



Plenary sitting

A9-0316/2023

30.10.2023

*****I**

REPORT

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
(COM(2023)0155 – C9-0117/2023 – 2023/0083(COD))

Committee on the Internal Market and Consumer Protection

Rapporteur: René Repasi

Rapporteur for the opinion of the associated committee pursuant to Rule 57 of
the Rules of Procedure
Sunčana Glavak, Committee on the Environment, Public Health and Food
Safety

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ***■*** symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT 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 (COM(2023)0155 – C9-0117/2023 – 2023/0083(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0155),
 - having regard to Article 294(2) and Article 114 of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0117/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinions of the Committee on the Environment, Public Health and Food Safety,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A9-0316/2023),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Directive (EU) 2019/771 of the European Parliament and of the Council¹²

Amendment

(1) Directive (EU) 2019/771 of the European Parliament and of the Council¹²

pursues the objective of improving the functioning of the internal market, while achieving a high level of consumer protection. In the context of the green transition, this Directive pursues the objective of improving the functioning of the internal market, while promoting more sustainable consumption, and thereby complements the objective pursued by Directive (EU) 2019/771.

¹² Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136, 22.5.2019, p. 28).

pursues the objective of improving the functioning of the internal market, while achieving a high level of consumer protection ***as well as increased circularity within the economy***. In the context of the green transition, this Directive pursues the objective of improving the functioning of the internal market, while promoting more sustainable consumption, and thereby complements the objective pursued by Directive (EU) 2019/771.

¹² Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136, 22.5.2019, p. 28).

Amendment 2

Proposal for a directive Recital 3

Text proposed by the Commission

(3) In order to reduce premature disposal of viable goods purchased by consumers and to encourage consumers to use their goods longer, it is necessary to ***set out rules on repair of such goods***. Repair should result in ***more*** sustainable consumption, since it is likely to generate less waste caused by discarded goods, less demand for resources, including energy, caused by the process of manufacturing and sale of new goods replacing defective goods, as well as less greenhouse gas emissions. This Directive promotes sustainable consumption in view of achieving benefits for the environment while also producing benefits for consumers by avoiding costs associated with new purchases in the short term.

Amendment

(3) In order to reduce premature disposal of viable goods purchased by consumers and to encourage consumers to use their goods longer, it is necessary to ***strengthen consumers' right to repair, whereby consumers can seek quality and affordable repair from the provider of their choice***. Repair should result in ***a*** sustainable consumption, ***respectful of planetary boundaries*** since it is likely to generate less waste caused by discarded goods, less demand for resources, including energy, caused by the process of manufacturing and sale of new goods replacing defective goods, as well as less greenhouse gas emissions. This Directive promotes sustainable consumption in view of achieving benefits for the environment, ***by promoting a life cycle of products which include re-use, repair and***

refurbishment, while also producing benefits for consumers by avoiding costs associated with new purchases in the short term.

Amendment 3

Proposal for a directive Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Consumer behaviour consists of a wide variety of aspects. When choosing between repair and purchase of a new product, decision criteria, such as economic convenience, durability, availability and proximity of a repair service, and the time required for a repair play a key role. Various obstacles might also prevent consumers from option for repair, such as the unavailability of information on reparability of a product when purchasing a good, lack of access to spare parts, lack of information on repair services, and costs of repair. In addition to the provisions laid down in this Directive, awareness-raising measures to promote a culture of repair, the improvement of consumers' knowledge on proper maintenance and care of products and knowledge of their existing rights including in terms of legal guarantee, as well as financial incentives for consumers, producers and repairers should be equivalently promoted and fostered.

Amendment 4

Proposal for a directive Recital 6

Text proposed by the Commission

Amendment

(6) Reparability requirements should

(6) Reparability requirements should

comprise all requirements under Union legal acts which ensure that goods can be repaired, including but not limited to requirements under the ecodesign framework referred to in Regulation [on the Ecodesign for Sustainable Products], to cover a broad range of products as well as future developments *in any other field of Union law*.

Amendment 5

Proposal for a directive Recital 7

Text proposed by the Commission

(7) In order to help consumers identify and choose suitable repair services, consumers should receive key information on repair services. The European Repair Information Form should lay down key parameters that influence consumer decisions when considering whether to repair defective goods. This Directive should set out a model standardised format. A standardised format for presenting repair services should allow consumers to assess and easily compare repair services. Such standardised format should also facilitate the process of providing information on repair services, in particular for micro, small and medium sized businesses providing repair services. ***In order to avoid additional burdens due to overlapping pre-contractual information requirements, a repairer should be deemed to have fulfilled corresponding information requirements of relevant EU legal acts, where applicable, if the European Repair Information Form has been filled in correctly and provided to the consumer.*** Information in the European Repair Information Form should be provided to consumers in a clear and comprehensible manner and in line with the accessibility requirements of Directive

comprise all requirements under Union legal acts which ensure that goods can be repaired, including but not limited to requirements under the ecodesign framework referred to in Regulation [on the Ecodesign for Sustainable Products], to cover a broad range of products as well as future developments.

Amendment

(7) In order to help consumers identify and choose suitable repair services, consumers should receive key information on repair services. The European Repair Information Form should lay down key parameters that influence consumer decisions when considering whether to repair defective goods. This Directive should set out a model standardised format. A standardised format for presenting repair services should allow consumers to assess and easily compare repair services. Such standardised format should also facilitate the process of providing information on repair services, in particular for micro, small and medium sized businesses providing repair services. Information in the European Repair Information Form should be provided to consumers in a clear and comprehensible manner and in line with the accessibility requirements of Directive 2019/882¹⁴.

