

1 August 2021

Right to Repair Inquiry
Productivity Commission
4 National Circuit
Barton Act 2600

By email to: repair@pc.gov.au

Dear Commissioners

Ewaste Watch Institute submission – Right to Repair Draft Report

First and foremost, thank you to the Commission for its good work in undertaking this inquiry and the draft report.

It is a timely and necessary inquiry during a period where Australia is facing a variety of waste related challenges.

The Ewaste Watch Institute appreciates the opportunity to respond to the draft report.

Ewaste Watch is a not-for-profit organisation focused on accelerating electronics sustainability, stewardship and circular solutions across the product life cycle through collaboration.

Ewaste Watch believes that the draft report covers many of the relevant issues associated with repair and product durability, including a Right to Repair.

The draft report has identified key issues, impacts and proposed solutions, some of which are noteworthy and should be pursued with vigour, especially those related to consumer labelling and the benefits of a star rating system to better inform consumers and drive greater design for reparability outcomes by producers and brands.

The Commission's draft report's recommendation to look more closely at how reuse and repair can be further improved for ewaste, is also to be commended.

However we believe that the Commission's work is far from done and that the final report must address several key issues that have been overlooked, under-estimated or discounted for various reasons.

We offer the following comments:

While the commission has noted that the Right to Repair is a multifaceted policy issue, it can do much more to approach the issues in a coherent manner that acknowledges the interconnectedness between consumer law, design, durability and ewaste generation.

A siloed approach to these issues will fall short of the necessary policy reforms required.

At a time when the Commonwealth Government, States and Territories and many local governments are developing and pursuing circular economy policies, plans, programs and investments, it is vital that the Commission reflect these initiatives in their analysis and recommendations.

One of the key tenets of a circular economy is to prolong the life of products, components, and the materials they are made from. This is not blue sky policy ambition; it is hard wired into more and more policies and programs worldwide, in both business and governments.

Yet, this is not adequately reflected in the Commission's analysis or its recommendations. The term appears only once in the draft report overview, and then in a cursory manner.

The point here is that alignment with Government policies is essential.

These policies reforms, currently in play, include attention to specific work:

- on reparability, durability and reusability, especially for e-products
- on the role of design to better deliver circular economy outcomes.
- on the opportunities to implement interventions across the product life cycle and supply chain to avoid and reduce waste arising from e-products.

Ewaste Watch encourages the Commission to look again at the 28 recommendations in the Government's review of the Product Stewardship Act and ensure that they positively inform the final recommendations in the Commission report. All of these recommendations have been adopted by the Commonwealth Government, and this should not be overlooked.

Ewaste Watch is very concerned to see that the Commission concluded that because we have well managed landfills that the impacts associated with landfilling ewaste are not significant or worthy of greater attention.

Firstly, this is not entirely correct. NSW alone is running out of landfill space, so the imperative is to ensure e-waste is diverted from landfill, is essential

Secondly, this observation fails to acknowledge the above-mentioned circular economy policies and the need to prolong the life of products, and keep them circulating in the economy.

Thirdly, the ACT, South Australia and Victoria have banned the disposal of ewaste to landfill and Western Australia proposes to ban ewaste to landfill in 2023. A well-managed landfill being an acceptable solution to managing ewaste, is sadly a 1990s view of how to manage our resources, many of which used in e-products are scarce or non-renewable.

Finally, only TVs, IT equipment and mobile phones are adequately addressed through national, industry-funded, consumer-friendly product stewardship schemes.

Australia has a very poor record when it comes to managing a range of other e-product categories such as:

- Solar panels
- Lighting
- Small appliances and whitegoods
- Power tools
- Batteries
- Scientific and medical equipment
- Toys
- And a diverse range of consumer electronics from microwaves to vacuum cleaners

The total body of ewaste is NOT managed effectively in Australia at present, and that repair and durability is part of the solution to address many of these e-products.

Ask any local council in Australia and you will quickly discover that desktop analysis of the problem does not match the everyday reality of managing the ewaste stream in Australia.

In short, the multifaceted aspect of reparability and durability must better address the issues of circularity, product life extension and other interventions than can avoid waste from e-products in the first instance. Our policies must not reflect an ambulance chasing approach of less harm, amelioration and questionable incrementalism.

This inquiry highlights that repair and product durability is a critical opportunity for Australia to move forward in addressing waste avoidance and reduction from e-products.

It is also an opportunity to ensure an aligned and coordinated approach alongside the very important work being undertaken by all levels of government in Australia to transition to a circular economy.

We cannot afford to use yesterday's assessment methods and assumptions to address tomorrow's issues and impacts, and thus the importance of the commission making sure it produces a report and recommendations that reflect 2021 and beyond.

A [recent consumer](#) survey of 2,000 Australians on the social and environmental issues that matter most to them, what actions they are taking to improve them and what they want from the brands and companies we buy from showed that

Almost 80% say brands and products should support causes or make changes to their products that address social and environmental issues

Almost 50% say they purchased a product (at least in part) within the last month because they thought it would help solve a social or environmental issue

Ultimately, Ewaste Watch is driven by three key questions:

- Are we doing enough?
- Can we do better?
- What are the solutions beyond recycling?

We would strongly encourage the Commission to adopt these questions in finalising its report.

Thank you again for your good work and happy to discuss our response further.

Yours sincerely

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