



TASMANIA  
PREMIER OF TASMANIA

31 AUG 2021

Ms Julie Abramson & Mr Paul Lindwall  
Commissioners  
Productivity Commission  
Email: [repair@pc.gov.au](mailto:repair@pc.gov.au)

Dear Ms Abramson & Mr Lindwall,

The Tasmanian Government welcomes the opportunity to provide a submission to the Productivity Commission's Inquiry into the Right to Repair. The Tasmanian Government supports in-principle any initiatives that would decrease barriers to entering repair markets as this will deliver benefits to Tasmanian consumers through access to repair or more competitive repair prices.

Removing restrictions to accessing special parts, repair manuals, technical information or diagnostic software should increase consumer confidence in utilising independent repairers and have positive impacts on independent repair markets. Under the right regulatory and training settings, the potential expansion of repair markets could create employment opportunities in a diverse range of settings, including rural and regional locations. The potential expansion of repair markets will need to consider industry demand for skilled labour and training provision to support any increase in demand.

With respect to consumer guarantees, the Tasmanian Government acknowledges that the costs, timeframes, and complex processes involved in pursuing redress through tribunals and courts can serve as a substantial deterrent for consumers. Therefore, the Tasmanian Government supports the empowerment of state regulators to enforce consumer guarantees, noting that the provision of any such additional powers will pose resource constraint challenges for state regulators and governments will need to consider implementation in the context of other budget priorities.

The Tasmanian Government supports, in principle, the prohibition of warranty voiding clauses subject to further analysis of the costs and benefits. Manufacturer warranties are distinct from consumer guarantees and there is likely a need for increased obligations on suppliers to provide information regarding consumer guarantees when discussing remedies with consumers. The Tasmanian Government notes that any legislative change that mandates additional warranty text relating to consumer guarantees should be accompanied by appropriate transitional arrangements to decrease costs to businesses subject to the disclosure requirement.

Given the primary industry sector's importance to Tasmania, the Tasmanian Government is supportive of measures that reduce repair costs or repair delays for technology-embedded agricultural machinery. The Tasmanian Government supports the Australian Competition and Consumer Commission (ACCC) recommendation that agricultural machinery be considered for inclusion in the Motor Vehicle Service and Repair Information Sharing Scheme.

The Tasmanian Government acknowledges the merit in co-regulatory or mandatory product stewardship schemes and believes amending the National Television and Computer Recycling Scheme (NTCRS) to include repair and reuse targets will ultimately contribute to the Tasmanian Environment Protection Authority's (EPA) goal to reduce waste. The Tasmanian Government believes right to repair should form part of positive obligation schemes in Australia and could complement the Commonwealth's product stewardship framework within the *Recycling and Waste Reduction Act 2020*.

In reference to the draft report, the Tasmanian Government:

- supports draft recommendation 3.1 - *Guidance on reasonable durability of products*, as it will encourage the sustainable use of resources by influencing consumers to consider product durability;
- supports draft recommendation 3.2 - *Powers to regulators to enforce guarantees*, pending further consultation around resourcing the enactment of such powers, as it will support consumers to exercise their rights under guarantees;
- supports draft recommendation 4.1 - *Evaluate motor vehicle information sharing scheme*, as the findings will determine whether the scheme has achieved the desired aims for consumers and independent repairers and thus will inform consideration of the inclusion of additional products, such as agricultural machinery;
- supports draft recommendation 4.2 - *Additional mandatory warranty text*, as it will assist consumers to make informed decisions when choosing repair providers and;
- supports draft recommendation 7.1 - *Improving the management of e-waste*, as the responsible management of e-waste aligns with the Government's draft Waste Management Plan and its vision to move towards a circular economy.

Thank you again for the opportunity to provide a submission, the Tasmanian Government looks forward to reading the final report and welcomes further engagement on this issue.

Yours sincerely

Peter Gutwein MP  
**Premier**