

Right to Repair
Productivity Commission
4 National Circuit Barton
ACT 2600 Australia

21 July 2021

RE: Productivity Commission's Right to Repair Draft Report

Dear Commissioners,

Thank you for the opportunity to respond to the Right to Repair Productivity Commission Draft Report. Good Environmental Choice Australia (GECA) is an independent, not-for-profit organisation whose mission is to transform the actions of business and consumers to drive a substantial increase in sustainable production and consumption. My team and I are excited about the prospect of implementing more actions towards this mission, including ascertaining a circular economy with a right to repair, and I would like to commend the work being investigated through this Draft Report.

GECA runs a transparent and independently audited multi-sector voluntary eco-labelling program, that is the only Australian member of the [Global Ecolabelling Network \(GEN\)](#). Our ecolabelling standards follow the [International Organisation for Standardisation \(ISO\) 14024](#) principles, align with the [ISEAL Alliance](#) frameworks and the United Nations (UN) Sustainable Development Goal (SDGs). We set a high sustainability benchmark for products and services to be certified, continually adjusting our voluntary standards once a significant part of the market has followed the lead.

We believe our expertise can assist in the 'right to repair' conversation from the viewpoint of a reputable standards and labelling scheme, who sets life-cycle criteria on a range of products and services that looks at environmental, human health and social impacts, whilst ensuring fit-for-purpose. This includes requesting evidence in various standards surrounding product design, durability, product information, design for disassembly, product stewardship, and recyclability across a range of industries. We believe these are crucial characteristics for businesses to contribute to 'right to repair' integrity.

GECA understands that the 'right to repair' is 'the ability of consumers to have their products repaired at a competitive price using a repairer of their choice'.¹ This can be achieved via implementation of a range of policies, including consumer and competition law, intellectual property protections, product design and labelling standards, and environmental and resource management.

We would like to highlight in this submission the importance of the 'right to repair' as a necessary component of circular economy, provide some insights from international markets, the key qualities to look for in a

¹ [Productivity Commission, Right to Repair Draft Report, 2021](#)

labelling scheme, and the need for product information, consultation, and education to inform decisions and empower consumers and businesses.

The ‘right to repair’ as a necessary component of a circular economy

Promoting ‘right to repair’ best practices unlock circular economy opportunities in different ways in Australia. While there have been welcome efforts in Australia in this space, they have largely been directed on the lower end of the waste hierarchy, such as recycling and use of recycled content. While these are important aspects, enabling ‘right to repair’ and the continued use of products will result in more environmental outcomes and benefits. For example, the repairability of a product can support in the preservation of the biological systems from constant renewed material flows,² as well as reducing embodied carbon and energy and addressing other environmental externalities along the supply chain.

In addition, these evolving circular economy solutions will action existing policies and plans, such as Australia’s [National Waste Action Plan](#) as well as achieving emissions reduction targets throughout different industries.

As mentioned, GECA sets a high sustainability benchmark for products and services to be certified, continually adjusting our voluntary standards once a significant part of the market follows the lead. A product or service seeking certification must meet or exceeds the requirements of relevant Australian Standards (or other international standards) for its intended application. We include criteria to assist setting up products under a circular economy via requesting replaceable parts wherever possible to extend the useful life, that products are designed for separability/disassembly and ensure that Product Stewardship services are provided by the manufacturer, where possible, for example. These certified manufacturers and businesses are leading the way from a design and development perspective.

Yet the current context in which markets operate requires more support mechanisms and drivers. As highlighted in the Draft Report, there are still ongoing issues we need to address about repairability like the relationship between independent repairers and warranties or providing product information and intellectual property disputes. With the development of greater policy surrounding the ‘right to repair’ (supported by robust and genuine consultation), an increase in funding and support initiatives, and education, we will likely see businesses and consumers take that next step in driving circular economy action and solutions, and higher sustainability benchmarks.

key insights from international markets

The Draft Report focuses on the relationship between e-waste and the ‘right to repair’. We understand that e-waste has become an emerging critical problem in Australia. In this regard, it is good practice to evaluate some of the solutions implemented by other countries and their correlation to this topic.