¹⁴ Directive 2019/882/EU of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

¹⁴ Directive 2019/882/EU of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Amendment 6

Proposal for a directive Recital 8

Text proposed by the Commission

(8) The consumer's free choice to decide by whom to have its goods repaired should be facilitated by **requesting** the European Repair Information Form not only **from** the producer, but also from the seller of the goods concerned or from independent repairers, where applicable. Repairers should provide the European Repair Information Form only **where the consumer requests that form and the repairer intends to provide the repair service or it is obliged to repair**. A consumer may also **choose not to request the European Repair Information Form and to** conclude a contract for the provision of repair services with a repairer pursuant to pre-contractual information provided by other means in accordance with Directive 2011/83/EU of the European Parliament and the Council.¹⁵

¹⁵ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (Text with EEA relevance) (OJ L 304, 22.11.2011, p.

Amendment

(8) The consumer's free choice to decide by whom to have its goods repaired should be facilitated by **a voluntary provision of** the European Repair Information Form not only **by** the producer, but also from the seller of the goods concerned or from independent repairers, where applicable. Repairers should provide the European Repair Information Form only **voluntarily**. A consumer may also conclude a contract for the provision of repair services with a repairer pursuant to pre-contractual information provided by other means in accordance with Directive 2011/83/EU of the European Parliament and the Council.¹⁵

¹⁵ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (Text with EEA relevance) (OJ L 304, 22.11.2011, p.

64–88).

64–88).

Amendment 7

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) There are situations in which a repairer incurs costs necessary for providing the information on repair and price included in the European Repair Information Form. ***For instance***, the repairer may need to inspect the goods to be able to determine the defect or type of repair that is necessary, including the need for spare parts, and to estimate the repair price. In these cases, a repairer may only request a consumer to pay the costs that are necessary for providing ***the*** information included in the European Repair Information Form. In line with the pre-contractual information and other requirements set out in Directive 2011/83/EU, the repairer should inform the consumer about such costs before the consumer requests the provision of the European Repair Information Form. Consumers may refrain from ***requesting*** the European Repair Information Form where they consider that the costs for obtaining that form are too high.

Amendment

(9) There are situations in which a repairer incurs costs necessary for providing the information on repair and price included in the European Repair Information Form. ***Charging those costs should be limited to cases where*** the repairer may need to inspect the goods to be able to determine the defect or type of repair that is necessary, including the need for spare parts, and to estimate the repair price. In these cases, a repairer may only request a consumer to pay the costs that are necessary for providing ***this*** information included in the European Repair Information Form. ***These costs must in no way constitute an obstacle to the rest of the repair process nor have a dissuasive effect on the repair in general.*** In line with the pre-contractual information and other requirements set out in Directive 2011/83/EU, the repairer should inform the consumer about such costs before the consumer requests the provision of the European Repair Information Form. Consumers may refrain from ***receiving*** the European Repair Information Form where they consider that the costs for obtaining that form are too high.

Amendment 8

Proposal for a directive

Recital 11

Text proposed by the Commission

(11) Directive (EU) 2019/771 imposes

Amendment

(11) Directive (EU) 2019/771 imposes

an obligation on sellers to repair goods in the event of a lack of conformity which existed at the time that the goods were delivered and which becomes apparent within the liability period. Under that Directive, consumers are not entitled to have defects repaired which fall outside that obligation. As a consequence, a large number of defective, but otherwise viable, goods are prematurely discarded. In order to encourage consumers to repair their good in such situations, this Directive should impose an obligation on producers to repair goods *to which reparability requirements imposed by Union legal acts apply*. That repair obligation should be imposed, upon the consumer's request, on the producers of such goods, since they are the addressees of those reparability requirements. That obligation should apply to producers established both inside and outside the Union in relation to goods placed on the Union market.

an obligation on sellers to repair goods in the event of a lack of conformity which existed at the time that the goods were delivered and which becomes apparent within the liability period. Under that Directive, consumers are not entitled to have defects repaired which fall outside that obligation. As a consequence, a large number of defective, but otherwise viable, goods are prematurely discarded. In order to encourage consumers to repair their good in such situations, this Directive should impose an obligation on producers to repair goods *that are listed in Annex II to this Directive*. That repair obligation should be imposed, upon the consumer's request, on the producers of such goods, since they are the addressees of those reparability requirements. That obligation should apply to producers established both inside and outside the Union in relation to goods placed on the Union market. *However, the obligation for repair should be proportionate and take into account the availability of spare parts for the lifetime of the product. Spare parts should at least be made available for the time period set out in Union acts. Furthermore, this Directive should not put into question the economic freedom of choice for producers to stop manufacturing a product.*

Amendment 9

Proposal for a directive Recital 12

Text proposed by the Commission

(12) Since the obligation to repair imposed on producers under this Directive covers defects that are not due to the non-conformity of the goods with a sales contract, producers may provide repair against a price paid by the consumer, against another kind of consideration, or for free. The charging of a price should

