

The Class Definition – 20 February 2020

The proposed class (“**Proposed Class**”) is:

All Persons (other than Excluded Persons) who during the period 18 October 2006 to 6 September 2015 either Purchased or Financed, in the United Kingdom, a New Vehicle or a New Lease Vehicle, other than a New Vehicle or New Lease Vehicle produced by an Excluded Brand.

For these purposes:

Persons means all persons, whether legal or natural.

Purchased or Financed means:

- (a) purchased a New Vehicle outright, save where such purchase was made for the purposes of providing vehicle finance services;
- (b) purchased a New Vehicle using a Hire Purchase Arrangement;
- (c) purchased a New Vehicle using a Personal Contract Purchase (PCP) Agreement;
or
- (d) was the lessee of a New Lease Vehicle on a Contract Hire Arrangement.

New Vehicle means all cars (including 4x4s and SUVs) and light and medium commercial vehicles (including pick-up trucks and vans up to a gross weight of 6 tonnes), of which the purchaser, or a Related Third Party, was the First Registered Keeper.

New Lease Vehicle means all cars (including 4x4s and SUVs) and light and medium commercial vehicles (including pick-up trucks and vans up to a gross weight of 6 tonnes), leased under a Contract Hire Arrangement by the First Registered Keeper (the lessor) to a lessee.

First Registered Keeper means the Person recorded as such on the V5C Registration Form issued by the Driving Vehicle Licensing Agency in respect of a given vehicle.

Excluded Brands / Manufacturers means Abarth; Aixam; Alfa Romeo; Aston Martin; Audi; Bentley; Daimler; DS; Ferrari; Fiat; Fuso; Iveco; Jaguar; KTM; Lamborghini; Land Rover; LDV; Lotus; Maserati; Maybach; Mia; Microcar; Mini; Morgan; Opel; Piaggio;

Porsche; Renault Trucks; Rolls-Royce; Rover MG; Saab; Santana; Seat; Skoda; Smart; and Volvo.

Hire Purchase Arrangement means a loan for the full cost of a vehicle, repaid by way of a deposit and then fixed monthly payments over an agreed time period, at the end of which the purchaser becomes the legal owner of the vehicle.

Personal Contract Purchase Arrangement (or ***PCP***) means a loan for the difference between the price of a new vehicle and its predicted value at the end of the loan agreement where, at the end of the loan term, the purchaser can choose to: (i) trade the vehicle in; (ii) return the vehicle to the seller and make no further payment; or (iii) pay a final payment corresponding to the resale price of the vehicle and keep it.

Contract Hire Arrangement means a lease agreement under which the lessee pays a deposit followed by a fixed monthly amount for the use of a vehicle, and where, at the end of the term the lessee returns the vehicle to the lessor.

Related Third Party means a person whom the outright purchaser of a New Vehicle, the purchaser of a New Vehicle under a Hire Purchase Agreement or the purchaser of a New Vehicle under a Personal Contract Purchase Arrangement decides will be registered as the First Registered Keeper of the New Vehicle in question, for any reason.

Excluded Persons means:

- (a) Addressees of the European Commission decision in Case AT.40009 – Maritime Car Carriers, their subsidiaries, holding companies, subsidiaries of those holding companies, and any entity in which any of the addressees has a controlling interest;
- (b) Officers, directors or employees of any of the companies referred to in (a) above, at any time since 18 October 2006;
- (c) All members of the [Proposed] Representative's and [Proposed] Defendants' legal teams and all experts or professional advisers instructed by them in these proceedings;
- (d) All members of the Tribunal panel assigned to these proceedings and any judge hearing any appeal in these proceedings.