcement</b>	<b>Consumer Education</b>	<b>Business Education</b>	<b>Voluntary Business Compliance</b>	<b>Voluntary Business Action</b>	<b>Recommendations to Government for Changes in the Law</b>	<b>Recommendations to Government to Change Market Structure</b>	<b>Recommendations for Changes to Government Policy</b>	<b>Referral to Third Parties</b>	<b>No Problems Found</b>
<b>Duration:</b>	13 months											
<b>Source of idea for study:</b>												
<b>Outcome (tick relevant columns):</b>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Reason for study (what were the problems)?</b>	Complaints raised by market participants concerning operation of regulation (EC) No. 1400/2002 concerning motor vehicle distribution and servicing.											
<b>Link to report:</b>	<a href="http://www.compet.cz/fileadmin/user_upload/Sekce_HS/Distribution_and_repairs_of_motor_vehicles.pdf">http://www.compet.cz/fileadmin/user_upload/Sekce HS/Distribution and repairs of motor vehicles.pdf</a>											