Amendment

(12) Since the obligation to repair imposed on producers under this Directive covers defects that are not due to the non-conformity of the goods with a sales contract, producers may provide repair against a price paid by the consumer, against another kind of consideration, or for free. The charging of a price should

encourage producers to develop sustainable business models, including the provision of repair services. Such a price may take into account, for instance, labour costs, costs for spare parts, costs for operating the repair facility and a customary margin. The price for and the conditions of repair should be agreed in a contract between the consumer and the producer and the consumer should remain free to decide whether that price and those conditions are acceptable. The need for such a contract and the competitive pressure from other repairers should encourage producers who are obliged to repair to keep the price acceptable for the consumer. The repair obligation may also be performed for free when the defect is covered by a commercial guarantee, for instance, in relation to guaranteed durability of goods.

encourage producers to develop sustainable business models, including the provision of repair services. Such a price may take into account, for instance, labour costs, costs for spare parts, costs for operating the repair facility and a customary margin. ***For cases where those costs cannot be estimated prior to the repair, information on maximum expected price should be delivered to consumers.*** The price for and the conditions of repair should be agreed in a contract between the consumer and the producer and the consumer should remain free to decide whether that price and those conditions are acceptable. The need for such a contract and the competitive pressure from other repairers should encourage producers who are obliged to repair to keep the price acceptable for the consumer. The repair obligation may also be performed for free when the defect is covered by a commercial guarantee, for instance, in relation to guaranteed durability of goods. ***To incentivise consumers to have their product repaired outside of the legal guarantee, a producer may offer a loan of a replacement or refurbished good for the duration of the repair, which is expected to be returned once the consumer receives the repaired good.***

Amendment 10

Proposal for a directive Recital 13

Text proposed by the Commission

(13) Producers may fulfil their obligation to repair by sub-contracting repair, for instance, if the producer does not have the repair infrastructure ***or if*** repair can be carried out by a repairer located closer to the consumer, ***among others*** where the producer is established outside the Union.

Amendment

(13) Producers may fulfil their obligation to repair by sub-contracting repair, for instance, if the producer does not have the repair infrastructure. ***To prevent unnecessary shipping costs and emissions, the repair should be carried out as close as possible to the consumer. Thus, the*** repair can be carried out by a repairer located closer to the consumer, ***in***

particular in those instances where the producer is established outside the Union.

Amendment 11

Proposal for a directive

Recital 14

Text proposed by the Commission

(14) The requirements laid down in delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁶, according to which producers should provide access to spare parts, repair and maintenance information or any repair related software tools, firmware or similar auxiliary means, apply. Those requirements ensure the technical feasibility of repair, not only by the producer, but also by other repairers. *As a consequence, the consumer can select a* repairer of its choice.

Amendment

(14) The requirements laid down in delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁶, according to which producers should provide access to spare parts, repair and maintenance information or any repair related software tools, firmware or similar auxiliary means, apply. Those requirements ensure the technical feasibility of repair, not only by the producer, but also by other repairers. *To complement those measures, access for independent repairers, remanufacturers, refurbishers and end-users to all spare parts, all related information and tools, including diagnostic tools, should be provided at a reasonable cost and in a non-discriminatory manner, for a period corresponding to at least the expected lifespan of the product. Consequently, this should ensure competition and benefit consumers with better services and lower prices when selecting a repairer of its choice or where capable, carry out the repair on its own. Complexity and safety of the repair is linked with the type of device. Where it could be reasonably foreseen that the performance of repair by the average consumer could lead to safety hazard or requires advanced tools, the producers should explicitly warn the consumer.*

¹⁶ Directive 2009/125/EC of the European

¹⁶ Directive 2009/125/EC of the European

Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast) (Text with EEA relevance) (OJ L 285, 31.10.2009, p. 10–35).

Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast) (Text with EEA relevance) (OJ L 285, 31.10.2009, p. 10–35).

Amendment 12

Proposal for a directive Recital 15

Text proposed by the Commission

(15) The obligation to repair should also be effective in cases where the producer is established outside the Union. In order to enable consumers to turn to an economic operator established within the Union to perform this obligation, this Directive foresees a sequence of alternative economic operators required to perform the obligation to repair of the producer in such cases. This should **enable** producers **located** outside the Union to organise and perform their obligation to repair within the Union.

Amendment

(15) The obligation to repair should also be effective in cases where the producer is established outside the Union. In order to enable consumers to turn to an economic operator established within the Union to perform this obligation, this Directive foresees a sequence of alternative economic operators required to perform the obligation to repair of the producer in such cases. ***Because of their role in the supply chain of goods to consumers, fulfilment service providers should also be covered by this Directive.*** This should ***prevent situations where no economic operator is established in the Union to fulfil the repair obligation.*** Producers ***established*** outside the Union ***should*** organise and perform their obligation to repair within the Union.

Amendment 13

Proposal for a directive Recital 16

Text proposed by the Commission

(16) To avoid overburdening producers and to ensure they are able to perform their obligation to repair, that obligation should be **limited to** those products for which and to the extent any reparability requirements

Amendment

(16) To avoid overburdening producers and to ensure they are able to perform their obligation to repair, that obligation should be ***established for*** those products for which and to the extent any reparability

are provided for in Union legal acts. Reparability requirements do not oblige producers to repair defective goods, but ensure that goods are repairable. Such reparability requirements can be laid down in relevant Union legal acts. Examples are delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁷, which create a framework to improve the environmental sustainability of products. This limitation of the obligation to repair ensures that only those goods which are repairable by design are subject to such obligation. Relevant reparability requirements include design requirements enhancing the ability to disassemble the goods and a range of spare parts to be made available for a minimum period. The obligation to repair corresponds to the scope of the reparability requirements, for instance, ecodesign requirements may apply only to certain components of the goods or a specific period of time may be set to make spare parts available. The obligation to repair under this Directive, which allows the consumer to claim repair directly against the producer in the after-sales phase, complements the supply-side related reparability requirements laid down in Regulation [on the Ecodesign Sustainable Products], encouraging consumer demand for repair.

