






Basic information	
<b>2023/0083(COD)</b> COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Common rules promoting the repair of goods  Amending Directive 2019/771 <a href="#">2015/0288(COD)</a> Amending Regulation 2017/2394 <a href="#">2016/0148(COD)</a> Amending Directive 2020/1828 <a href="#">2018/0089(COD)</a>  <b>Subject</b>  4.60.06 Consumers' economic and legal interests 4.60.08 Safety of products and services, product liability  <b>Legislative priorities</b>  <a href="#">Joint Declaration 2023-24</a>	

Key players			
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>
	<div>IMCO</div> Internal Market and Consumer Protection		REPASI René (S&D)
			Shadow rapporteur  <a href="#">KOKALARI Arba (EPP)</a>  <a href="#">RINZEMA Catharina (Renew)</a>  <a href="#">CAVAZZINI Anna (Greens /EFA)</a>  <a href="#">MAZUREK Beata (ECR)</a>  <a href="#">JORON Virginie (ID)</a>  <a href="#">PELLETIER Anne-Sophie (The Left)</a>
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>
	<div>ENVI</div> Environment, Public Health and Food Safety (Associated committee)		GLAVAK Sunčana (EPP)
	<div>JURI</div> Legal Affairs		The committee decided not to give an opinion.
Council of the European Union			

European Commission	Commission DG	Commissioner
	Justice and Consumers	REYNDERS Didier
European Economic and Social Committee		

Key events			
Date	Event	Reference	Summary
22/03/2023	Legislative proposal published	COM(2023)0155 	Summary
17/04/2023	Committee referral announced in Parliament, 1st reading		
12/07/2023	Referral to associated committees announced in Parliament		
25/10/2023	Vote in committee, 1st reading		
30/10/2023	Committee report tabled for plenary, 1st reading	A9-0316/2023	Summary
20/11/2023	Debate in Parliament		
21/11/2023	Decision by Parliament, 1st reading	T9-0400/2023	Summary
21/11/2023	Results of vote in Parliament		
21/11/2023	Matter referred back to the committee responsible for interinstitutional negotiations		
22/02/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE759.045 GEDA/A/(2024)001007	
22/04/2024	Debate in Parliament		
23/04/2024	Decision by Parliament, 1st reading	T9-0308/2024	Summary
23/04/2024	Results of vote in Parliament		
30/05/2024	Act adopted by Council after Parliament's 1st reading		
13/06/2024	Final act signed		
10/07/2024	Final act published in Official Journal		

Technical information	
Procedure reference	2023/0083(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2019/771 <a href="#">2015/0288(COD)</a> Amending Regulation 2017/2394 <a href="#">2016/0148(COD)</a> Amending Directive 2020/1828 <a href="#">2018/0089(COD)</a>
Legal basis	Rules of Procedure EP 57_o Treaty on the Functioning of the EU TFEU 114

Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/9/11633

## Documentation gateway





### European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		<a href="#">PE749.950</a>	26/06/2023	
Amendments tabled in committee		<a href="#">PE750.250</a>	08/09/2023	
Amendments tabled in committee		<a href="#">PE752.886</a>	08/09/2023	
Committee opinion	<div>ENVI</div>	<a href="#">PE751.885</a>	12/10/2023	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A9-0316/2023</a>	30/10/2023	<a href="#">Summary</a>
Text adopted by Parliament, partial vote at 1st reading /single reading		<a href="#">T9-0400/2023</a>	21/11/2023	<a href="#">Summary</a>
Text agreed during interinstitutional negotiations		<a href="#">PE759.045</a>	14/02/2024	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T9-0308/2024</a>	23/04/2024	<a href="#">Summary</a>

### Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	<a href="#">GEDA/A/(2024)001007</a>	14/02/2024	
Draft final act	00034/2024/LEX	13/06/2024	

