

Newsletter October 2023

Home Stretch Until The End of The Year

Hi again dear members, colleagues, and friends of FIGIEFA. Fall comes incredibly intense with many important dossiers affecting our sector in the final moments of the European legislative term. We will meet electronically soon for our second General Assembly of the year and go into all of these issues.

In the meantime, here is a summary of everything that has evolved or arisen since our last issue in July.

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HIGHLIGHTS



FAAS SUSTAINABILITY DAY 2023

Driving the green future of the
automotive aftermarket



17 November 2023



Futurmotive - Bologna



Registrations Are Open for the First-Ever FAAS Sustainability Day!

To be held on the 17 of November at Futurmotive in Bologna, the occasion will bring together the Automotive Aftermarket ecosystem leaders and innovators. The platform will provide exciting opportunities for knowledge sharing, network building, and the exploration of cutting-edge green innovations. Join us, you will have the opportunity to network with your peers, valued customers, trusted suppliers, and innovative start-ups from across Europe and beyond.

[Programme and registration here](#)



Euro 7 and its impacts on the automotive aftermarket

Discussions on the proposed “Euro 7” Regulation on emission limits are fully underway in the EU. Apart from the aim to reduce emissions, the Regulation also aims, in particular, at guaranteeing the integrity of vehicle emission monitoring over their lifetime. As one of several measures, vehicle manufacturers will be required to protect systems and components that record the emission performance of their vehicles over the first 200,000 km and during ten years of operation through the implementation of anti-tampering measures. All details will however be decided through implementing acts, to be developed in the coming months by DG GROW, Member States and stakeholders experts.

FIGIEFA supports such anti-tampering measures as they are part of the emission reduction strategy. The European Commission has not yet defined any rules for their application, but aims to use the UN Regulation R155 for the implementation. This would mean that manufacturers would be entitled to set *proprietary* on-board monitoring strategies and anti-tampering measures. There is a risk that such measures could hamper the ability of aftermarket players to offer competing parts for vehicle maintenance and repair. The UN Regulation or any existing regulation does not give necessary possibilities to aftermarket operators to engage with the vehicle manufacturers or any other support to develop replacement parts which are compatible with the anti-tampering

measures implemented in the vehicle. Without access to the necessary interoperability information, the development, distribution, installation, and activation of emission-related aftermarket replacement parts by independent operators could be prevented. This would have a serious effect on the product parts portfolio of independent parts wholesalers and consumers' purchasing power, as the cost of such parts would no longer be subject to competition.

This Euro 7 Commission proposal is now under discussion in Brussels with the two co-legislators: the Council (Member States) and the European Parliament. Members of the ENVI Committee at the European Parliament have recognised this problem for the aftermarket and have recently adopted on the 12th of October, amongst others, amendments aiming at preserving fair competition in automotive replacement parts allowing the development of replacements parts and defining technical specifications required for such development when the implementing acts will be prepared.

As next steps, it is expected for the European Parliament to adopt its final report early November 2023 at its plenary sitting which will constitute Parliament's negotiating position with EU governments on the final shape of the legislation. FIGIEFA will continue accompanying the development of that legislation in order to ensure that the multi-brand aftermarket is able to continue producing, installing and activating competitive replacement parts, offering true choice to the consumers.



The Repairs Clause Parliament's Draft in Favour of FIGIEFA & ECAR's Position and Recommendations

A short update on the situation of the Repairs Clause within the European institutions:

As already shared with you, the Commission has proposed in November 2022 to introduce a Repair Clause at the European level and in all EU Member States in the framework of the revision of the legislation on design protection. The proposal aims at putting an end to this unfair vehicle manufacturers' monopoly on visible must-match spare parts in countries without a Repairs Clause.

But the devil is in the detail. Despite the in principle positive proposal, FIGIEFA/ECAR have several concerns:

- There is still a 10-year transition period before market operators could benefit from the Repair Clause for existing car designs;
- There are unclear requirement regarding consumers information;

- The scope of the proposed Repair Clause excludes non-must-match spare parts such as wheel rims.

Since January, FIGIEFA/ECAR organised many meetings with Members of the European Parliament (MEPs) and with Member States representatives here in Brussels and in capitals to convey our position and request for improvements of the proposed Repair Clause.