¹⁷ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast).

requirements are provided for in Union legal acts *and for other repairable products, including bicycles*. Reparability requirements do not oblige producers to repair defective goods, but ensure that goods are repairable. Such reparability requirements can be laid down in relevant Union legal acts. Examples are delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁷, which create a framework to improve the environmental sustainability of products. This limitation of the obligation to repair ensures that only those goods which are repairable by design are subject to such obligation. Relevant reparability requirements include design requirements enhancing the ability to disassemble the goods and a range of spare parts to be made available for a minimum period. The obligation to repair corresponds to the scope of the reparability requirements, for instance, ecodesign requirements may apply only to certain components of the goods or a specific period of time may be set to make spare parts available. The obligation to repair under this Directive, which allows the consumer to claim repair directly against the producer in the after-sales phase, complements the supply-side related reparability requirements laid down in Regulation [on the Ecodesign Sustainable Products], encouraging consumer demand for repair.

¹⁷ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast).

Amendment 14

Proposal for a directive
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) By 5 years after the entry into force of this Directive, the Commission should carry out an evaluation of this Directive and assess its contribution, and in particular Articles 5, 9a and 12, to the proper functioning of the internal market, the high level of consumer protection and the improvement of the environmental sustainability of products, as well as their impact on businesses, in particular micro, small and medium enterprises. With regards to Article 7 it should evaluate and assess the effectiveness of online platforms for repair based on data from individual Member States, containing information on the number of active repair service providers, consumers and the number of transactions performed. The Commission should draw up a report on the main findings and submit it to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. Member States should provide the Commission with the information necessary for the preparation of that report. The report should be accompanied, where appropriate, by a legislative proposal.

Amendment 15

Proposal for a directive
Recital 17

Text proposed by the Commission

Amendment

(17) To ensure legal certainty, this Directive lists in Annex II relevant product groups covered by ***such reparability requirements under Union legal acts. In order to ensure coherence with future reparability requirements under Union***

(17) To ensure legal certainty, this Directive lists in Annex II relevant product groups ***for the repair obligation under this Directive or that are*** covered by reparability requirements under Union legal acts ***as well as other repairable goods,***

legal acts, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of in particular adding new product groups to Annex II when new reparability requirements are adopted. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹⁸. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

including bicycles. In order to ensure coherence with future market and legislative developments, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of in particular adding new product groups to Annex II, *for instance* when new reparability requirements are adopted. ***When adding new product groups to the Annex II the Commission should conduct an impact assessment, in particular when the addition is undertaken independent of other acts under Union law.*** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹⁸. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts systematically should have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

¹⁸ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 213, 12.5.2016, p. 1).

¹⁸ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 213, 12.5.2016, p. 1).

Amendment 16

Proposal for a directive Recital 20

Text proposed by the Commission

(20) In order to increase the consumer

Amendment

(20) In order to increase the consumer

awareness on the availability of repair and thus its likelihood, producers should inform consumers of the existence of that obligation. The information should mention the relevant goods covered by that obligation, together with an explanation that and to what extent repair is provided for those goods, for instance through sub-contractors. That information should be easily accessible to the consumer and provided in a clear and comprehensible manner, without the need for the consumer to request it, and in line with the accessibility requirements of Directive 2019/882. The producer *is* free to determine the means through which it informs the consumer.

awareness on the availability of repair and thus its likelihood, producers *or sellers* should inform consumers of the existence of that obligation. The information should mention the relevant goods covered by that obligation, together with an explanation that and to what extent repair is provided for those goods, for instance through sub-contractors. That information should be easily accessible to the consumer and provided in a clear and comprehensible manner, without the need for the consumer to request it, and in line with the accessibility requirements of Directive 2019/882. The producer *or where relevant the seller are* free to determine the means through which it informs the consumer, *for example through means at the point of sale in a visible and prominent way.*

Amendment 17

Proposal for a directive Recital 21

Text proposed by the Commission

(21) In order to encourage repair, Member States should ensure that for their territory at least one online platform exists which enables consumers to search for suitable repairers. That platform may be an existing or privately operated platform, if it meets the conditions laid down in this Directive. That platform should include user-friendly and independent comparison tools which assist consumers in assessing and comparing the merits of different repair service providers, thereby incentivising consumers to choose repair instead of buying new goods. While that platform aims at facilitating the search for repair services in business-to-consumer relationships, Member States are free to extend its scope also to include business-to-business relationships as well as community-led repair initiatives.

Amendment

(21) In order to encourage repair, Member States should ensure that for their territory at least one online platform exists which enables consumers to search for suitable repairers. That platform may be an existing or privately operated platform, if it meets the conditions laid down in this Directive. *If such an online platform does not exist, Member States should seek to create one in collaboration with the involved economic operators.* That platform should include user-friendly and independent comparison tools which assist consumers in assessing and comparing the merits of different repair service providers, thereby incentivising consumers to choose repair instead of buying new goods. While that platform aims at facilitating the search for repair services in business-to-consumer relationships, Member States are free to extend its scope also to include business-

to-business relationships as well as community-led repair initiatives.

