



Media Statement

For Immediate Release

17 April 2024

STAKEHOLDERS INVITED TO COMMENT ON THE AMENDMENTS TO THE AUTOMOTIVE AFTERMARKET GUIDELINES

The Competition Commission (Commission) has gazetted draft amendments to the Guidelines for Competition in the South African Automotive Aftermarket (Guidelines), which were first published on 29 January 2021 in terms of section 79(1) of the Competition Act No. 89 of 1998 (as amended). The Guidelines became effective on 01 July 2021.

The proposed amendments are an outcome of the Commission's evaluation of the implementation of the Guidelines by the automotive aftermarket industry, and following its engagements with industry associations representing original equipment manufacturers (OEMs), dealers, independent service providers (ISPs) and insurers, outreach initiatives with ISPs, and the investigation of complaints received.

The proposed amendments include the substitution of "Commercially Sensitive Information" with "Competitively Sensitive Information" to align the definition to the Commission's final Guidelines on the Exchange of Competitively Sensitive Information. The Commission also proposes a definition for "intermediary" and provisions to allow intermediaries' access to OEM-technical information on behalf of a group of ISPs, and therefore limit the burden (financial and administrative) faced by ISPs to individually access the technical information from OEMs. The Commission intends to expand the definition of "Spare Parts" to include accessories and to provide a non-exhaustive list of accessories.

The amendments propose inclusions to acknowledge the considerations of OEMs and insurers, including low volume and insufficient work that might affect the ability to onboard motor-body repairers (MRBs) and allow for a consideration of various factors when on-boarding MBRs on a case-by-case basis. The amendments also aim to clarify that the provisions for the unbundled sale of motor vehicles with value added products applies to new, demo and/or second-hand vehicles at the point of sale.

The Commission invites stakeholders to submit comments on the draft amendments by **14 May 2024** to the Advocacy Division of the Commission for the attention of Daniela Bove, email address: DanielaB@compcom.co.za and Sewela Moshoma, email address: SewelaM@compcom.co.za. A copy of the Notice in the Government Gazette is accessible at [Competition Act: Guidelines for Competition in South African Automotive Aftermarket: Amendments: Comments invited \(www.gov.za\)](http://www.gov.za).

[ENDS]

Issued by:

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