### European Commission

Document type	Reference	Date	Summary
Legislative proposal	<a href="#">COM(2023)0155</a> 	22/03/2023	<a href="#">Summary</a>
Document attached to the procedure	<a href="#">SEC(2023)0137</a> 	23/03/2023	
Document attached to the procedure	<a href="#">SWD(2023)0059</a> 	23/03/2023	
Document attached to the procedure	<a href="#">SWD(2023)0060</a> 	23/03/2023	
Commission response to text adopted in plenary	<a href="#">SP(2024)394</a>	08/08/2024	

### National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary

Contribution	CZ_CHAMBER	COM(2023)0155	12/06/2023	
Contribution	CZ_SENATE	COM(2023)0155	17/07/2023	
Contribution	PT_PARLIAMENT	COM(2023)0155	15/09/2023	
<b>Other institutions and bodies</b>				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1158/2023	14/06/2023	
CofR	Committee of the Regions: opinion	CDR2019/2023	10/10/2023	

## Meetings with interest representatives published in line with the Rules of Procedure

### Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency				
Name	Role	Committee	Date	Interest representatives
CAVAZZINI Anna	Shadow rapporteur	IMCO	04/05/2024	Bürgerenergiegenossenschaft Mittelsachsen MWE GmbH
REPASI René	Rapporteur	IMCO	17/01/2024	Industrie- und Handelskammer Reutlingen
REPASI René	Rapporteur	IMCO	16/01/2024	Czech Permanent Representation to the EU
REPASI René	Rapporteur	IMCO	13/12/2023	European Refurbishment Association
CAVAZZINI Anna	Shadow rapporteur	IMCO	05/12/2023	Industrieverband Feuerverzinken e.V.
CAVAZZINI Anna	Shadow rapporteur	IMCO	30/11/2023	Bundesverband der Deutschen Industrie e.V.
GLAVAK Sunčana	Rapporteur for opinion	ENVI	16/11/2023	Video Games Europe
GLAVAK Sunčana	Rapporteur for opinion	ENVI	16/11/2023	Microsoft Corporation
REPASI René	Rapporteur	IMCO	08/11/2023	KFZ Gewerbe
KOKALARI Arba	Shadow rapporteur	IMCO	07/11/2023	Apple
KOKALARI Arba	Shadow rapporteur	IMCO	03/11/2023	Miele Electrolux
RINZEMA Catharina	Shadow rapporteur	IMCO	12/10/2023	Amazon Europe Core SARL
REPASI René	Rapporteur	IMCO	10/10/2023	Conebi
REPASI René	Rapporteur	IMCO	06/10/2023	Fédération Internationale de l'Automobile