Amendment 18

Proposal for a directive Recital 25

Text proposed by the Commission

(25) In order to facilitate obtaining the European Repair Information Form, the online platform should include the possibility for consumers to directly request that form from the repairer through the online platform. This possibility should be displayed in a prominent manner on the online platform. To create awareness of national online repair platforms and to facilitate access to such platforms across the Union, Member States should ensure that their online platforms are accessible through relevant national webpages connected to the Single Digital Gateway established by Regulation (EU) 2018/1724 of the European Parliament and of the Council²⁰. ***To raise consumer awareness of the online platform, Member States should undertake appropriate steps, for instance sign-post the online platform on related national websites or carry out communication campaigns.***

²⁰ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295,

Amendment

(25) In order to facilitate obtaining the European Repair Information Form, the online platform should include the possibility for consumers to directly request that form from the repairer through the online platform. This possibility should be displayed in a prominent manner on the online platform. To create awareness of national online repair platforms and to facilitate access to such platforms across the Union, Member States should ensure that their online platforms are accessible through relevant national webpages connected to the Single Digital Gateway established by Regulation (EU) 2018/1724 of the European Parliament and of the Council²⁰. ***Member States should communicate to the Commission the link of existing online platforms for repair in their territory within 12 months after entry into force of this Directive and the link of every new online platform for repair within 14 working days of their launch. The Commission should keep a publicly available and easily accessible and machine-readable database of online platforms for repair registered within the Member States.***

²⁰ Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295,

21.11.2018, p. 1).

21.11.2018, p. 1).

Amendment 19

Proposal for a directive

Recital 25 a (new)

Text proposed by the Commission

Amendment

(25a) To raise consumer awareness of the online platform for repair, Member States should take appropriate steps, for instance signposting the online platform on related national websites or carrying out communication campaigns. Economic operators or online platforms allowing long-distance contracts should also take appropriate steps to inform consumers about the online platform for repair, for instance, by sending the consumer the link or advertising it in store. Methods to raise awareness shall take into account and be accessible for consumers with low literacy and digital skills.

Amendment 20

Proposal for a directive

Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) As a clear majority of Union citizens prefer having a good repaired rather than buying a new one^{1a}, all consumers should have the means to have their goods repaired outside of the legal guarantee period. This would not only serve the Green Transition but support European businesses as well. In this regard, Member States should develop financial incentives to promote repair. In many Member States such measures already exist in the form of national repair funds or repair vouchers. In order to support the Member States further in

promoting repair the Commission should consider proposing an amendment to the Council to extend the scope of point (19) of Annex III to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax to other product categories, at least to those mentioned in Annex II to this Directive. This could create more coherence between the product categories foreseen in Annex II to this Directive and the Annex III of the Council Directive 2006/112/EC. This could enable all consumers to have their goods repaired rather than buying a replacement. In addition, Member States should pay particular attention to micro, small and medium sized enterprises as their businesses are a vital part of the repair chain. Member States should report to the Commission the measures taken, and the Commission should make the measures publicly available.

^{1a} See Flash Eurobarometer 388 report of June 2014 entitled ‘Attitudes of Europeans towards waste management and resource efficiency’

Amendment 21

Proposal for a directive Recital 26 b (new)

Text proposed by the Commission

Amendment

(26b) 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.

Amendment 22

Proposal for a directive
Recital 27

Text proposed by the Commission

(27) The Commission should enable the development of a voluntary European quality standard for repair services, for instance by encouraging and facilitating voluntary cooperation on a standard between businesses, public authorities and other stakeholders or by issuing a standardisation request to the European standardisation organisations. A European standard for repair services could boost consumer trust in repair services across the Union. Such standard could include aspects influencing consumer decisions on repair, such as the time to complete repair, the availability of temporary replacement goods, quality assurances such as a commercial guarantee on repair, and the availability of ancillary services such as removal, installation and transportation offered by repairers.

Amendment

(27) The Commission should enable the development of a voluntary European quality standard for repair services, for instance by encouraging and facilitating voluntary cooperation on a standard between businesses, public authorities and other stakeholders, ***such as independent and community repair providers***, or by issuing a standardisation request to the European standardisation organisations. A European standard for repair services could boost consumer trust in repair services across the Union. Such standard could include aspects influencing consumer decisions on repair, such as the time to complete repair, the availability of temporary replacement goods, quality assurances such as a commercial guarantee on repair, and the availability of ancillary services such as removal, installation and transportation offered by repairers.

Amendment 23

Proposal for a directive
Recital 28

Text proposed by the Commission

(28) In order to promote repair within the liability of the seller as established in Directive (EU) 2019/771, the harmonised conditions under which the choice between the remedies of repair and replacement can be exercised should be adapted. The principle established in Directive (EU) 2019/771 to use the consideration whether the remedy chosen would impose costs on the seller that are disproportionate as compared to the other remedy, as one of the criteria to determine the applicable remedy, should be maintained. The consumer remains entitled to choose repair

Amendment

(28) In order to promote repair within the liability of the seller as established in Directive (EU) 2019/771, the harmonised conditions under which the choice between the remedies of repair and replacement can be exercised should be adapted. The principle established in Directive (EU) 2019/771 to use the consideration whether the remedy chosen would impose costs on the seller that are disproportionate as compared to the other remedy, as one of the criteria to determine the applicable remedy, should be maintained. The consumer remains entitled to choose repair

over replacement, unless repair would be impossible *or it would impose disproportionate costs on the seller as compared to replacement*. However, where the costs for replacement are higher than or equal to the costs of repair, the seller should always repair the goods. **Hence**, the consumer *is entitled to choose replacement as a remedy only* where *it is cheaper than* repair. Directive (EU) 2019/771 should therefore be amended accordingly.

