

SUBMISSION TO THE MANDATORY SCHEME FOR THE SHARING OF MOTOR VEHICLE SERVICE AND REPAIR INFORMATION

To The Department of Treasury
Australian Federal Government

ABOUT US

Under the banner Mend It, Australia, we are self-directed volunteers. We go to repair cafe events and fix for free. We champion the [#righttorepair](#) at these events and on social media platforms.

When we were blindsided by bureaucrats and prohibited from informally volunteering in our neighbourhood, we decided to become activists for the right to repair movement.

We drive a 1996 Holden Commodore Equipe and a Ford Station Wagon BF 2009 Series 3. We are DIY repairers and maintain and service our vehicles. We expect parts and information to be readily available for these vehicles. If required we will source parts from the wreckers or off EBay.

We do not buy into the excuses of safety, environment and security for not enabling consumers and independent repair shops to repair the stuff they own or are given permission to repair, respectively. We acknowledge that profit is the main driver for not sharing information.

We are also concerned that another excuse for not enabling DIY repair and small business repair, in this proposed code, is related to training. Who decides what training is appropriate? And are training agencies trustworthy in light of what has been reported upon recently? Where does the 'backyard mechanic' of many decades' experience, but not necessarily formal training, fit

within this proposed code?

And as an aside, whilst we have a captive audience, right to repair guidelines, codes, and/or legislation must not stop at motor vehicles. It needs to cover electronics, household appliances and farm equipment.

Five things are necessary for fair access to repair according to Nathan Proctor [USPIRG](#)

replacement parts; specialized tools needed for repair; diagnostic software; manuals or schematics; and firmware.

Thank you for the opportunity to contribute to this consultation process.

Karen and Danny Ellis
[Mend It, Australia](#)

THIS SUBMISSION IS AUTHORISED FOR PUBLIC SCRUTINY

5. Questions for consultation

5.1. Treasury is interested in stakeholders' views on whether the possible elements of a mandatory code of conduct and a Service and Repair Information Sharing Advisory Committee set out in this paper:

- a. are appropriate as a starting point for developing and consulting on detailed provisions;

Yes, along with submissions.

- b. would provide significant improvement on the current voluntary scheme; and

Yes possibly, depending on its findings and outcomes and how these are implemented, and the commitment of the stakeholders and inclusion of consumer advocates.

- c. are a suitable alternative to a legislated scheme, which would enable the creation of an industry-funded body to advise on the scheme but

would be slower to implement and update.

Yes, a legislative scheme can be cumbersome due to self-interested vehicle manufacturers profit interests. Bureaucracy and red tape of government is also cumbersome, and stifles self agency, innovation and creativity.

5.2. Treasury is also interested in feedback on the following possible elements of the Code in particular:

a. whether vehicles made available for sale in Australia prior to the Code taking effect should be covered by the scheme, and if so, how;

Yes possibly, as there is a market for second hand cars and these need to be repaired oftentimes by small business operators. Spare parts and manuals need to be made available to them and also DIYers, like us, for free and online.

b. the principled definitions of:

i. information manufacturers must make available under the scheme; and

ii. SSE information;

c. what information should be included in more detailed lists of information included in these definitions (the Appendix below provides alternative starting points previously suggested by stakeholders);

d. the principles guiding access to SSE information;

e. factors to be considered relevant to fair and reasonable prices for information; and

Information should be free in the age of the internet. Refer to ifixit.com as an example.

f. the suitability of the dispute resolution and mediation process.

5.3. Treasury would also welcome feedback on the Committee, particularly on the suitability of the suggested membership and terms of reference.

Mend It, Australia immediately noticed that there was no mention of the Right to Repair movement. And that there were no non-industry consumer representatives/advocates suggested for the committee.

Please refer to this recent article by the ABC

https://www.abc.net.au/news/2019-03-03/does-australia-need-a-right-to-repair/10864852?fbclid=IwAR0AMGPaKV3jsdMp-302G0iN_ibBYGNsn7gNeuG0d_IUk1gESyfUwwyr6lY

and this podcast

Right to Repair IP and Farm – Professor Leanne Wiseman Curtin University

<https://soundcloud.com/radio-skid-row/right-to-repair-ip-and-farm-leanne-wiseman-roving-spotlight-tues-noon-2pm-29119?fbclid=IwAR0fRI4Edzgf4YtSryXD2gdAidcMED7lUrUuq5lONhnGS-61WaSZTdKplFE>