



## ECJ judgment on case C-296/22

# Significant progress for fair competition in the aftermarket

PRESS RELEASE

**Brussels, 6 October 2023 - ADPA congratulates Belron/Carglass and ATU for the judgment obtained from the European Court of Justice, which confirms once more that a fair and level playing field is needed in the automotive aftermarket and should not be hindered, in particular by non-proportionate security measures.**

This judgment builds upon caselaw obtained last year by ADPA and GVA also from the European Court of Justice (C-390/21) and underlines once more that:

- Vehicle manufacturers have to let independent operators not only access, but also process and use technical information;
- Vehicle manufacturers cannot impose other conditions than the ones expressly mentioned in Type-Approval Regulation 2018/858 for such access.

By doing so, the ECJ judgment removes anti-competitive barriers and secures the ability of independent repairers to continue accessing the information they need to perform repair and maintenance operations, such as calibration or diagnostics. These operations were made increasingly difficult and costly by some vehicle manufacturers (in this specific case Fiat Chrysler, part of Stellantis) who illegitimately imposed technical limitations and high fees. The ECJ unequivocally ruled these practices as unlawful, in a judgment that should have a lighthouse effect for all market operators in the European Union.

Ralf Pelkmann, ADPA President, said: “With this judgment, the ECJ secures undiscriminated access to in-vehicle technical information for legitimate operators, and therefore fairer competition in the automotive aftermarket. It benefits our entire ecosystem and, beyond, end-consumers, who will continue to have a real choice of where to get their vehicle properly serviced with competitive and innovative solutions.”

Pierre Thibaudat, ADPA Director General, added: “The ECJ confirms that it has always been the intention of European legislation to preserve competition in the automotive aftermarket. Forcing the independent aftermarket into litigation is a regrettable tactic to try to ignore it, and should act as a wake-up call for national and European enforcement authorities and lawmakers to proactively protect the independent aftermarket.”


### For more information



Case [C-296/22](#) of the ECJ, and Belron’s [press release](#)

Case [C-390/21](#) of the ECJ, and ADPA’s [press release](#)

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ADPA, the European Automotive Data Publishers Association, aims to ensure fair access to automotive data and information needed for the repair and maintenance of the 320 millions vehicles on European roads, contributing to their continuous roadworthiness over their lifetime. Its members design and provide competitive, innovative and multibrand solutions to operators of the automotive aftermarket. Founded in 2016 and based in Brussels, ADPA is a Member of AFCAR, the Alliance for the Freedom of Car Repair in the European Union.

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