

Common rules promoting the repair of goods

2023/0083(COD) - 23/04/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 584 votes to 3, with 14 abstentions, a legislative resolution 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 European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

Obligation to repair

Member States should ensure that upon the consumer's request, the manufacturer should repair goods such as washing machines, hoovers, smartphones, tumble dryers and goods with light means of transport batteries for which reparability requirements are laid down in EU legal acts. The producer should not be obliged to repair goods where repair is legally or materially impossible.

The repair should be carried out subject to the following conditions:

- it should be carried out either free of charge or for a **reasonable price**;
- it should be carried out within a **reasonable period of time** from the moment the manufacturer has physical possession of the good, has received the good or has been given access to the good by the consumer;
- the manufacturer may provide the consumer with the **loan of a replacement good** free of charge or for a reasonable fee for the duration of the repair; and
- in cases where the repair is impossible, the manufacturer may offer the consumer a **refurbished good**.

Manufacturers that make spare parts and tools available for goods covered by Union legal acts listed in Annex II should offer these spare parts and tools at a reasonable price that does not deter repair.

Consumers should have access, via a free access website, information on the indicative prices that are charged for the typical repair of goods covered by Union legal acts listed in Annex II.

Manufacturers should not:

- use any contractual clauses, hardware or software techniques that impede the repair of goods covered by Union legal acts listed in Annex II unless justified by legitimate and objective factors;
- impede the use of original or second-hand spare parts, compatible spare parts and spare parts issued from 3D-printing, by independent repairers when those spare parts are in conformity with requirements under Union or national law;
- refuse to repair goods covered by Union legal acts listed in Annex II for the sole reason that a previous repair has been performed by other repairers or by other persons.

European Repair Information Form

Repairers may provide the consumer with the European Repair Information Form set out in Annex I. The European Repair Information Form should be provided on a durable medium and within a reasonable period of time after the request and before the consumer is bound by a contract for the provision of repair services.

European Online Platform for repair

A European online platform for repair should be established to allow consumers to find repairers and, where applicable, sellers of refurbished goods, purchasers of defective goods for refurbishment or community-led repair initiatives.

The European online platform should consist of the national sections that use the common online interface and should include links to the national online platforms for repair. By 36 months from the date of entry into force of this Directive, the Commission should develop the common online interface for the European online platform.

Member States may extend the scope of their **national section** on the European online platform or, where applicable, their national online platform to cover, not only repairers, but also sellers of goods that have been subject to refurbishment, purchasers of defective goods for refurbishment or community-led repair initiatives.

An expert group composed of representatives of all Member States and chaired by a representative of the Commission should advise the Commission with regard to the design and functioning of the European online platform and its national sections.

By 24 months from the date of entry into force of this Directive, Member States should inform the Commission about the national contact point that they have designated for the European online platform.

Measure promoting repairs

Member States should take at least one measure promoting repair. Such measures could be of **financial or of non-financial nature**.

Measures of non-financial nature could include information campaigns, support to community-led repair initiatives through direct means like providing space for repair laboratories or meeting places, for instance in community or cultural centres. Measures of financial nature could, for example, take the form of repair vouchers, repair funds, supporting or creating local or regional online platforms for repair, organising or financing training programs to acquire special skills in repair, taxation measures.

Reporting by the Commission and review

By 7 years from the date of entry into force of this Directive, the Commission should submit a report on the application of this Directive. The report should assess the contribution of this Directive to promoting repair in the internal market, including the repair of goods subject to repairability requirements outside the legal guarantee and the consumers' choice for repair within the legal guarantee as well as its impact on businesses and consumers.