



***Re: Submission to the Right to Repair inquiry***

Thank you for the opportunity for the community to give feedback to the *Right to Repair inquiry*

Zero Waste Victoria (ZWV) is a community organisation whose mission is to empower people to rethink waste and value resources. ZWV facilitates community engagement, and leads conversations on the growing issues of our waste and recycling system.

ZWV provides a forum where people can discuss ideas, seek advice from one another, and connect with resources to support and enable waste avoidance. It is our community connection which places ZWV as an advocate for the community who are striving to avoid and reduce waste. One of the ways we do this is by advocating for repair.

I would like to note that we have encouraged others in the community to make a submission as well. However, our feedback indicates that many small businesses or sole traders don't have the resources or confidence to make submissions. Which is unfortunate because their insight could be incredibly valuable to assist the right to repair inquiry.

Small businesses have great insight, but are often overshadowed by larger companies who have a vested interest in people not repairing, or dictating how repairs can happen, as this has a greater financial impact on their operations.

ZWV welcomes the opportunity to provide a response on behalf of the community to the *Right to Repair* discussion. We are happy to answer further questions to support Australia's initiatives to improve Product Stewardship and the right to repair.

Kirsty Bishop-Fox  
President  
Zero Waste Victoria

### **INFORMATION REQUEST 1**

#### **What would a 'right to repair' entail in an Australian context? How should it be defined?**

'Right to repair' will give consumers the ability to have items repaired at a competitive price from the repairer of their choice.

Products should be able to be easily disassembled, with spare parts, tools and information available to enable goods to be repairable.

Products that cannot be reasonably repaired should be prohibited from manufacture and / or distribution in Australia.

### **INFORMATION REQUEST 2**

#### **What types of products and repair markets should the Commission focus on?**

- Electrical items including
- TV's computers, mobile phones
- Appliances including white goods and kitchen appliances
- Tools and other electrical goods
- Items that are difficult to recycle, but could be repaired if
- Agricultural equipment
- Vehicles have an IT or software component in them
- Machinery that has an IT or software component
- Fashion – clothing and shoes
- Automotive vehicles, particularly (but not limited to) electric and hybrid vehicles

#### **Are there common characteristics that these products share (such as embedded technology and software or a high/low degree of product durability), and which characteristics would allow policy issues to be considered more broadly?**

- Readily available information so people can make purchase decisions based on reparability.
- Manuals and schematics required for at least a competently skilled person to enable repair.
- Guarantees which allow for reparability outside a warranty period, be enabling accessibility to required parts or tools need for repair
- Design taking into account the right to repair, enabling disassembly and access to parts to be replaced
- Incentive to make component and parts to last and to be replaced

#### **If there are particular products that the Commission should focus on, what are the unique issues in those product repair markets that support such a focus?**

- Goods made with plastics (or any material) which can't be readily disassembled, therefore getting to the inside of the product to repair it, causes the product casing to be damaged, rendering the product unrepairable.  
Kitchen appliances, battery replacements, tools and childrens toys can be impacted by this
- Anything with circuit boards

### **INFORMATION REQUEST 3**

**a. Do the consumer guarantees under the ACL provide adequate access to repair remedies for defective goods? If not, what changes could be made to improve access to repair remedies?**

Mandate design standards to address and inhibit planned obsolescence.

Products that cannot be reasonably repaired should be prohibited from manufacture and distribution into Australia.

If a product cannot be disassembled to enable repair or battery replacement, that is a design decision which limits the life of the product, known as in-built obsolescence.

Planned obsolescence inhibits the right to repair. This increases rates of consumption which has negative environmental consequences.

There should be standards to require Australian companies to manufacture, import or sell only products that are designed with the whole product life-cycle in mind, taking into consideration upgrade, repair and sustainable recycling.

**b) Is the guarantee of available repair facilities and spare parts effective in providing access to repair services and parts? Or is the opt-out clause being widely used, making the guarantee ineffective?**

There is not enough accessibility to spare parts. Spare parts should be a requirement of any goods sold, particularly electronic goods, or any goods that can break, and be readily fixed, if the parts are available

**c) Should consumer guarantees seek to balance the broader societal costs of remedy choices (such as the environmental impacts of replacements) with consumer rights, and if so how? For example, should repairs be favoured as a remedy?**

Repairs should be favoured and incentivised, or alternately non-ability to repair should be disincentivised.

