

Advisory action: requests for an opinion in the context of growing public action as regards the transition

The green transition prioritised by the French government and parliament has prompted the **adoption of new regulatory frameworks** in various sectors. In this context, and pursuant to [Article L. 462-1](#) of the French Commercial Code (*Code de commerce*), the *Autorité* may be asked to consider draft laws that present sustainable development considerations in interaction with competition issues.

For example, in 2021, the *Autorité* was asked to give its opinion on the criteria for allocating contracts for the collection, transport and regeneration of used oils as part of the implementation of a new extended producer responsibility (EPR) scheme for mineral or synthetic lubricating or industrial oils.

In particular, the *Autorité* considered that the proposed criteria were not relevant given the historical structure of the market and existing competitive pressures. The recommendation made by the *Autorité* to this effect ([Opinion 21-A-13 of 11 October 2021](#)) was followed, and the Ministerial Order of 27 October 2021 does not therefore contain these criteria.

In 2023, the *Autorité*'s advisory action focused in particular on land passenger transport and the electric vehicle charging stations sector. In November 2023, the *Autorité* published its opinion on the competitive functioning of the [land passenger transport sector](#). The investigation showed that opening up to competition can accelerate the ecological transition of transport. The introduction of environmental criteria in calls for tender issued by mobility organising authorities can encourage players to intensify their innovation. For example, in a call for tender, the Hauts-de-France region selected a carrier that made an ambitious ecological proposal (80% of the fleet "greened"). From 23 August 2026, the award criteria for public procurement contracts must include at least one environmental criterion.

Given their importance, sustainable development objectives and the intermodality that contributes to their achievement could be more clearly integrated into the missions of the sector-specific regulator, the French transport regulator (*Autorité de régulation des transports* – ART), by introducing a more explicit legal basis. With this in mind, the *Autorité* recommended that the legislator amend the French Transport Code (*Code des transports*) to ensure that the ART's missions are consistent with the overall objectives of France's transport policy, which include environmental protection and regional development.

In 2024, the *Autorité* also decided to start inquiries *ex officio* to analyse the competitive functioning of the product rating systems sector, which aims to provide consumers with information on the sustainability-related characteristics of consumer products and services.

The *Autorité* published its opinion on electric vehicle charging infrastructure in June 2024. The opinion focuses in particular on the deployment and pricing of electric vehicle charging stations and the creation of associated services, which are key to the decarbonisation of our economy. With the aim of achieving carbon neutrality by 2050 and in line with the Paris Agreement, the European Commission is planning to ban the sale of new combustion-engine cars by 2035. The development of electromobility is therefore essential to the ecological transition in the transport sector. As such, the deployment of a dense and reliable network of electric vehicle charging infrastructure is a *sine qua non* condition for the growth and sustainability of electric mobility. The crucial challenges raised by the ecological transition also raise competition issues, which is why the *Autorité* decided to start inquires *ex officio* in order to take a close look at the competitive functioning of the sector, which is still taking shape.

On 9 January 2025, the *Autorité* issued its opinion on consumer product and services rating systems. In the opinion, the *Autorité* provides guidance to help stakeholders understand rating systems in the light of competition rules.