

Reference No: CCA Act 2021/jk-1-21

Date issued: 27/10/2021

Member Update: Competition and Consumer Amendment (Motor Vehicle Service and Repair Information Sharing Scheme) Act 2021

Dear member

Following an extensive industry stakeholder consultation period, the Australian Government has today published the *Competition and Consumer (Motor Vehicle Service and Repair Information Sharing Scheme) Rules 2021* on the Federal Register of Legislation.

You can access the Scheme Rules via the link [here](#) or the Act via this link [here](#).

What does this mean?

The purpose of the Rules 2021 (the Rules) is to prescribe technical and administrative details necessary to implement the Motor Vehicle Service and Repair Information Sharing Scheme (the scheme), established by the Competition and Consumer Amendment (Motor Vehicle Service and Repair Information Sharing Scheme) Act 2021.

The scheme mandates all service and repair information provided to car dealership networks and manufacturer preferred repairers be made available for Australian repairers and Registered Training Organisations (RTOs) to purchase. The scheme commences on **1 July 2022**.

The scheme imposes obligations on data providers (generally scheme vehicle manufacturers), including:

- offering to supply information used for conducting diagnostic, service, or repair activities (scheme information) for certain vehicles (scheme vehicles) to all Australian repairers and scheme RTOs.
- charging no more than the fair market value for the information.
- supplying scheme information (immediately in most circumstances) once the repairer has paid the agreed price; and
- restricting access to safety and security information to individuals who meet specified access criteria.

While, Australian repairers and scheme RTOs will have unrestricted access to purchase general information about a scheme vehicle, access to certain information such as safety and security information will be restricted to individuals who meet prescribed criteria and are fit and proper persons to use the information for the purposes repairing, reinitialising, or programming a scheme vehicle.

These provisions are appropriate and necessary to protect vehicle security, and to protect the safety of information users, the vehicle, and the public.

What is Safety and Security Information?

Safety information is classified as information relating to any of the following systems installed in a scheme vehicle:

- a. the hydrogen system which has one or more hydrogen (gas) fuel containers fitted to the vehicle.
- b. the high voltage system which includes a system that has a working voltage greater than 60 V and less than 1,500 V direct current (DC) or greater than 30 V and less than 1,000 V alternating current (AC).
- c. hybrid system which is powered by an internal combustion engine and at least one electric motor or traction.
- d. the electric propulsion system which is powered by one or more electric motors or traction motors
- e. or another system prescribed by the scheme rules.

Security information is classified as information relating to either a vehicle's mechanical or electrical security system such as coding a key, a code used to reinitialise or program an electronic component of the vehicle's security system or operation of a component such as a radio or infotainment system.

Who can access safety and security information?

Safety information can only be accessed by individuals who satisfy the general safety criteria including proof they belong to a registered Australian business or scheme RTO. For high voltage systems, individuals must ensure they have the necessary technical competency to safely work on high-risk automotive applications. Similarly, an individual accessing security information must satisfy the prescribed security criteria such as undergoing national police check valid for two the date of issue.

Next Steps

VACC's parent body, the Motor Trades Association of Australia (MTAA), along with industry stakeholders, AAAA, FCAI and AADA are actively working away in the background in establishing the Scheme Advisor entity which will be known as the Australian Automotive Service & Repair Authority (AASRA). This entity will be responsible for resolving information gaps and disputes as well as reporting to the relevant Minister or Commission on any systemic regulatory or enforcement issues relating to the provision of information by vehicle manufacturers.

VACC is resuming its member briefings on this issue in metro and regional Victoria as well as Tasmania now that Covid restrictions are easing. Member invitations will be sent out over the coming months.

John Khoury
Industry Policy Advisor
Industry Divisions