

Response to the Productivity Commission Inquiry Report – Right to Repair

Dear member

VACC welcomes the release of the Productivity Commission Final Report into Right to Repair. VACC is a strong advocate for consumer choice when it comes to the repair and maintenance of the products they own. The recommendations contained within the report would further enhance consumer choice and guarantees such as introducing a guarantee for manufacturers to provide software updates for a reasonable time period and amending the *Competition and Consumer Regulations* (2010) r 90 to include new mandatory warranty text that enables consumers to seek remedies under the Australian Consumer Law where they have not used authorised repairer services or spare parts.

One of the key recommendations relates to the provision of repair manuals, diagnostic software tools, and spare parts for the farm machinery sector. VACC strongly advocated for similar reforms in the passenger vehicle market leading to the introduction of the *Competition and Consumer Amendment (Motor Vehicle Service and Repair Information Sharing Scheme) Act 2021* (Cth). This legislative framework is best placed to cater for similar provisions for the agricultural machinery sector. While the VACC supports, in principle, the recommendation by the Productivity Commission to require manufacturers to provide access to repair information and diagnostic software tools to independent repairers, greater caution should be taken if the intention is to also make it available to persons who may lack the competencies required to fix complex, modern-day farm machinery systems.

Similarly, VACC supports the recommended amendments to the *Copyright Act 1968* (Cth) and *Copyright Regulations 2017* (Cth), any provisions resulting in improved access to embedded information necessary to diagnose and repair products is welcomed. This issue is particularly relevant to the automotive industry as vehicle manufacturers are increasingly moving towards over the air updates and vehicle monitoring.

VACC is deeply concerned with recommendation to enable a super complaints process to complement the existing arrangements available to the Australian Competition Commission (ACCC) in identifying and dealing with systemic breaches of guarantees. It is VACC's view that a one size fits all approach to consumer complaints may lead to frivolous or vexatious claims being promulgated by consumer groups, who may have ulterior motives for targeting the automotive sector. VACC and its parent association the Motor Trades Association of Australia (MTAA), seeks assurances that there will be adequate oversight and dialogue with industry should this recommendation be moved forward.

You can read the Productivity Commission's final report by taking this [link](#)

Or VACC's submission to the inquiry [here](#)

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