In the European Union, e-waste has been addressed via product stewardship schemes as well as Extended Producer Responsibility (EPR) as a solution to tackle this problem. Among OECD-countries, there is a trend towards broadening the scope of EPR to new product categories and groups as well as waste streams (e.g., electrical items).³ In this regard, the European Union has implemented the Extended Producer Responsibility to make manufacturers liable for the end-of-life treatment and repairability of their products.

² [Ellen Macarthur Foundation. \(n.d.\). Circularity Indicators: an approach to measure circularity.](#)

³ [OECD, n.d.](#)

Another example is Sweden's approach to EPR scheme which addresses electrical and electronic equipment, batteries, vehicles, and packaging, among others.⁴ Implementing EPR approaches may facilitate e-waste management solutions, for example with solar PV. Most of the solar PV panels in Australia are imported from overseas and there is no current harmonised product stewardship scheme for this rapidly increasing e-waste stream.⁵

The key qualities to look for in a labelling scheme

GECA believes standards and labelling schemes are extremely critical in shifting markets toward sustainable practices and a circular economy. It takes the often-confusing technical information and converts it into an easy-to-recognise label, so that consumers and businesses can make informed decisions. Currently, only certain businesses and consumers are producing and consuming sustainably. Setting standards and creating demand for certification and labelling is crucial in changing behaviour and practice until it becomes the norm. To reduce 'greenwashing' across markets (that is, disinformation about the sustainability of a product or service), it is important to ensure a labelling scheme is based on several key qualities.

From our experience over the past 20 years, GECA has assisted Australian businesses (including manufacturers and suppliers) to implement sustainable practices by setting rigorous standards on a product's life cycle. The development of these standards is based on thorough consultation and technical knowledge of materials, which is important for producing high quality products and services.

Products and services undergoing GECA certification are then independently assessed and, if they adhere to our standards, receive certification to use GECA's ecolabel mark to show their commitment to ethical, environmental, health and fit-for-purpose production across supply chains. Consumers, suppliers, and procurement rely on our ecolabel to identify products or services that hold high performance certification and circular economy principles. We know that without our ecolabel, it can be difficult to navigate the market and make good choices that often entail technical acumen.

From our experience, we believe that the key qualities to look for in a labelling scheme are independence, transparency, and consistency in its standards and criteria. Third-party accreditation and verification processes (where the verification and licensing are also independent of one another) creates robustness, credibility, and impartiality which is what builds the reputations of good labelling schemes so that businesses and consumers can come to trust them.

Whether a new labelling rating scheme is developed specifically for durability and repairability, or if existing schemes are used that take a multi-disciplinary approach, we believe that it is extremely important that objectives are aligned and supported via robust consultation with current Australian certifying organisations such as GECA, Green Building Council of Australia (GBCA), WELL, ISCA and more. It would be critical to know how any new labels would coexist with other labels in Australia (e.g., mutual recognition, best practices, setting minimum criteria). GECA would like to express our interest in playing a critical role in this space.

⁴ [Swedish Environmental Protection Agency, 2020](#)

⁵ [Parliament of the Commonwealth of Australia, 2020](#)

The need for product information, consultation, and education to inform decisions and empower consumers and businesses

One key characteristic is ensuring product information is available that supports consumer's informed decisions. At GECA, we encourage product information throughout our standards to facilitate this. This is not just on the repairability, but also on the product related to end-of life treatment, recycling instructions, correct use, and storage to maximise product lifetime, repair, and maintenance. We recommend this level of product information as it speaks to the objective surrounding the 'right to repair', which is to increase the longevity of a product.

And lastly, there is a key role for businesses to play in the education of their consumers, but there is also the role of government and industries in ensuring education and the availability of skills sharing centres for businesses and communities. Often the biggest challenge is take-up. Accessibility and education play a significant role in building these elements of a circular economy.

I would like to thank you again for the opportunity to provide feedback on the Right to Repair Productivity Commission's Draft Report. For any questions regarding our response, please contact our Technical Officer, Rodrigo Martinez or Head of Business and Strategy, Jess Mutton

Many thanks

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Chief Executive Officer
GECA