Council – The Council position was adopted last 25th September. All Member States unanimously supported the introduction of a Repair Clause at the EU level and in all EU Member States. The Council also addressed our concern on the unclear consumers' information requirement. However, with two major negotiating blocks opposing each other on the question of the protection of existing vehicles' designs, the 10-year transition period proposed by the Commission has been retained.

European Parliament - We are pleased to inform you that thanks to the many meetings organised by FIGIEFA/ECAR with key MEPs, the draft Reports of the MEP Rapporteur and of the Shadow-Rapporteurs continue to support the Repair Clause and propose a shorter transition period for existing vehicles.

The next steps in the decision-making process are: a vote in the European Parliament before the end of 2023 (November) and the Trilogue meetings to start either at the end of 2023 (December) or the beginning of 2024.

Stay tuned for more updates from our side.

FOCUS: ACCESS TO DATA



Data Act: European Mobility Still Needs Sector-Specific Rules (FIGIEFA's Open Editorial on Brussels Political Newspaper EURACTIV)

For the Data Act to deploy its full potential, service providers need to be able to develop their technical solutions and services *in advance* of the user granting access to their data. In other words: **without services which were developed in the first place, the concrete data stream deriving from the Data Act users would not find a recipient.**

For this reason, it is imperative to complement the Data Act with sector-specific legislation under Vehicle Type-Approval. A dedicated piece of legislation on 'access to in-vehicle data, functions & resources"', under the responsibility of Internal Market Commissioner Thierry Breton, is in the pipeline and expected to be issued in Q4 this year.

FIGIEFA emphasises that it is most important to address the particular systemic barriers and structural impediments experienced by independent market operators in the automotive and mobility services sector. It is crucial to extend the access rights beyond 'data' to include 'vehicle functions and resources', including the bilateral communication with the driver via the Human-Machine Interface. These functions are essential to the provision of many

aftermarket and mobility services. Given the technical complexity, also safety and (cyber)security specific roles and responsibilities of all involved operators need to be defined.

[Read more on EURACTIV's site](#)

FOCUS: COMPETITION



MVBER Extension and Update in a Few Lines

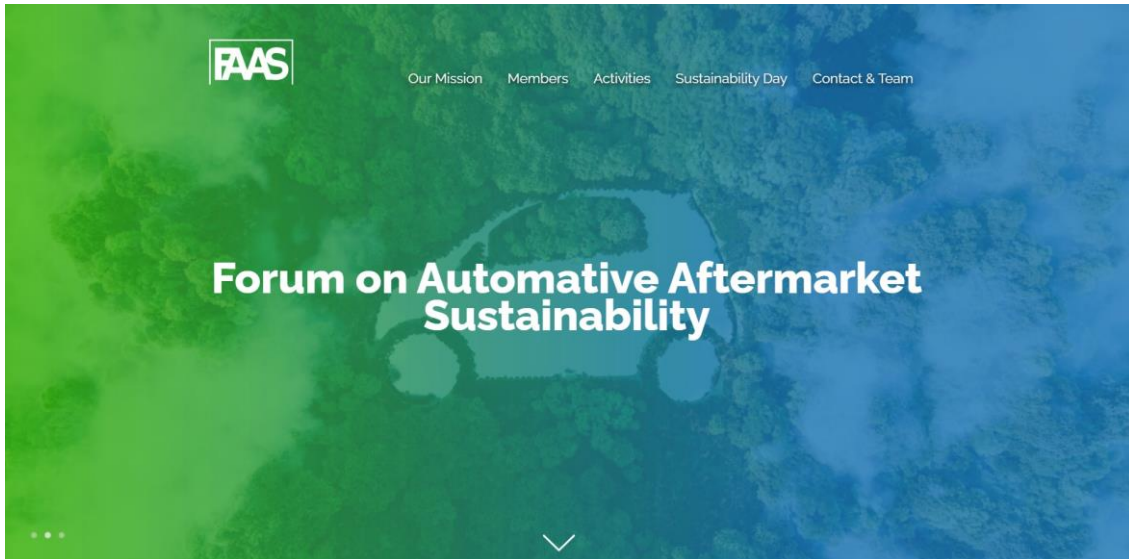
In times of rampant inflation, it is clear that effective competition in the automotive aftermarket is essential to keep prices at an affordable level, in the interest of consumers and business operators alike. Aware of this challenge,

the European Commission has taken a step in the right direction on the 17th of April 2023, by renewing the Motor Vehicle Block Exemption Regulation (MVBER) and the accompanying sector-specific Guidelines, the European legislation setting the framework conditions for competition in the automotive aftermarket.