GLAVAK Sunčana	Rapporteur for opinion	ENVI	04/10/2023	Amazon Europe Core SARL
REPASI René	Rapporteur	IMCO	04/10/2023	EuroCommerce
REPASI René	Rapporteur	IMCO	04/10/2023	Decathlon SE
GALLÉE Malte	Rapporteur for opinion	ENVI	02/10/2023	Swappie 929545245594-24
REPASI René	Rapporteur	IMCO	27/09/2023	EFTA Committee on Consumer Protection
REPASI René	Rapporteur	IMCO	27/09/2023	FIGIEFA - Fédération Internationale des Grossistes, Importateurs & Exportateurs en Fournitures Automobiles / International Federation of Automotive Distributors
RINZEMA Catharina	Shadow rapporteur	IMCO	21/09/2023	Techniek Nederland
REPASI René	Rapporteur	IMCO	21/09/2023	Zentralverband des Deutschen Handwerks e.V.
REPASI René	Rapporteur	IMCO	20/09/2023	PLuxee
GALLÉE Malte	Shadow rapporteur for opinion	ENVI	18/09/2023	Institut der deutschen Wirtschaft Köln e.V.
REPASI René	Rapporteur	IMCO	18/09/2023	COMMUNIA Association for the Public Domain
REPASI René	Rapporteur	IMCO	18/09/2023	Herstellerverband Haus & Garten e.V.
CAVAZZINI Anna	Shadow rapporteur	IMCO	14/09/2023	EDEKA ZENTRALE Stiftung & Co. KG METRO AG Handelsverband Deutschland - HDE - e.V. Schwarz Gruppe Rewe Gruppe
REPASI René	Rapporteur	IMCO	13/09/2023	Allgemeiner Deutscher Automobil-Club e.V.
KOKALARI Arba	Shadow rapporteur	IMCO	07/09/2023	The European Consumer Organisation (BEUC)
KOKALARI Arba	Shadow rapporteur	IMCO	07/09/2023	Digital Europe
KOKALARI Arba	Shadow rapporteur	IMCO	07/09/2023	Teknikföretagen TechSverige Telia
RINZEMA Catharina	Shadow rapporteur	IMCO	07/09/2023	Vereniging VNO-NCW
GALLÉE Malte	Shadow rapporteur for opinion	ENVI	07/09/2023	Reuse and Recycling European Union Social Enterprises
GLAVAK Sunčana	Rapporteur for opinion	ENVI	06/09/2023	Lenovo Group Limited
GLAVAK Sunčana	Rapporteur for opinion	ENVI	06/09/2023	Back Market
BRESSO Mercedes	Shadow rapporteur	ENVI	05/09/2023	APPLiA (Home Appliance Europe) Back Market
REPASI René	Rapporteur	IMCO	01/09/2023	EuroCommerce

REPASI René	Rapporteur	IMCO	31/08/2023	Miele & Cie. KG
KOKALARI Arba	Shadow rapporteur	IMCO	30/08/2023	Amazon
REPASI René	Rapporteur	IMCO	29/08/2023	European Garden Machinery industry Federation
REPASI René	Rapporteur	IMCO	29/08/2023	European Consumer Electronics Retail Council
REPASI René	Rapporteur	IMCO	28/08/2023	Independent Retail Europe (formerly UGAL - Union of Groups of Independent Retailers of Europe)
REPASI René	Rapporteur	IMCO	24/08/2023	Amazon Europe Core SARL
GALLÉE Malte	Shadow rapporteur for opinion	ENVI	23/08/2023	Deutsche Umwelthilfe e.V.
REPASI René	Rapporteur	IMCO	22/08/2023	APPLiA (Home Appliance Europe)
REPASI René	Rapporteur	IMCO	16/08/2023	Hansgrohe
REPASI René	Rapporteur	IMCO	20/07/2023	Techniek Nederland
REPASI René	Rapporteur	IMCO	19/07/2023	Right to Repair Europe
RINZEMA Catharina	Shadow rapporteur	IMCO	19/07/2023	Marktplaats
REPASI René	Rapporteur	IMCO	12/07/2023	Permanent Representation of the Republic of Latvia to the EU
RINZEMA Catharina	Shadow rapporteur	IMCO	12/07/2023	Koninklijke Nederlandse Toeristenbond ANWB LKQ Europe ACEA FIA
REPASI René	Rapporteur	IMCO	06/07/2023	Right to Repair Europe
KOKALARI Arba	Shadow rapporteur	IMCO	05/07/2023	Svensk Handel Swappie Miele Backmarket Eurocommerce Rewe Group IKEA E-Commerce Europe
RINZEMA Catharina	Shadow rapporteur	IMCO	05/07/2023	Repair Cafe
GLAVAK Sunčana	Rapporteur for opinion	ENVI	05/07/2023	DIGITALEUROPE
GLAVAK Sunčana	Rapporteur for opinion	ENVI	05/07/2023	The Restart Project
KOKALARI Arba	Shadow rapporteur	IMCO	04/07/2023	Electrolux Home Products Europe Whirlpool
REPASI René	Rapporteur	IMCO	28/06/2023	European Economic and Social Committee (EESC)
RINZEMA Catharina	Shadow rapporteur	IMCO	27/06/2023	EuroCommerce

