



Submission to Economic Development, Science and Innovation Committee on the Consumer Guarantees (Right to Repair) Amendment Bill

Thursday 3 April 2025

Reuse Aotearoa is an independent organisation focused on investigating and supporting activities in the reuse economy. These are activities that keep products circulating over many uses and/or extend their lifespan so that they do not become waste prematurely. We conduct research on reuse; provide consulting and advisory services to businesses and councils; and facilitate collaboration across sectors and between commercial and non-profit organisations to get reuse systems going. While previously focused on reusable packaging systems, increasingly we work on other aspects of the reuse economy, including repair. We are a member of the WasteMINZ Reuse Working Group and the Right to Repair Aotearoa Coalition.

Reuse Aotearoa strongly supports the Consumer Guarantees (Right to Repair) Amendment Bill and urges the committee to recommend to the House that it be passed into law. We wish to make an oral submission on the Bill.

We support this Bill because repair is critical for product reuse, and reusing saves waste, boosts local businesses, and creates local jobs offering meaningful, skilled work.

If passed, this Bill would make it easier and cheaper for New Zealanders to get broken items repaired, and would support the reinstatement of a local repair industry in Aotearoa. Easy access to effective and affordable repair services is a critical part of a functioning reuse economy because products cannot be reused if they are broken and unfixable.

Reuse is a key strategy for reducing waste (because it keeps products in use for longer in their existing form), and is recognised as a higher priority activity than recycling in the Government's Waste Minimisation and Resource Efficiency Strategy 2025 (see the waste hierarchy in the strategy, which is to be used as a guiding principle for decisions on waste). Reuse activities, like repair, that keep products going, not only save on waste, they also save consumers money in

the long-run because the products they have purchased can be fixed if they break, for a fraction of the cost compared to having to continually buy new, replacement products.

Reuse activities, like repair, create jobs and boost the local economy because they rely on skilled labour to keep products in use, and these jobs tend to be local and distributed, rather than centralised and/or offshore. By creating more favourable policy settings for repair, the Bill will make it easier for repair businesses to establish and maintain viability. This is a big opportunity for our local economy - rather than having to shut-up-shop (because spare parts and diagnostic information is unavailable, and manufacturers and suppliers do not have to prioritise or enable repair), repair technicians will be able to grow their businesses, bring on new customers and new staff.

We urge the committee to recommend to the House that this Bill be passed into law.

If this Bill is passed, New Zealand will share company with a growing range of overseas jurisdictions that already have Right to Repair legislation, including the United Kingdom, the European Union, many states in the USA, and Australia. These jurisdictions are showing that enacting the right to repair is possible, workable and saves consumers money. It's important for New Zealand to keep up, so we can make the most of the new repair-friendly practices of international businesses, rather than becoming a dumping ground for their lower quality products that they can no longer sell in countries with right to repair laws.

We support legislation that covers as broad a scope of products as possible

The Bill amends the Consumer Guarantees Act (CGA) and therefore its proposed repair provisions would apply to a very wide range of consumer products. Reuse Aotearoa supports this broad scope in order to minimise the waste, emissions and resource depletion impact that currently comes from massive global overproduction. This overproduction is driven, in part, by the design of products that are not built to last nor be repaired, as this creates ongoing demand for rapid product replacement, which accelerates business profits.

We do think that, to ensure clarity and workability, it would be valuable for the Bill to group consumer products into broader categories, for which variable/tiered repair expectations can be applied. For example, spare parts might be expected to be held for a longer period for some product categories than others, some product categories might be subject to the Bill's repair provisions earlier than others, and some product categories might be exempted entirely (if there were good reasons for this).

We do not think that products that ought to be repairable should be exempt from repair requirements just because their manufacturers currently do not design them to be repairable. It

is precisely this approach to product design and business models that the Bill should target because of its negative impact on waste and consumer rights.

The Bill can be improved in some key areas

Some key areas where the Bill can be strengthened, which we suggest the committee recommends to the House are:

- **Amend** cl 5 so that the new proposed s 12 would:
 - Specify minimum timeframes that manufacturers should ensure availability of spare parts, repair facilities and other repair resources (rather than relying on the concept of what is reasonable).
 - Require manufacturers to locate repair facilities and spare parts in New Zealand so that repair is faster and more convenient for consumers, and the local economy benefits are better realised
 - Require manufacturers to proactively publish repair resources that anyone can access, rather than the current drafting where access to repair information and software is only shared at the consumer's request (which is burdensome for both consumers and manufacturers, and also prevents access for independent repairers and other third parties).
- In relation to manufacturers and suppliers charging consumers fees for repair:
 - We suggest that the committee recommends that the proposed new paragraph s 12(5) be **amended** to better protect consumers from manufacturers charging them fees for repair or spare parts. The affordability of repair is critical and the wording of the Bill should reflect this. We recommend removing s 12(5)(a) entirely as it is confusing and creates uncertainty and unnecessary complication.
 - We suggest that a new provision should be **inserted** into proposed new s 19A (as set out in cl 7 of the Bill) that would prevent a supplier from attempting to recover any repair costs from a consumer.
- In order to ensure that other aspects of the reuse economy are not unintentionally harmed by this Bill, we do recommend that secondhand goods are excluded from the application of new proposed s 19A because this may be burdensome for sellers of secondhand goods who are often charities and already saving these products from landfill by ensuring these goods get a second home in the secondhand market.
- We oppose proposed new s 12(6) and suggest the committee recommends to the House that it be **removed/deleted**. This provision would give manufacturers the ability to refuse to supply repair resources due to intellectual property rights. Intellectual property rights are frequently weaponised by manufacturers to thwart repair and right to repair, and this should not be encouraged by this proposed law (see discussion in Austin et al, 2022 "My Product, My Right to Repair It / Taku Hua, Taku Motika ki te Tapi" in Pendergrast, A & Pendergrast, K (eds.) *More Zeros and Ones* (Bridget Williams Books, Wellington)).

Thank you for considering our submission. We support this Bill and encourage the committee to recommend to the House that this Bill be passed. We reiterate that we would like to make an oral submission.