

Putting Your Papers in Order

FIA certification should make you “King of the Castle” in respect to your car, and make your provenance claims virtually impregnable against all comers

by Martin Emmison

Part 2: The Heritage Certificate



The FIA's new Heritage Certificate could be the last word on authenticity—for five years at a time

If you are planning to lay out a substantial sum on a historic competition or collector car, is there any way you can ensure the car you plan to buy is genuine? How do you go about identifying a replica that's masquerading as the real deal? Can you really know if the machine parked in your garage is an original, or just a bitsa built around a few original components?

These are serious questions that take on increased relevance as the cubic dollars involved multiply. As I have suggested in previous articles, the process by which fakes are created and passed off as originals can be lengthy and complex, and the resultant cars hard to disprove even

when you've got all the evidence in the world. Trust me when I tell you that you don't want to become embroiled in a legal dispute over the provenance of your car.

ENTER THE FIA

So what to do? The main course of action has usually been to seek advice from a marque guru who knows everything about your model, and then have the car closely inspected prior to purchase. However, as part of the overhaul of its paperwork regime, the Federation Internationale de l'Automobile has begun offering a Heritage Certificate, its authoritative opinion of a vehicle's authenticity.

Last month I began discussion of this new system of issuing paperwork for historic vehicles, which goes into effect on January 1, 2007. That article covered the Historic

Technical Passport, the eligibility certificate for participation in historic motorsports events, which is primarily needed for those events held outside the United States, like the Tour Auto and Le Mans Classic.

The Heritage Certificate, on the other hand, has nothing to do with a car being eligible for historic racing. This document is issued under the auspices of the Touring Division of the FIA, and is available for all vehicles of any age, road cars as well as competition cars, and even covers commercial vehicles.

What, you may ask, is the FIA doing holding itself out as an expert in authenticating historic cars?

The answers lie partly in the previous paperwork regimen, in which a Historic Vehicle Identity Form (HVIF) certified that a car was eligible to participate in historic motorsport under the FIA's Appendix K regulatory framework. Around 12,500 cars were issued an HVIF, and the FIA has now gathered the bulk of that information into a central database.

The FIA also has access to a large number of marque experts, many of whom were around when these cars were new, and are now able to assist in resolving which cars or components are genuine or correct and which are, or may, be fakes. It makes sense to gain the benefit of that knowledge while these experts are still with us, because they will not be around forever. A further factor is that the FIA is an independent entity, and therefore not subject to the influences of commercial, national, club, or other special interests.

To issue a Heritage Certificate, the FIA asks three questions:

1. Was there a car created in the relevant period?
2. Can it be demonstrated that the car has always been in existence?
3. Is the applicant vehicle that same car?

The essence of qualification is that the vehicle can be demonstrated to have a continuous existence, as one car, since its point of original creation. Components will clearly have been changed, and if the car has been altered in period, a Heritage Certificate may still be issued with this qualification stated.

WHAT YOU GET

The Heritage Certificate application requires completion of a detailed form with supporting documentation, and payment of a €1,500 fee (approx. \$1,850) plus inspectors' travel expenses. The FIA's inspectors will then carry out a rigorous inspection of the car and its documentation, and seek to verify the car's continuous history from new. If the Heritage Certificate committee concludes that yours is the genuine car of a given chassis identity, documentation will be issued for your car, along with a numbered vignette for permanent attachment to the car itself.

Effectively this certifies that, as far as the FIA is concerned, your car is at a minimum the only true heir and successor of the genuine car, and at best is indeed the genuine car of its chassis number. A Heritage Certificate will not be issued for another vehicle with the same identity as yours for the next five years. While this five-year qualification may appear to detract from the certificate, its inclusion is recognition that mistakes can be made, and that new information may come to light that can render a previous opinion invalid.

AND WHY WOULD I DO THIS?

The potential benefits of the FIA's system can be imagined if we revisit a dispute over two vehicles that both claimed to be Jaguar C-type S/N XKC023. I detailed this story in "A Doppelganger Discredited" (SCM June 2004), but a brief recap is in order.

In 1998 Swiss collector Dr. Christian Jenny acquired Jaguar C-type S/N XKC023, the last of the 53 original C-types that had not been accounted for, a car that Jaguar expert Terry Larson had unearthed in Northern California in a dismantled state. Notwithstanding clear evidence demonstrated by Larson in his restoration that this was the original car, and the testimony of individuals who were involved with its in-period California racing career, Dr. Jenny still had to contend with others who claimed to own the original C-type. The most determined of these was Dr. Helmut Rothenberger, a German collector who claimed his was the real XKC023, a car for which FIA papers had been issued in Italy in the 1980s.

My firm represents Dr. Jenny, and when I wrote the first article two years ago, we were trying to press Dr. Rothenberger into a joint examination of both cars by independent Jaguar experts at a neutral location to determine which was the original. After

many months of wrangling, that inspection took place in November 2005, and it was determined that Dr. Jenny's car is indeed the original car. With the benefit of that report, Dr. Jenny has now successfully applied for a Heritage Certificate.

Therefore, in the opinion of the FIA, the provenance of Dr. Rothenberger's car is conclusively discredited, and his car would not qualify for a Heritage Certificate. Dr. Jenny may now maintain that his car is the genuine XKC023, as he has a certificate that proves it.

While this may be an extreme example, and "dual identity" cars may be rare, I believe the benefit of obtaining a Heritage Certificate is still applicable to others. The FIA certification should make you "King of the Castle" in respect to your car, and make your provenance claims virtually impregnable against all comers.

However our example also illustrates why a five-year limitation is necessary. Imagine that this system had existed ten years ago, and that Dr. Rothenberger had obtained a Heritage Certificate for his C-type because no one in FIA circles knew about the genuine car in Northern California. When the real 023 emerged in 1998, clearly the FIA would have needed a way to revisit the question of which was the real car.

THE DOWNSIDE

While obtaining a Heritage Certificate will undoubtedly be of great benefit to an owner and potential buyer, could there perhaps be a risk in applying for one? Certainly. If your application for a Heritage Certificate is refused for whatever reason, you have somewhat undermined your car's reputation, in the same way if it had failed to sell at a well-publicized auction. The FIA does have an appeal process, but surely it would be a killer to be unsuccessful a second time, because your application and the results will be in the public domain.

The FIA operates a website (www.fiaheritage.com) to list the inspectors and the members of the Heritage Certificate committee and appeals panels, while also indicating those cars for which applications have been filed and their results. This presumably gives the opportunity for interested parties to make their views known to the committee. This public disclosure should go a long way towards cementing the FIA's authentication papers as the definitive record for the collector community.

Perhaps in a few years, the Heritage Certificate may even be a requirement for entry to the upper echelons of historic race meetings and/or concours events, and a "must have" when selling a major car at auction.

In any event, between the Historic Technical Passport, certifying the correctness if not the authenticity of a car, and the Heritage Certificate, which confirms the authenticity, the FIA has made the first concrete steps towards a system that identifies, quantifies and authenticates collectible cars. Even with the issues that are bound to arise, in the end the Passport and the Certificate benefit all collectors.♦

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