RINZEMA Catharina	Shadow rapporteur	IMCO	27/06/2023	Toy Industries of Europe
REPASI René	Rapporteur	IMCO	19/06/2023	iFixit GmbH
REPASI René	Rapporteur	IMCO	19/06/2023	Bureau Européen des Unions de Consommateurs
RINZEMA Catharina	Rapporteur	IMCO	14/06/2023	LKQ Europe
REPASI René	Rapporteur	IMCO	13/06/2023	Didier Reynders - Commissioner for Justice
REPASI René	Rapporteur	IMCO	06/06/2023	Handelsverband Deutschland
REPASI René	Rapporteur	IMCO	05/06/2023	Handelsverband Deutschland
GALLÉE Malte	Shadow rapporteur for opinion	ENVI	05/06/2023	Bureau Européen des Unions de Consommateurs (BEUC) 9505781573-45 Reuse and Recycling European Union Social Enterprises (RREUSE) 05052317999-60 FREE ICT EUROPE FOUNDATION (FIE) 004942218376-96
REPASI René	Rapporteur	IMCO	02/06/2023	LKQ Europe
REPASI René	Rapporteur	IMCO	30/05/2023	DIGITALEUROPE
REPASI René	Rapporteur	IMCO	30/05/2023	Back Market
RINZEMA Catharina	Shadow rapporteur	IMCO	30/05/2023	Technical University Delft
RINZEMA Catharina	Shadow rapporteur	IMCO	30/05/2023	Vereniging VNO-NCW
RINZEMA Catharina	Shadow rapporteur	IMCO	30/05/2023	DIGITALEUROPE
REPASI René	Rapporteur	IMCO	25/05/2023	Bureau Européen des Unions de Consommateurs
REPASI René	Rapporteur	IMCO	25/05/2023	European Environmental Bureau
REPASI René	Rapporteur	IMCO	24/05/2023	Vangerow GmbH Runder Tisch Reparatur
REPASI René	Shadow rapporteur	IMCO	26/04/2023	Deutscher Verband der Spielwarenindustrie e.V.
CAVAZZINI Anna	Shadow rapporteur	IMCO	24/03/2023	Die GanzMacher e.V. - Reparatur Verein

## Other Members

Transparency		
Name	Date	Interest representatives
GALLÉE Malte	18/10/2023	IHK für Oberfranken Bayreuth EU Transparency No. 22400601191-42

## 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.



# Common rules promoting the repair of goods

2023/0083(COD) - 10/07/2024 - Final act

PURPOSE: to promote the repair of broken or defective goods.

LEGISLATIVE ACT: Directive (EU) 2024/1799 of the European Parliament and of the Council on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394 and Directives (EU) 2019/771 and (EU) 2020/1828.

CONTENT : the directive creates a set of tools and incentives to **make repair more attractive for consumers**. This legislation will make it easier for consumers to seek repair instead of replacement and repair services will become more accessible, transparent and attractive.

The main elements of the directive are as follows:

## ***Manufacturers' obligations***

The directive obliges manufacturers to 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 must be carried out free of charge or for a reasonable charge and within a reasonable time from the time when the manufacturer is in physical possession of the goods. The manufacturer may grant the consumer the **loan of a replacement good**, free of charge or at a reasonable fee, for the duration of the repair, and in cases where repair is impossible, the manufacturer may offer the consumer a **refurbished good**.

Manufacturers that make **spare parts** and tools available for goods will offer these spare parts and tools at a reasonable price that does not deter repair. In addition, manufacturers will not use any contractual clauses, hardware or software techniques that impede the repair of goods unless justified by legitimate and objective factors.

The manufacturer or, where applicable, the authorised representative, importer or distributor will make available free of charge, at least for the entire duration of their obligation to repair, information on their repair services in an easily accessible, clear and comprehensible manner.

## ***European Repair Information Form***

Repairers will provide the consumer with the European Repair Information Form set out in Annex I. The European Repair Information Form will 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 will 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 Commission will ensure that the European online platform is accessible to consumers easily and free of charge.

