

The Restart Project (<https://therestartproject.org/>) is a London-based charity and social enterprise that encourages and empowers people to extend the lifetimes of their Electrical and Electronic Equipment (EEE). We run community events in London called “Restart Parties,” where members of the public work with skilled volunteers to fix their broken EEE. We support a UK-wide network of similar initiatives, collecting data on barriers to repair. Our work also includes a wider strand of repair activism and advocacy. We teach repair skills to schoolchildren and educate product design students about design for repairability. We work in collaboration with other repair organisations and environmental lobby groups worldwide to influence policy on repair, and product lifetime extension in the EEE sector. We are a co-founder of the European Right to Repair Campaign (<https://repair.eu>)

With our submission we’re concentrating on specific issues we encounter in our work that limit consumers’ ability to prioritise repair and extension of product lifetimes. We are specifically addressing two questions about consumer protection law framework:

- Question 13: To what extent should the consumer protection law framework be prescriptive, for example, by mandating provision of particular forms of information, or by prohibiting particular types of conduct, in order to help to achieve the UK’s Net Zero and sustainability goals?
- Question 14: How far should the consumer protection law framework go to address:
 - (a) the planned obsolescence of products; and/or
 - (b) commercial practices which promote over-consumption?

With “planned obsolescence” of products we intend the deliberate choices by manufacturers to limit the lifespan of products, by:

- opting for designs making repair too time consuming or impossible;
- actively limiting access to repair information and spare parts to complete repairs;
- interrupting software support, both software updates and security updates, before the end of the intended lifespan of the product;
- pricing spare parts in a way that discourages consumers from repairing products, and pushes them to upgrade/replace products;
- maintaining barriers to competition in repair markets, by preventing the use of third party spare parts or limiting functionality of products when such parts are used.

All these practices need to be actively tackled in order to extend product lifetimes and reduce over-consumption. Current legal frameworks don't sufficiently protect consumers in this area.

In July, the UK government implemented the first ever ecodesign measures requiring design for repair of washing machines, dishwashers, fridges and TVs. These Ecodesign measures, set out by the European Union with UK support, also require access to spare parts and repair documentation by professionals. They set a good precedent but don't yet sufficiently tackle some of the root causes for premature obsolescence of products. Additionally, they only cover a limited range of product categories. While the European Commission is already working on additional measures for electronics, starting with smartphones and tablets, there is still no commitment from the UK government on whether these and products will be regulated in the future.

Notably, BEIS recently published its Energy-related products policy framework¹, which fails to address consumer products among the energy-related products to be targeted for future legislation. Instead it includes plans to explore "voluntary agreements" by industry representatives for products such as printers and game consoles – an approach that has resulted in Europe in sub-optimal agreements in the past².

Taking action to allow people to use products for longer is one of the most publicly popular policy measures to reduce our carbon impact. In a recent YouGov poll that we commissioned in Great Britain³, an overwhelming majority (81 per cent) supported an extension of the right to repair for electronics, such as smartphones and laptops, design for repair, access to spare parts and repair documentation.

While there are limits to the number of regulations tackling specific product categories, other approaches could be pursued to expand consumer protection in this area. For example:

- 1) Adopting "horizontal" measures applying to a wide range of additional consumer products, requiring manufacturers to make affordable spare parts as well as repair information available to both consumers, community repair initiatives and independent professional repairers;
- 2) Requiring manufacturers to cease using software to create barriers to repairing products, for example by banning the practice of "part pairing", which some

1 <https://www.gov.uk/government/publications/energy-related-products-policy-framework>

2 For an example of limitation of voluntary agreements, see the letter sent by the European Right to Repair Campaign to the European Commission in May 2021: <https://repair.eu/wp-content/uploads/2021/05/Letter-to-the-Commission-regarding-printers-Voluntary-Agreement1.pdf>

3 For more information and full results, see <https://therestartproject.org/news/overwhelming-support-right-to-repair-britain/>

manufacturers are using to prevent the use of reused genuine parts, as well as third party spare parts to conduct a repair⁴

3) Requiring manufacturers to explicitly state at the point of sale the duration of software support they intend to provide – both software updates and security updates. The UK government is soon to introduce legislation on consumer connected product cyber security going in this direction - however its scope should be as wide as possible, including all software-enabled consumer products (including for example tablets, which are currently exempt in the government's plan⁵)

4) Providing consumers with better information at the point of sale, to increase awareness of the trade-offs between price, product design, repairability, ultimately impacting total cost of ownership and the amount of waste generated. The French repairability index⁶ is a useful starting point, which could be improved on and adopted in the UK, to help consumers make better informed purchasing decisions.

5) Manufacturers could be mandated to publish product environmental footprint (PEF) reports for products (e.g. drawing on the framework being developed by the EC⁷). This would enable carbon-labelling and allow for more accurate reporting of scope 3 emissions data for these products. Our own research⁸ highlights how manufacturers of consumer products make it extremely hard for consumers to understand the full environmental impact of products – especially the high proportion of this impact which is related to manufacturing, which would support an extension of product lifetimes in order to help achieve Net Zero

6) Finally, interoperability of devices across services offered by different providers should be tackled as another important area that could prevent unnecessary over-consumption. Members of the public have brought to our attention in numerous occasions cases in which a change of supplier results in the need to use a new device – a practice very common for instance by providers of smart thermostats as well as internet providers. Requiring manufacturers to include a reset functionality to ensure the full reusability of a device would greatly reduce the amount of waste produced.

4 <https://repair.eu/news/part-pairing-a-major-threat-to-independent-repair>

5 <https://www.gov.uk/government/publications/regulating-consumer-smart-product-cyber-security-government-response/government-response-to-the-call-for-views-on-consumer-connected-product-cyber-security-legislation>

6 <https://repair.eu/news/the-french-repair-index-challenges-and-opportunities/>

7 https://ec.europa.eu/environment/eussd/smgp/PEFCR_OEFSR_en.htm#final

8 <https://therestartproject.org/consumption/hidden-impact-devices/>