Notably, the European Commission acknowledged the critical role that access to technical information plays for repair and maintenance of modern vehicles and made important updates in order to reflect the latest technical developments. In particular, information on Advanced Driver Assistance Systems, Battery Management Systems, and activation codes for replacement parts, which are necessary to properly service the most recent and future electric and connected vehicles, are now qualified as essential inputs that need to be made available to all operators. Importantly, the Commission has also acknowledged that access to vehicle-generated data has become key for aftermarket operators to compete, thereby preparing the ground for future, more practical-oriented legislation materialising this principle.

[Read more](#)

FOCUS: ENVIROMENT



New FAAS Website

The Forum on Automotive Aftermarket Sustainability (FAAS), a collaborative endeavour initiated by CLEPA and FIGEFA, launched its website in September 2023. You will find there its main pillars, description of working groups, members, and more.

The FAAS initiative aims to establish a platform where all participants in the automotive aftermarket can exchange ideas, cultivate, and adopt sustainable practices. The goal is to transform the European aftermarket sector into a fully accountable and proactive industry. Join us!

[Visit it](#)



FIGIEFA held the first virtual meeting of its Sustainability Working Group - September 4

The reduction of greenhouse gas emissions and the development of a more circular economy have been at the forefront of the European Union's priorities over the recent years, and will undoubtedly remain as a core objective of the next European Commission (2024-2029). New legislations are being finalised and implemented, requiring all actors in the automotive and mobility sector to reduce their environmental footprint.

The Sustainability Working Group was launched to exchange information on current and future regulatory developments affecting independent automotive operators, and to discuss the challenges and opportunities at stake. As vehicles are set to become more sustainable and circular by design, independent automotive operators play a pivotal role in providing competitive services and products that enable the transition to low-carbon mobility.

Members took stock of the on-going negotiations on the Right to Repair Directive, the Packaging and Packaging Waste Regulation, and the Circular design and end-of-life management Regulation. Independent automotive operators are an indispensable link in the sustainability transition, as they

intervene throughout the full lifespan of vehicles – from maintenance to repair and dismantling. Yet, the proper conditions should be set in EU law in order to preserve fair competition in the aftermarket, and freedom of choice for consumers.

Members also discussed the Corporate Sustainability Reporting Directive and the Taxonomy of environmentally sustainable activities, which are adopted and pending implementation. On the first point, companies requiring to report in accordance with the new European Sustainability Reporting Standards could align their approaches to collect data throughout the value-chain in order to facilitate compliance. On the second point, independent automotive operators could identify and recommend further categories of activities for inclusion in the Taxonomy, in view of facilitating access to green and transition finance in the automotive sector.

The Sustainability Working Group will provide further clarifications and recommendations to the EU institutions on the files discussed at its first meeting, and will reconvene in Q4 2023.



IAAF Urges British Government to Consult with Aftermarket on Net Zero Plans

The Independent Automotive Aftermarket Federation (IAAF), one of FIGIEFA's UK Members, urged the Government to consult the automotive aftermarket on its Net Zero plans, after the banning of new petrol and diesel-powered vehicle sales was delayed to 2035.

On Wednesday, Prime Minister Rishi Sunak announced that the ban on the sale of new petrol and diesel cars in the UK was being pushed back from 2030 to 2035, while saying he still expected that by 2030 most new cars would still be electric due to advancements in technology and manufacturer investment.

IAAF says the five-year delay to the ban of internal combustion engine (ICE)-powered vehicle sales risks public enthusiasm for the Government's Net Zero agenda, but that the implications on the aftermarket industry have not been fully considered as plans change.

As part of the Federation's intensive lobbying activity, IAAF discussed with the

Minister of State for Transport that the Government's strategy remains zero exhaust emissions, but it was also confirmed that the ability to continue to use second-hand vehicles that have internal combustion engines is also part of their strategy. IAAF has also suggested that future powertrain technology has not been fully considered amongst the discussion on banning new petrol and diesel vehicle sales, with hydrogen fuel cell technology also a viable option in the pursuit of a practical and pragmatic Net Zero solution.