By 31 July 2027 at the latest, the Commission will develop a **common online interface** for the European online platform. Member States must use the common online interface for their national sections.

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 31 July 2026, Member States will inform the Commission about the national contact point that they have designated for the European online platform or the national online platforms that they have established.

Member States will take appropriate measures to ensure that information on the rights of consumers under this Directive, and on the means to enforce those rights, are available to consumers.

## ***Reporting by the Commission and review***

No later than 31 July 2031, the Commission will present a report on the application of the Directive. The report will assess the contribution of the Directive to promoting repair in the internal market, including the repair of goods subject to reparability requirements outside the legal guarantee and the consumers' choice for repair within the legal guarantee as well as its impact on businesses and consumers.

ENTRY INTO FORCE: 30.7.2024.

TRANSPOSITION AND APPLICATION: from 31.7.2026.

# 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.

## **Common rules promoting the repair of goods**

2023/0083(COD) - 22/03/2023 - Legislative proposal

**PURPOSE:** to lay down uniform rules promoting the repair of goods, with a view to contributing to the proper functioning of the internal market, while providing for a high level of consumer and environmental protection.

**PROPOSED ACT:** Directive of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** when consumer products become defective, consumers often do not seek to repair them, but discard them prematurely, even though they could be repaired and used for longer. This happens under the legal guarantee of the Sale of Goods Directive (SGD) ([Directive \(EU\) 2019/771](#)) when consumers choose replacement instead of repair, and outside the legal guarantee, when consumers are dissuaded from repair because of sub-optimal repair choices and conditions. In this context, the use of refurbished goods is also limited, leaving the potential for goods to be reused by different users untapped.

The premature disposal of repairable goods purchased by consumers leads to an increase in waste and generate greenhouse gas emissions and more demand for valuable resources in the production of new goods. The problem of premature disposal of repairable goods purchased by consumers exists across the EU for a wide range of these goods. More than two-thirds of respondents to the public consultation (65–74%) supported EU-level solutions.

The European Commission's European Green Deal focuses on the green transition, which comprises sustainable consumption. The outcome of the Conference on the Future of Europe (CoFoE) also included a call for a right to repair. This proposal seeks to deliver on both by increasing the repair and reuse of viable defective goods purchased by consumers within and beyond the legal guarantee.

The 'right to repair' initiative will promote sustainable consumption throughout a product's lifecycle, making it easier and cheaper for consumers to repair defective goods, reducing waste and boosting the repair sector.

**CONTENT:** the proposal aims to increase the repair and reuse of viable defective goods purchased by consumers within and beyond the legal guarantee, to promote sustainable consumption. The proposal will promote repair both within and beyond the legal guarantee:

***Within the guarantee:*** the Sale of Goods Directive provides that for a period of two years, a consumer can request the seller to repair or replace a good free of charge in case of defects that are due to non-conformity of the goods with a sales contract. Under the new rules, when repair is cheaper or equal in cost, sellers will have to provide free repair as a remedy instead, within a reasonable time and without any inconvenience for the consumer.

***Beyond the legal guarantee:*** producers of goods subject to repairability requirements under Union legal acts, such as TVs or dishwashers, will be obliged to repair a product for 5-10 years after purchase (depending on the type of product), unless this is impossible (for example, if products are damaged in a manner in which repair is technically impossible).

