



Leaseurope feedback to the Digital Services Act Consultation

Leaseurope is the European Federation representing the leasing and automotive rental industries. Its members are at the forefront of developing on-demand mobility services as well as providing services via platforms, some meeting the new “very large platform” definition.

Leaseurope welcome the other thrust of the DSA to modernise the European Union’s digital services rule-book, to bring clarity to the requirements of information society services providers, notably online platforms, while enhancing the functioning of the Internal Market

Leaseurope believes that the recognition of the role online platforms plays in preventing disinformation is crucial, and support the proposal’s recognition of the role online platforms play in ensuring customers are provided with accurate information. This role is particularly important since it is difficult for the average consumer to differentiate between when information is provided by a platform or an independent third party. We feel the proposal’s stipulation that it should be clear to a consumer when information is being provided by the platform itself or by “a recipient of the service who is acting under [the platform’s] authority or control” is also crucial in enabling consumers to understand the interplay between these services, and to understand from the offset that there is a distinction to be made between the platform that they are using to find a good or service (like an online comparison platform) and the company that is providing that good or service.

Voluntary nature of codes of conduct

Despite the Commission recognition of the role codes of conduct can play in mitigating risks for very large platforms, we regret that their nature remains voluntary. We believe that the adherence to industry best practices should be a way of setting standards and draw a line for compliant behaviour on online platforms and such codes should be made obligatory for very large platforms. For the same reason, we regret that the current measures on ranking transparency (Guidelines) are not legally binding. We believe there are compelling reasons to bring these guidelines directly into either the P2B Regulation or into the DSA framework:

- There remains insufficient transparency for consumers to determine when platform recommendations reflect the platform’s commercial terms versus objective criteria, notably those reflecting customer service/experience.
- “Recommendations”, “top picks” etc. frequently appear at the top of search results pages but obscure the reasons why they appear there and why they do not reflect the

best customer service ratings or value for money, including like-for-like comparison of terms and conditions and notably display of the “drive-away” price.

Consumers require further and consistent transparency to enable them to make fully informed choices as to their rental and mobility service provider, without having to have “expert” knowledge in how to identify those choices. We believe that this should be made a regulated requirement as guidelines appear to lack the “teeth” to ensure robust and consistent application and to enable consumers to understand when they are being made recommendations on the basis of the platforms’ commercial terms with a provider rather than objective ranking criteria.