

**Question for written answer E-003770/2011
to the Commission**

Rule 117

Malcolm Harbour (ECR) and Heide Rühle (Verts/ALE)

Subject: Motor vehicle distribution: protection for distributors after expiry of the Motor Vehicle Block Exemption Regulation

In its resolution of 6 May 2010 on the Motor Vehicle Block Exemption Regulation (RSP/2010/2636), Parliament 'calls on the Commission to ensure that distributors, including those from the motor vehicle sector, benefit from the same level of contractual protection throughout the EU as commercial agents currently do'.

Can the Commission confirm that it is preparing proposals to obtain – before the expiry in June 2013 of the sector-specific legislation on motor vehicle distribution – a level of protection for distributors equivalent to that enjoyed by agents?

Can the Commission confirm that it will consider extending the scope of application and adaptation of the agents' directive (Council Directive 86/653/EEC of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents) to cover all distribution agreements? Or will it examine other legal remedies?

Can the Commission also confirm that it expects car makers' and car dealers' representative organisations to submit for its approval a code of practice for post-June-2013 franchise agreements to ensure that all franchise contracts drawn up in national jurisdictions incorporate the safeguards of dealer independence and ability to satisfy consumers that are integral to the current sector-specific legislation (1400/2002)?

Will the Commission confirm that if the parties are unable to reach a balanced agreement on the code, it will use its best efforts to bring them to the negotiating table?