

Common rules promoting the repair of goods

2023/0083(COD) - 30/10/2023 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Internal Market and Consumer Protection adopted the report by René REPASI (S&D, DE) on the proposal for a directive of the European Parliament and of the Council on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394, Directives (EU) 2019/771 and (EU) 2020/1828.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Obligation to repair

The report stated that the producer may offer the consumer a replacement good, including refurbished goods, for the duration of the repair. Producers should not, however:

- refuse the repair of a device solely on the grounds that it has previously been repaired by an independent or professional repairer or where a previous repair has been made using non-original but compatible spare parts and shall not implement any contractual, hardware or software limits to repairs of their goods by independent or professional repairers,
- be obliged to repair such goods where repair is factually or legally impossible.

Producers should make available on their websites information related to repair, such as **estimates of repair prices and prices of spare parts**.

Producers should for at least the expected lifetime of the product ensure that independent and professional repairers, refurbishers, and when appropriate end-users, have **access to spare parts**, including original parts or parts derived from the dismantling of non-repairable products.

Where spare parts are no longer made available, the producer, with the exception of SMEs, shall, where relevant, provide in an electronic format, following a justified request outlining the specific use of the information and taking into account the need to safeguard product safety, the necessary information and instructions for **3D printing of spare parts**.

Repair or replacement of the goods

Replacements should be carried out free of charge and within a reasonable period of time.

Online platform for repair and goods subject to refurbishment

Member States should ensure that at least one online platform exists for their territory that allows consumers to find repairers and repair community initiatives such as **repair cafés**.

Member States measures promoting repair

To make repair affordable for all citizens, the report noted that Member States should take appropriate measures promoting repair. These measures may take the form of **repair vouchers, national repair funds** or other actions and incentives. Moreover, Member States should ensure that the provider of a repair should be liable for any lack of conformity for the repaired part or parts, aspects or feature of the good,

which exists at the time when the consumer received the repaired good and which becomes apparent within a minimum period of at least twelve months of that time.

Legal guarantees

Member States should ensure that commercial guarantees of durability sold in addition to the **legal guarantee** of conformity under Directive (EU) 2019/771, shall always include a right to repair for the product covered during its duration. When promoting the commercial guarantee, producers should ensure that a summary of the conditions of the commercial guarantee is provided in a clear and precise manner, so that consumers are fully aware of their rights and are not misled.

Penalties

It is necessary that Member States lay down penalties for infringements of this Directive and ensure that they are enforced. The penalties should be effective, proportionate and dissuasive.