over replacement, unless repair would be *factually or legally* impossible. However, where the costs for replacement are higher than or equal to the costs of repair, the seller should always repair the goods, *unless the repair would create significant inconvenience to the consumer*. *Situations where the repair would create significant inconvenience to the consumer should be considered on a case-by-case basis while taking into account the nature of the goods and the purpose for which the consumer required the goods*. *In that respect, the Court of Justice of the European Union has established that a significant inconvenience to the consumer could be understood as a burden that is likely to deter the average consumer from asserting his rights*. *In this context, this is especially the case where the consumer has a valid interest for non-interrupted use of the goods, and a temporary replacement cannot be provided or cannot be provided in good time or would not be adequate to the consumer's needs, thereby dissuading the consumer from repairing the goods*. *Significant inconvenience can also be assumed where the goods have already undergone repair measures to meet the conformity standards and the goods subsequently require repair after a short period of time due to a lack of conformity, thereby damaging confidence in the reparability of the goods and dissuading the consumer from exercising his right to repair*. *Furthermore, in situations where a repair does not lead to bringing the good in conformity, the principles established by Directive 2019/771 should apply*. *This should prevent situations where a consumer faces consecutive repairs for the same defect of the same good*. Directive (EU) 2019/771 should therefore be amended accordingly.

Amendment 24

Proposal for a directive
Recital 28 a (new)

Text proposed by the Commission

Amendment

(28a) To support consumers and incentivise repair, the seller should, depending on the specificities of the relevant product-category, loan the consumer a replacement product, if the repair was not completed within a reasonable period of time. This replacement product can also be a refurbished good but should be temporarily loaned to the consumer without cost. Furthermore, the seller should undertake the repair within a reasonable period of time.

Amendment 25

Proposal for a directive
Recital 28 b (new)

Text proposed by the Commission

Amendment

(28b) Directive (EU) 2019/771 imposes an obligation on sellers to repair goods in the event of a lack of conformity existing at the time when the goods were delivered and which becomes apparent within the liability period. In order to promote repair within the liability period, once they choose repair as a remedy to bring a good into conformity, consumers should be able to benefit from an extended liability period of an additional one year starting from the moment their good is returned to them, repaired, provided that Member States have maintained or introduced time limits for the conformity of the original good in accordance with Article 10, paragraphs 1, 2 or 3 of that Directive. This extension of the legal guarantee period should only apply to the first repair under Directive (EU) 2019/771. Directive (EU) 2019/771 should therefore be

amended accordingly.

Amendment 26

Proposal for a directive Recital 28 c (new)

Text proposed by the Commission

Amendment

(28c) Consumers choosing repair as the remedy to have the goods brought in conformity should be allowed to choose between the seller or the producer to have the goods being brought into conformity. When consumers choose that the product should be brought into conformity by the producer, a direct producer liability should be established for the repair of products. In such a case, the producer should repair the product to remedy the non-conformity. Producers should try to react swiftly with their assessment if the product can be repaired. If repair is impossible the producer should assess the situation and solve it in a convenient way for the consumer, for instance by getting in touch with the initial seller and the consumer. To avoid the same repair for the same defect by the seller in such a case, the seller should be discharged from his liability for that defect and once successfully repaired by the producer, the good should be regarded as being in conformity. No other rights of the consumer under Directive (EU) 2019/771 should be affected by this producer liability in case of repair as remedy to a non-conformity.

Amendment 27

Proposal for a directive Recital 28 d (new)

(28d) In order to incentivise consumers to opt for repair, the commercial guarantee should not contain any terms that would discourage consumers from making use of its right to repair a good that is not in conformity.

Amendment 28

Proposal for a directive Recital 30

Text proposed by the Commission

Amendment

(30) In order to allow economic operators to adapt, transitional provisions concerning the application of some Articles of this Directive should be introduced. Thus, the obligations to repair and to provide related information on this obligation should apply to contracts for the provision of repair services after [24 months after the entry into force]. The amendment to Directive (EU) 2019/771 should apply only to sales contracts concluded after [24 months after the entry into force] to ensure legal certainty and to provide sellers with sufficient time to adapt to the amended remedies of repair and replacement.

(30) In order to allow economic operators to adapt, transitional provisions concerning the application of some Articles of this Directive should be introduced. Thus, the obligations to repair and to provide related information on this obligation should apply to contracts for the provision of repair services after [18 months after the entry into force]. The amendment to Directive (EU) 2019/771 should apply only to sales contracts concluded after [18 months after the entry into force] to ensure legal certainty and to provide sellers with sufficient time to adapt to the amended remedies of repair and replacement.

Amendment 29

Proposal for a directive Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. This Directive lays down common 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

1. This Directive lays down common rules **strengthening the right to** repair of goods **for consumers**, with a view to contributing to the proper functioning of the internal market, while providing for a

environmental protection.

high level of consumer and environmental protection.