[Read more on IAAF's website](#)

FOCUS: European & International Business Scene



SME Relief Package: Basis for More Room to Do Business

SMEUnited, to whom FIGIEFA is a member, welcomes the publication of the SME Relief Package, which indeed provides certain relief to SMEs. While fostering liquidity through stronger legislation on late payment and the reinforcement of the SME window is fundamental to ensure SMEs' investment capacity, reducing regulatory burden and building the bridge between available training and SMEs' needs should further positively impact entrepreneurial resources.

"The revision of the **Late Payment Directive** proposing strict payment terms of 30 days, sector-specific agreements and automatic compensatory fees should strengthen the investment capacity of SMEs," reacted SMEUnited President Petri Salminen. However, he emphasised that SMEUnited insists that "Member States should be able to have stricter rules. The proposal is a good basis to give entrepreneurs ownership of their cash flow and the capacity to invest in their business, amongst others for the twin transition."

SMEUnited supports the Commission's commitment to enhance the application of the Think Small First principle. "Reducing the **regulatory burden** starts with better regulation," stated President Salminen. SMEUnited will monitor whether future proposals do systematically consider SME-friendly provisions, longer transition period clauses and guidance clauses for SMEs. Furthermore, he expressed support for the provision calling on the Commission to pay particular attention to the impact of delegated and implementing acts on SMEs.

Speaking about the European Year of Skills, President Salminen noted that SMEUnited sees possibilities in the proposals on tailored training and national compensation schemes for SMEs investing in vocational training to tackle the **skills gap**. SMEUnited underlines that SME organisations must be involved in the development and organisation of apprenticeships / vocational education & training and tailored training and mentoring for entrepreneurs for a good outreach to SMEs.

President Salminen concluded: “SMEUnited will closely monitor the publication of additional measures to **rationalise reporting obligations** in the coming weeks. These measures are urgent, amongst others, to bring clarity to sustainability reporting and must be adopted before the end of the mandate.”



FIGIEFA Represented at Auto Care Legislative Summit in Washington, D.C. - September 19-21

Our colleagues Eléonore Van Heute and Pierre Thibaudat accompanied the Auto Care Association, our American counterpart, during their Fall Legislative Summit in the US capital. Congratulations to them for a great Summit and for encouraging progress on a Repair Act which would contribute to true consumer choice and the right to repair in the age of connected cars. Bill Hanvey, President and CEO, his team, and members are doing a truly fantastic and inspiring job on the Hill as well as with grassroots work.

FIGIEFA presented the work we have been doing towards the EU institutions in the past years and participated in high-level meetings with US Senators in the spirit of raising awareness of the importance of the independent aftermarket.

We will continue to work alongside Auto Care and other international partners for the [#RightToRepair!](#)

OTHER FIGIEFA NEWS



New Secretary General at FMA

We welcome Michel Gillard as the new secretary general of **Fédération du Matériel pour l'Automobile (FMA)**, FIGIEFA's member association in

Belgium.

Michel, a civil engineer on electro-mechanics by ULB – Polytechnic School, started his new role on the past 18th of September.

In his professional trajectory, among others, Michel owned an importing spare parts company (1984-2003), Worked for Autodistribution Belgium between 2003 and 2006, for Robert Bosch between 2006 and 2017, and has been a member of the TRAXIO association since 2018.

We thank Stijn Vervoort for his years in front of FMA and great contribution to FIGIEFA, and wish Michel the best of luck!