A disposal cost should be factored in at point of sale, if there is no accessible or realistic way to repair it. There is an environmental impact every time a product is manufactured, and this impact is significantly increased, if that item cannot be repaired, or recycled. A disposal cost would serve as incentive to consider appropriate design to enable repair.

Ultimately, if there are products available that can be repaired, similar products should be required to be designed to meet that same standard of repairability. If goods were required to be repairable, planned obsolescence could be phased out, within a 12-24 month period.

**d) Are consumers sufficiently aware of the remedies that are available to them, including the option to repair faulty products, under the ACL's consumer guarantees?**

Many consumers are not aware of their rights and product expectations. If products are on the cheaper side, many people dispose of the product and replace it. Unaware that they could enact a guarantee.

More communications to share this message are required.

**Information request 4**

**g) What policy changes could be introduced if there is a need to increase competition in repair markets and improve consumer access to, and affordability of, repairs?**

**- What are the costs and benefits of any such proposal to the community as a whole? How does it balance the rights of manufacturers and suppliers, with those of consumers and repairers?**

Laws which prevent people from performing electrical maintenance need to be reviewed. We support laws which prevent people from undertaking dangerous electrical work which could pose a risk to themselves, or others. However, allowing simple repairs, such as replacing a power plug, could encourage manufacturers to improve the safety and repairability of their appliances.

Regulation could evolve to be more similar to automotive repair, where untrained people can perform repairs, but must get certificates from licensed mechanics to make the car roadworthy.

Having a lower barrier to perform basic repairs will lower the cost of repairs for the consumer and create a bigger market for local repair. Providing training and qualifications to enable repair, will create employment opportunities.

More jobs will be created, in repair, then would be required for disposal

As for repairs in the automotive industry, I own a Mitsubishi Plug-in Electric Hybrid vehicle.

The car was an ex-executive and purchased 2nd from a Mitsubishi dealer who suggested that for the warranty to be valid, I must service the car with them, and not any other dealer, including Mitsubishi Dealer outside of their franchise.

This will mean travelling a significant distance to get the car serviced, bypassing dealers and mechanics who are competent and able to service the vehicle. But I am seemingly bound, if I wish to have a warranty on my car.

I am unclear if taking it to another service provider would in fact void the warranty. Or if they are calling my bluff, to guarantee the service work.

#### **INFORMATION REQUEST 6**

**a) What evidence is there of planned obsolescence in Australian product markets? Do concerns about planned obsolescence principally relate to premature failure of devices or in them being discarded still working when more attractive products enter the market?**

Many household goods cannot be repaired, because they're not designed to be disassembled, and/or parts, tools or information aren't available to enable repair which means the product is unrepairable.

**b) How can the Commission distinguish between planned product obsolescence and the natural evolution of products due to technological change and consumer demand?**

If a product can't be repaired, or batteries replaced, then obsolescence is planned. Products were once designed to last much longer.

If similar products can be repaired, even if the products have different retail values, they both should be able to be repaired. For example, some kitchen appliances which are more expensive, and with longer warranties can be repaired. But cheaper appliances, with the same function cannot be repaired. Planned obsolescence is obvious in these circumstances.

A technological change, shouldn't render a product unusable. If a product is designed to be upgraded, then the product would be able to be opened and any hardware or battery could be replaced. This can happen with desktop computers, but is less available with laptops, ipads and mobile phones. This can be countered by design, if the manufacturer chose, or was obligated to do so.

**c) How does planned obsolescence affect repairers, consumers and the broader community in Australia?**

There is potential for more jobs to enable repairs, but if it's not repairable, or if it's too difficult to repair, this isn't viable. This adds a cost to society socially and the environment.

There is an environmental impact every time a product is manufactured, if it doesn't last as long, as it otherwise could have. Landfill is problematic and costly to every Australian, even if they are unaware, or naive of the problem

**Information request 8**

a) What policy reforms or suite of policies (if any) are necessary to facilitate a 'right to repair' in Australia?

Mandate design standards to address planned obsolescence.

Products that cannot be reasonably repaired should be prohibited from manufacture and distribution into Australia. If a product cannot be disassembled to enable repair or battery replacement, that is a design decision which limits the life of the product, and is built in obsolescence.