Amendment 30

Proposal for a directive

Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

1a. ‘repair’ means returning a defective product or waste to a condition where it fulfils its intended use;

Amendment 31

Proposal for a directive

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

Amendment

2. ‘repairer’ means any natural or legal person who, related to that person’s trade, business, craft or profession, provides a repair service, including producers and sellers that provide repair services and repair service providers whether independent or affiliated with such producers or sellers;

2. ‘repairer’ means any natural or legal person who, related to that person’s trade, business, craft or profession, provides a repair service, including producers and sellers that provide repair services and repair service providers whether independent **repairers, professional repairers** or affiliated with such producers or sellers;

Amendment 32

Proposal for a directive

Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

2a. ‘independent operator’ means a natural or legal person, other than an authorised representative, seller or repairer, who is directly or indirectly involved in the repair and maintenance of the good, and include repairers, manufacturers or distributors of repair

equipment, tools or spare parts, as well as publishers of technical information, assistance operators, operators offering inspection and testing services, operators offering training for installers and remote service suppliers;

Amendment 33

Proposal for a directive

Article 2 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

6a. ‘fulfilment service provider’ means any natural or legal person offering, in the course of commercial activity, at least two of the following services: warehousing, packaging, addressing and dispatching of a product, without having ownership of the product, with the exception of ‘postal services’ as defined in Article 2, point (1), of Directive 97/67/EC of the European Parliament and of the Council^{1a}, of ‘parcel delivery services’ as defined in Article 2, point (2), of Regulation (EU) 2018/644 of the European Parliament and of the Council^{1b}, and of any other postal services or freight transport services;

^{1a} Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 15, 21.1.1998, p. 14).

^{1b} Regulation (EU) 2018/644 of the European Parliament and of the Council of 18 April 2018 on cross-border parcel delivery services (OJ L 112, 2.5.2018, p. 19).

Amendment 34

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. ***Member States shall ensure that, before a consumer is bound by a contract for the provision of repair services, the repairer shall provide the consumer, upon request, with the European Repair Information Form set out in Annex I on a durable medium within the meaning of Article 2 (11) of Directive 2019/771/EU.***

Amendment

1. ***Repairers may provide the consumer, with the European Repair Information Form set out in Annex I to this Directive on a durable medium within the meaning of Article 2 (11) of Directive 2019/771/EU. In such cases, producers or the relevant economic operator under Article 5 of this Directive shall provide the repairer in a clear manner with information necessary for the repairer to complete the European Repair Information Form.***

Amendment 35

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. ***Repairers other than those obliged to repair by virtue of Article 5 shall not be obliged to provide the European Repair Information Form where they do not intend to provide the repair service.***

Amendment

deleted

Amendment 36

Proposal for a directive
Article 4 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The repairer may request the consumer to pay the necessary costs ***the repairer incurs for providing the information included in the European Repair Information Form.***

Amendment

Where a physical examination including an on-site assessment of the product is required for estimating the price of repair, the repairer may request the consumer to pay the necessary costs involved for such physical examination.

Amendment 37

Proposal for a directive

Article 4 – paragraph 4 – point e

Text proposed by the Commission

(e) the price or, ***if the price*** cannot reasonably be calculated in advance, the manner in which the price is to be calculated ***and the maximum price for the repair***;

Amendment

(e) the ***maximum price expected for the repair including but not limited to costs for spare parts, labour costs, costs for the freight, delivery or postal charges or, if either the total price or any of its subparts*** cannot reasonably be calculated in advance, the manner in which the price is to be calculated;

Amendment 38

Proposal for a directive

Article 4 – paragraph 4 – point i a (new)

Text proposed by the Commission

Amendment

(i a) additional information provided voluntarily by the repairer.

Amendment 39

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that upon the consumer's request, the producer shall repair, ***for free or against a price or another kind of consideration***, goods ***for which and to the extent that*** reparability requirements are provided for by Union legal acts ***as listed in Annex II***. The producer shall not be obliged to repair such goods where repair is impossible. The producer may sub-contract repair in order to fulfil its obligation to repair.

1. Member States shall ensure that upon the consumer's request, the producer shall repair, goods which ***are listed in Annex II, whether or not*** reparability requirements ***for those goods*** are provided for by Union legal acts. The producer shall not be obliged to repair such goods where repair is ***factually or legally*** impossible. ***The producer shall not refuse the consumer's request purely due to economic considerations such as the costs.*** The producer may sub-contract repair in order to fulfil its obligation to

repair. *In such cases, the producer shall provide the repairer with all relevant information to allow the repairer to fulfil his obligations.*

Amendment 40

Proposal for a directive Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The repair pursuant to paragraph 1 shall be carried out subject to the following conditions:

- a) it shall be carried out either free of charge or in return for consideration;*
- b) it shall 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;*
- c) 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*
- d) in cases where the repair is factually or legally impossible, the producer may provide the consumer with a refurbished product that shall upon acceptance by the consumer discharge the producer from the repair obligation under this Article.*

Amendment 41

Proposal for a directive Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. Where the producer obliged to repair pursuant to paragraph 1 is established outside the Union, its

2. Where the producer obliged to repair pursuant to paragraph 1 is established outside the Union, *it shall*

authorised representative *in the Union shall perform the obligation of the producer*. Where the producer has no authorised representative in the Union, the importer of the good concerned shall perform the obligation of the producer. Where there is no importer, the distributor of the good concerned shall perform the obligation of the producer.

appoint, by written mandate, an authorised representative to ensure compliance with this Directive. It shall ensure that its authorised representative has the resources and the mandate to fulfil the obligations set out in this Directive

Where the producer has no authorised representative in the Union, the importer of the good concerned shall perform the obligation of the producer. Where there is no importer, the *fulfilment service provider of the good concerned shall perform the obligation of the producer. Where there is no fulfilment service provider, the* distributor of the good concerned shall perform the obligation of the producer.

