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Dawn raids in Romania's automotive sector

A recent press release reveals that the Romanian Competition Council (RCC) has opened six investigations into suspected anticompetitive vertical agreements between six motor vehicle importers (who collectively distribute approximately 70% of Romania's car fleet) and the members of their authorised dealer and repair networks. The investigations focus on the markets for vehicle maintenance and repair services, as well as the distribution of spare parts in Romania.

The RCC conducted dawn raids at the premises of the major six importers, *i.e.* BMW Romania S.R.L., Porsche Romania S.R.L., Mercedes-Benz Romania S.R.L., Hyundai Auto Romania S.R.L., Renault Commercial Roumanie S.R.L./Automobile-Dacia S.A. and Euro Inter Trade Corporation S.R.L.

Suspected infringements

The RCC suspects that the agreements between these importers and their networks may include vertical restraints that restrict market access for independent repair shops and distributors of equivalent quality spare parts.

Specifically, the RCC believes that certain contractual provisions may pressure vehicle owners to carry out maintenance operations and non-warranty repairs within the authorised network and to use only original spare parts, under the threat of losing their vehicle warranty.

Commentary

Traditionally, when investigating similar potential anticompetitive behaviours by multiple market players on a relevant market, the RCC tended to open a single investigation encompassing all potentially infringing parties. However, in this case the RCC has opted to initiate six parallel investigations.

It remains to be seen whether this change signals a shift in the RCC's investigative approach or if it will have broader implications for its decision-making practice (e.g. market definition).

The official press release on the investigations of the Competition Authority is available [here](#) in English.