



霹靂汽車裝修廠商公會

PERAK AUTOMOBILE WORKSHOP OWNERS' ASSOCIATION

NO. 18, PERSIARAN KIDD ( OFF KIDD ROAD ), 30200 IPOH, PERAK, MALAYSIA.

Tel: 05-2416288 Fax: 05-2539759

EMAIL: pawoa1977perak@gmail.com

## PAWOA Press Statement

3rd October 2020

Related to the press release by Bank Negara Malaysia (BNM) dated 30<sup>th</sup> September 2020 on the Malaysia Competition Commission's (MyCC) decision to penalise General Insurance Association of Malaysia (PIAM) and its 22 members for infringing Section 4 of the Competition Act 2010, PAWOA committees were very pleased to receive the final verdict on this matter. However, we are deeply disappointed when PIAM decided to appeal on this matter, which indirectly they wanted to further prolong the unresolved practices which is unfair to the PARS repairers.

First of all, PAWOA would like to clarify the facts:-

Before FAWOAM lodged a complaint report to MyCC in year (01 March 2015), FAWOAM and PIAM had been in the meeting discussion to resolve the parts trade discount and labour rate fixing issue numerous times. Despite FAWOAM has expressed concerns and provided a lot of evidence to the PIAM motor insurance committees and also BNM however, the matter was still unable to be resolved. In one occasion, a meeting was held within FAWOAM committees and PIAM motor insurance committees dated ( 17. April 2013 ) and in the minutes, both parties had agreed due to the introduction of Malaysian Anti Competition Act in 1<sup>st</sup> January year 2011, the six makes which are Perodua, Proton, Toyota, Honda, Naza and Nissan should be ceased of practicing fixed parts trade discount and labour rate. The parts trade discount and labour rate should be determined independently by the PARS repairers. In conjunction of this, FAWOAM took the effort to announce a statement thru claim system and notified all motor insurance claim stakeholders including insurance companies, adjusters firms, franchise workshop repairers, PARS workshops to stop practicing fixing parts trade discount and labour rate to adhere the MyCC introduction of Competition Act in year 2012. However, PIAM members are still continues the unfair practices. Therefore, the statement by PIAM and BNM indicated that FAWOAM was supporting the fixing parts trade discount and labour rate after the introduction of Anti Competition Act was not true!

PAWOA committees would like to stress out that the PERAK PARS workshops have suffered by the so-called insurance panel scheme which used as a policy to suppress our members to impose unreasonable parts trade discount and labour rate. For example, a Proton vehicle which is repaired at Proton body & paint franchise workshop, the insurance companies are willing to grant zero parts trade discount and a labour rate of RM80.00 per hour. However, if that same vehicle is repaired at insurance panel workshop (PARS repairer), insurance companies will steer the parts trade discount to 25% and fixed labour of RM30.00 per hour without following the Thatcham times which is set by PIAM and BNM.

Today, an "A insurance company" has fixed a very unreasonable parts trade discount and labour rate condition on the selection of panel repairers. Our PAWOA members who disagree on the condition were penalized by removing the panelship from the "A insurance company". In view of this, PAWOA

has called all the PARS members in Perak to cease providing services to this “A insurance company” with immediate effect.

This is a steering policy and a double standard practice by majority of the insurance companies. Franchise workshops are getting the full rate but the PARS workshops are being suppressed and forced to short change the consumers.

We sincerely request BNM and PIAM to practice transparency on the motor claim system where there should not be a double standard among franchise workshops and PARS workshops. All introduction of the claim system and practice policy should uphold the safety and beneficial to the consumers as a main goal. We would like to express our strong objection on such steering practices by the insurance companies on the motor claim industry. We urge all stakeholders should take an immediate action based on MyCC decision and come out a transparency mechanism to overcome on the unfair practice in the industry.

PAWOA COMMITTEE



**霹靂汽車裝修廠商公會**

**PERAK AUTOMOBILE WORKSHOP OWNERS' ASSOCIATION**

NO. 18, PERSIARAN KIDD ( OFF KIDD ROAD ), 30200 IPOH, PERAK, MALAYSIA.

Tel: 05-2416288 Fax: 05-2539759

EMAIL: pawoa1977perak@gmail.com

日期: 03/10/2020

霹靂汽車裝修廠商公會新聞發布會

各位會員, 各報記者, 大家中午好!

今天本會舉辦這個新聞發布會的最主要目的, 就是循本會授權車廠會員的所托而辦。本會授權車廠會員要求本會把一間“A”保險公司, 以不合理的修車條件施諸予他們身上的事公布予消費人知道。

過去多年來, 本會“A”保險公司的授權車廠, 從未間斷的付出零件折扣予該公司。現舉一個簡單的 25% 零件折扣例子。如一間車廠向保險公司提呈的零件价格是市價 RM1,000.00, 那保險公司只賠償給車廠 RM750.00, 因為零件折扣是 25%。車廠必須提供這 25% 零件折扣給保險公司以便獲得修理有關車輛的權利。

事實上車廠也不願意維修那些保險公司不能提供基本零件折扣的車輛, 間接導致了消費人的不便。對消費人會造成一個負面的後果。第一, 消費人必須自己去尋找願意接受這間保險公司零件折扣的車廠來維修他的車輛。第二, 任何一間車廠如果接受了這間保險公司零件折扣率, 將會面對購買適合零件去維修消費人的車輛的難題。

最近, 這間“A”保險公司邀請他們現有的授權車廠重新申請。同時亦邀請一些新的車廠申請 2020-2021 年度的授權車廠。“A”保險公司附上一份零件下拉折扣率給車廠去選擇。但是很遺憾的是, 連最低的折扣率都比以前所簽署的折扣率要高。如果沒有全部, 也有大部份的車廠是不能以“A”保險公司所預測的最低折扣率購買到零件的。

本會要在此強調的是“A”保險公司, 一直以來都與本會授權車廠會員, 保持很好的合作關係。實際上本會曾經寫信詢問過該公司, 要求把提供他們預測的零件折扣率的供應商名單。很不幸的, 他們不但拒絕提供而且還說那種零件折扣率是有可能的。如此則造成本會授權車廠會員處於進退兩難的地步。我們一方面不可能購買到“A”保險公司所預測的最低折扣率購買到零件, 另一方面我們又得不到他們所預測的零件折扣率的供應商。我們要求他們針對此事開會澄清又受到拒絕。

消費人再次處於不利地位, 他們缺乏授權車廠可以維修他們的車輛, 更甚的是他們的車輛不能好好修理, 因為保險公司的賠償金不足夠。

我們覺得這間“A”保險公司是要犧牲修車行業的水準, 使用不公平及高壓手段來委任授權車廠, 這簡直是公然違反了 2010 年的競爭法令。

還有我們要強調的一點是馬來西亞競爭法令委員會在 28/09/20 所下的裁決, 保險公司要求零件折扣是被禁止及觸犯了 2010 年競爭法令的第四章節。所以有 22 間保險公司被處罰。但是“A”保險公司好像完全忽略了該裁決, 還我行我素依然要求授權車廠繼續提供無法支撐的零件折扣率。這種做法肯定地會造成身為車主的消費人一定程度的傷害。

我們希望公眾人士能從上述情況体会到“A”保險公司與授權車廠之間所發生的事情。我們深信消費人的利益一定會受到保障, “A”保險公司將來的賠償將會足夠支付維修費。我們不會拿消費人的安全去冒險, 也希望“A”保險公司將來會從消費人與本會會員中得到更佳的回饋。

謝謝!