The proposal lays down several measures to facilitate and encourage repair and reuse of goods:

- ***obligation to repair goods to which repairability requirements under Union legal acts apply:*** the producers will be obliged to repair outside the legal guarantee. They can repair for a price or for free as part of a commercial guarantee. The proposal sets out examples of product groups currently covered: (i) household washing machines; (ii) household dishwashers; (iii) refrigerating appliances and vacuum cleaners. More products will be added in the coming years, starting with smartphones and tablets;

- ***informing consumers about producers' repair obligation:*** producers who are obliged to repair need to inform consumers of the obligation and provide information on the repair services;

- ***online national repair platform, matchmaking consumers with repairers and sellers of refurbished goods:*** the platform is intended to help consumers to find and compare different repair services, based on various repair conditions, including indicative prices. Consumers can also find sellers or refurbished goods and purchasers of used goods for refurbishment. The platform will also help consumers find attractive repair or reuse options as an alternative to buying new goods;

- ***a European Repair Information Form:*** the form provides standardised key information on the conditions and price of the repair service. Consumers will be able to request the form from any repairer, who may not alter the conditions for 30 days. Consumers will also have the possibility to compare repair services and find the one that suits them best;

- **a voluntary European quality standard for repair services will help consumers identify repairers who commit to certain quality standards:** the standard will boost consumer trust in repair services across the Union. The Commission will facilitate the development of this standard.

These measures will lead to an increase in the repair of goods in the Union. Consumers will benefit from significant saving by using their products longer. The EU economy will benefit overall: the repair sector will grow as a result of increased demand, while sellers and manufacturers will be encouraged to develop sustainable business models. The environment will benefit from less waste, demand for new resources and greenhouse gas production.

#### ***Amendment to the SGD***

The proposal also adapts in a targeted manner the harmonised conditions under which the choice between the remedies of repair and replacement can be exercised according to the Sale of Goods Directive. The consumer may choose between repair and replacement, unless the remedy chosen would be impossible or, compared to the other remedy, would impose costs on the seller that would be disproportionate. While maintaining this principle, the proposal adds an additional sentence to promote repair over replacement, stating that the seller should always repair the goods where the costs for replacement are equal to or greater than the costs for repair. As a result, the consumer may only choose replacement as a remedy when it is cheaper than repair.

## **Common rules promoting the repair of goods**

2023/0083(COD) - 21/11/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 590 votes to 15, with 15 abstentions, **amendments** to 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 matter was referred back to the committee responsible for interinstitutional negotiations.

#### ***Obligation to repair***

Given that a clear majority of EU citizens would rather have a good repaired than buy a new one, Members believe that all consumers should be able to have their **goods repaired beyond the legal guarantee period**.

Member States should ensure that, at the consumer's request, the producer repairs goods such as washing machines, hoovers, smartphones and bicycles, whether or not reparability requirements are laid down for these goods in EU legal acts. The producer would not be obliged to repair goods where repair is legally or factually impossible. The producers should not reject the consumer's request on purely economic grounds such as cost.

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

- it should be carried out either free of charge or in return for consideration;
- it should be carried out within a **reasonable time** from the moment the producer has physical possession of the good, has received the good or has been given access to the good by the consumer;
- the producer may provide the consumer with the loan of a replacement good free of charge or against a reasonable fee for the duration of the repair; and
- in cases where the repair is factually or legally impossible, the producer may provide the consumer with a refurbished product that should upon acceptance by the consumer discharge the producer from the repair obligation.

For all goods listed in Annex II to this Directive, producers should:

- ensure that **independent repairers**, remanufacturers, refurbishers and end-users have access to all spare parts and all repair-related information and tools, including diagnosis tools, at a reasonable and non-discriminatory cost for a period corresponding to at least the expected lifespan of the product;
- make available on their websites all information related to repair, such as repair prices and prices of spare parts for the goods listed in Annex II;
- not impede the repair by any contractual, hardware or software technique. Producers shall not 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 national or Union law;
- not refuse to service or repair a device that was bought or previously repaired outside of their authorised service or distribution networks.

#### ***Online platform for repair and refurbishment goods***

Member States should encourage private initiatives to create online platforms where consumers can easily find repairers, including **participatory repair initiatives and repair cafés**. These platforms should inform consumers of the financial and fiscal incentives applicable to lower costs of repair and allow for consumers to provide a review or rating, reflect the quality of repairers' work.

#### ***Measures taken by Member States to promote 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, should 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.