

## Submission to Productivity Commission – Right to repair

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In my opinion it is important that after the inquiry has been completed legislation changes should be enacted to support broader right to repair policies. I agree with most of the findings in the report and want to lay out my personal experience.

As a regular consumer I am negatively impacted by the limitations caused by manufacturers regarding right to repair and their behavior.

As most people these days I own and have owned several mobile phones in the past. The handling of issues with these is designed to just replace the devices instead of fixing them. As phones break easily when falling down and the batteries don't hold charge that well after two years it affects quite a lot of people and leads to premature replacements.

When living overseas for an extended time my family bought several phones. After moving to Australia, we faced the above issues of a broken screen and fading battery life. When visiting the official Samsung Store in Sydney Pitt St, they refused to service any "Gray imports". Most batteries are glued in nowadays eliminating the user replacement option. The draft report covers this as "refusal to deal".

When you try to get the phones fixed with independent repair centers you are running into several issues. The original parts are often either not available or unreasonably expensive. With an expected phone lifetime of 2 – 4 years a replacement of a new screen often costs on third of the price of the new phone. This price usually doesn't decrease even though the phone drops greatly in price. Unless the phone is still quite new it financially doesn't make sense to repair it leading to electronic waste and unnecessary spending.

Unless one lives in a major city and has a phone from Apple or Samsung official repair centers offering same day repairs are usually not available. Sending in your device usually means parting from it for days or more likely weeks, which is unacceptable for most people. When having issues with a Nokia 8.1 I had to go to an independent repair shop to get the screen replaced. As they weren't able to procure original parts the screen was subpar not fully aligning with the original dimensions and the coating of the surface wasn't great either. When trying to get other spare parts for it like a fingerprint sensor it took them months to procure one. Half a year later the phone developed stability issues, due to the "unauthorized repair" and short warranty period it didn't make sense to seek a repair and I had to buy a new phone.

Another device I had issues with was a food vacuuming device called FoodSaver. In the USA these seem to be quality devices. In Australia the product is licensed to be made by Sunbeam which has a much lower quality. One the plastic clips for sealing broke after 18 months though we haven't used the device much. I contacted an official "service agent" "BigWarehouse Spares", however they weren't able to provide that part. As I cannot get the product fixed and sending it in would be too expensive, I will have to buy a new one.

Some manufactures like Apple make minor adjustments to generic parts and make them unavailable. Manufactures should be required to make the official spare parts available at reasonable prices.

Some manufactures like Apple or producers of printer cartridges try to prevent the usage of OEM parts. Sometimes they will claim this leads to quality or security issues which is only mentioned to conceal their profit maximizing scheme from their vendor lock in strategy. When there is an issue often whole components will be changed by the manufacturer instead of the smaller parts make the repairs more expensive than necessary. It should be forbidden to lock down the devices. As described in the draft report this partially falls below “intellectual property” and “access to spare parts”.

These days more and products become connected. New appliances like washing machines and fridges are connected or have digital diagnostic tools. About 4 years ago I bought an LG fridge with “Smart Diagnostics”. The compressor is noisy, and I contacted their support. Due to their bad service and unable to determine if the noise is expected, I gave up. Often the access to these diagnostic tools is limited to official service agents. As mentioned in the previous paragraph they often replace only high-level components. Without access to the diagnostic tools and schematics independent repair shops are unable to diagnose the problem and repair the product. The draft report covers this as “repair information” as well as “Tools and equipment”.

Connected products often receive firmware updates. This happens due fix issues or delivery new features which might have already been promised during the sale. During the firmware updates the devices can break often known as “bricking”. I owned a Garmin Fenix 3 running watch. After a firmware update the watch failed to start. Garmin offered a for fee replacement, however as the device was older, it wasn’t worth the replacement cost, and I ended up buying a newer device. As consumer it’s difficult to prove that device broke as part of the firmware update. Most people will end up having to buy a new device or replacement as a result. The draft report seems to address this as “software updates”.

Most of the consumer products are manufactured abroad. When people have to buy replacements, this only creates more local waste and labor abroad. If it would be easier to fix the products and get the spare parts, the repair would be done with local labor leading to more qualified jobs in Australia.

Right to repair policies should be broadly enacted and not just limited to agricultural machinery and mobile phones and tablets. Apple is often leading in refusing to repair devices at reasonable prices. This includes their laptops as well. When Apple gets away with these things other companies will follow. As more products like appliances or other electronics become connected the narrowing the scope should be avoided.

Thank you for addressing these concerns.

Udo Held