

Trucks

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Related Practice Areas: **Competition Disputes**

The Cartel

On 19 July 2016, the European Commission ("EC") announced a Settlement Decision against Daimler, Volvo, Iveco, MAN and DAF (the "Cartelists") who coordinated the pricing of trucks over a 14-year period, between 1997 and 2011. The Cartelists also colluded to delay the introduction of low-emission technologies and the passing on to customers of the costs for the emissions technologies. The EC Decision covers both "medium-duty" (6 – 16 tonnes) and heavy-duty (above 16 tonnes) trucks across the European Economic Area ("EEA").

The fines imposed on the Cartelists are record-breaking, altogether reaching over € 2.9 billion. A further truck manufacturer, Scania, remains under the EC's investigation.

The Trucks industry has also been investigated in a number of different jurisdictions, namely South Korea, Spain and the UK.

The Impact

The Trucks cartel will have affected a significant percentage of the 600,000 hauliers operating in Europe (mostly small businesses), as well as companies or corporate groups which retain their own fleets. It is believed that the alleged cartel covered the entire EEA.

Any business which purchased trucks affected by the alleged cartel has a right to claim compensation for any loss suffered as a result of the higher prices which they had to pay for trucks due to the price fixing, together with interest since the date of purchase.