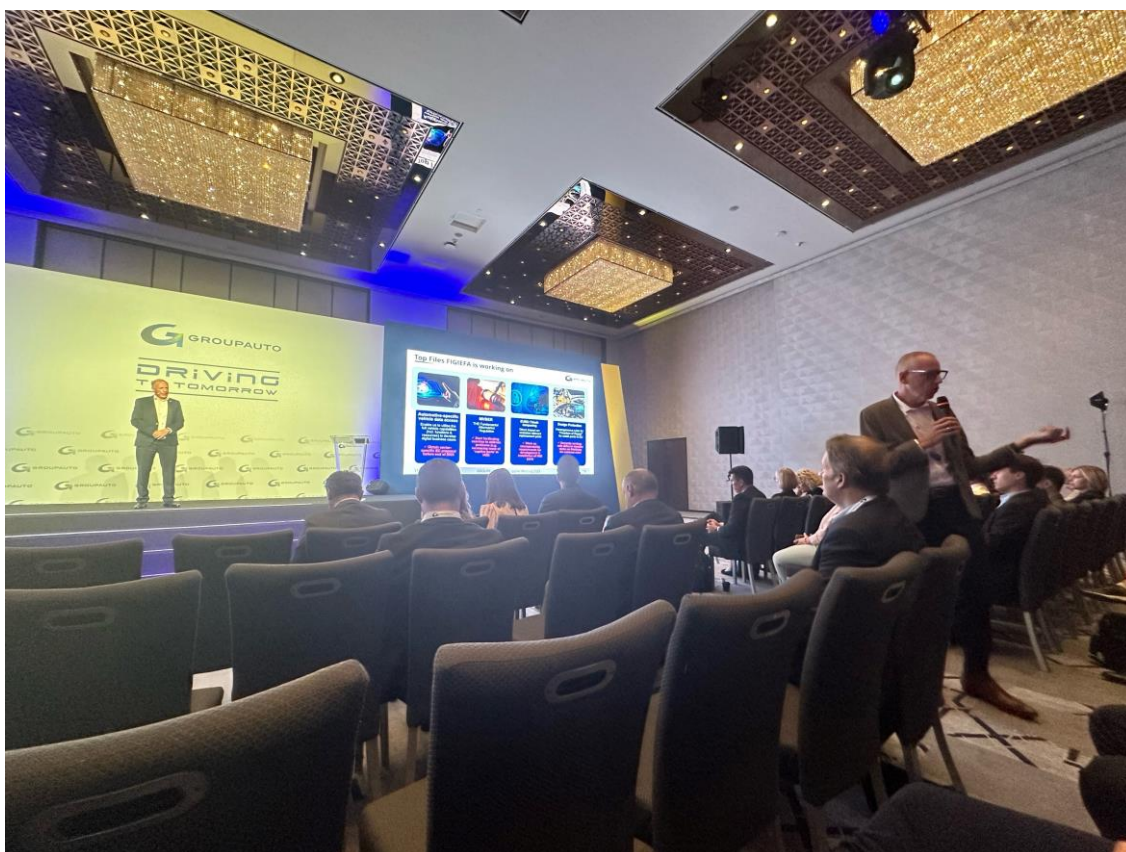


Tomasz Bęben Elected New President of SDCM

In May 2023 a new SDCM board was elected and Mr Tomasz Bęben, former SDCM Managing Director, has been appointed the new SDCM President.

Member of the Board of the European Association of Automotive Suppliers (CLEPA), Tomasz Bęben is a graduate of the Faculty of Law and Administration of the Jagiellonian University. Attorney at law at the Bar Association of Attorneys-at-Law in Warsaw, he gained experience in law firms in Krakow and Warsaw. He has been closely associated with the automotive industry for several years.

We wish him plenty of success and thank him for his work and contribution to our Aftermarket industry both in Poland and within FIGIEFA



FIGIEFA President at GroupAuto International Global Congress - October 11

Held in Istanbul from October 10 to 12, GroupeAuto International Global

Congress had Cor Baltus, President of FIGIEFA, making a presentation on the main achievements obtained by FIGIEFA in recent months and years when it comes to European legislation affecting our business and also about the pending issues for the immediate future.

We congratulate them for a very successful event and thank them for having FIGIEFA 'on stage'.



FIGIEFA at ATR International Symposium in Lisbon - September 19-20

Our Technical Director, Ronan McDonagh, and our Senior Adviser of Legal and statutory Affairs, Laurence Eeckhout, participated at ATR's Symposium in Lisbon and shared some insights on behalf of FIGIEFA regarding two of the most important issues affecting the IAM: Digitalisation and Sustainability.

These two pillars of the so-called 'Twin Transition' are playing a great role in how our industry will be in the immediate future, and at FIGIEFA we work intensively in both of them.

Thank you for the invitation to our dear friends of ATR International, and congrats on a great conference!



**FIGIEFA present at Global One shareholders Meeting in Dublin -
September 8**

Taking place in a historical building in the heart of Dublin, Global One's annual shareholder meeting was concentrated on the Global One Automotive business report to its shareholders, market news, and best practice exchange between shareholders. Our Chief Executive, Sylvia Gotzen, presented FIGIEFA's mission FIGIEFA, daily work, and achievements in the political EU arena.

Thank you for having us Global One and for the opportunity to present FIGIEFA's work!