Amendment 42

Proposal for a directive Article 5 – paragraph 3

Text proposed by the Commission

3. Producers shall ensure that independent repairers have access to spare parts and repair-related information and tools *in accordance with the Union legal acts listed in Annex II*.

Amendment

3. *For all goods listed in Annex II to this Directive*, producers shall 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. Access to diagnostic tools shall be provided subject to applicable rules on the protection of trade secrets as defined in Article 2 point 1 of Directive (EU) 2016/943.*

Amendment 43

Proposal for a directive
Article 5 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Producers shall 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.

Amendment 44

Proposal for a directive
Article 5 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. Producers shall 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.

Amendment 45

Proposal for a directive
Article 5 – paragraph 3 c (new)

Text proposed by the Commission

Amendment

3c. Producers shall not refuse to service or repair a device that was bought or previously repaired outside of their authorised service or distribution networks.

Amendment 46

Proposal for a directive
Article 5 – paragraph 4

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 15 to amend Annex II by **updating** the list **of Union legal acts laying down reparability requirements** in the light of legislative developments.

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 15 to amend Annex II by **adding new reparable goods to** the list in the light of legislative **or market** developments.

Amendment 47

**Proposal for a directive
Article 6 – paragraph 1**

Text proposed by the Commission

Member States shall ensure that producers inform consumers of their obligation to repair pursuant to Article 5 and provide information on the repair services in an easily accessible, clear and comprehensible manner, for example through the online platform referred to in Article 7.

Amendment

Member States shall ensure that producers **or sellers** inform consumers of their obligation to repair pursuant to Article 5 and provide information on the repair services **free of charge**, in an easily accessible, clear and comprehensible manner, for example through the online platform referred to in Article 7, **their relevant websites or at the point of sale**.

Amendment 48

**Proposal for a directive
Article 7 – paragraph 1 – introductory part**

Text proposed by the Commission

1. Member States shall ensure that at least one online platform exists for their territory **that allows** consumers to find repairers. **That platform** shall:

Amendment

1. Member States shall ensure that at least one online platform exists for their territory. **Member States shall particularly promote private initiatives aimed at establishing such online platforms. Such online platforms shall allow** consumers to **easily** find repairers, **including repair led-communities and repair cafés and** shall:

Amendment 49

Proposal for a directive
Article 7 – paragraph 1 – point a

Text proposed by the Commission

(a) include search functions regarding goods, location of repair services, repair conditions, including the time needed to complete the repair, the availability of temporary replacement goods and the place where the consumer hands over the goods for repair, availability and conditions of ancillary services, including removal, installation and transportation, offered by repairers, and applicable European or national quality standards;

Amendment

(a) include search functions regarding goods, location of repair **services, including a map based function, the possibility to provide cross border** services, repair conditions, including the time needed to complete the repair, the availability of temporary replacement goods and the place where the consumer hands over the goods for repair, availability and conditions of ancillary services, including removal, installation and transportation, offered by repairers, and applicable European or national quality standards;

Amendment 50

Proposal for a directive
Article 7 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) inform consumers about applicable financial and fiscal incentives to lower costs of repair;

Amendment 51

Proposal for a directive
Article 7 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) allow for consumers to provide a review or rating, reflect the quality of repairers' work;

Amendment 52

Proposal for a directive

Article 7 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Whenever there is at least one platform in the territory of a Member State in private ownership that meets the requirements listed in the first subparagraph, the obligation in that subparagraph is deemed to be fulfilled by the respective Member State.

Amendment 53

Proposal for a directive

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. Registration on the online platform for repairers, as well as for sellers of goods subject to refurbishment and for purchasers of defective goods for refurbishment, shall be voluntary. Member States shall determine the access to the platform in accordance with Union law. The use of the online platform shall be free of charge for consumers.

3. Registration on the online platform for repairers, as well as for ***community repair initiatives such as repair cafés***, sellers of goods subject to refurbishment and for purchasers of defective goods for refurbishment, shall be voluntary. Member States shall determine the access to the platform in accordance with Union law. The use of the online platform shall be free of charge for consumers.

Amendment 54

Proposal for a directive

Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall ensure that online platforms are accessible, and ensure that the information provided is up-to-date, and presented in a consumer-friendly manner.

Amendment 55

Proposal for a directive
Article 7 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. Member States shall communicate to the Commission the link of existing online platforms for repair in their territory by ... [12 months after entry into force of this Directive] and the link of every new online platform for repair within 14 working days of their launch. The Commission shall keep a publicly available, easily accessible and machine-readable database of online platforms for repair registered within the Member States.

Amendment 56

Proposal for a directive
Article 7 – paragraph 3 c (new)

Text proposed by the Commission

Amendment

3c. Member States and the Commission shall take appropriate measures to inform consumers, relevant economic operators and sellers about the availability of online platforms established pursuant to paragraph 1 of this Article and that consumers have easy access to it.

Amendment 57

Proposal for a directive
Article 7 – paragraph 3 d (new)

Text proposed by the Commission

Amendment

3d. The relevant economic operator or an online platform that allows consumers to conclude distance contracts should provide consumers with information on

*the availability of online platforms,
established pursuant to paragraph 1 of
this Article, in their territory.*

Amendment 58

Proposal for a directive Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7a

Measures for Micro, Small and Medium-sized enterprises (SMEs)

1. Member States shall take appropriate measures to support micro, small and medium-sized enterprises within the meaning of Commission Recommendation 2003/361/EC in complying with the requirements and obligations set out in this Directive. Those measures shall at least include:

- a) guidelines or similar measures to raise awareness on how to comply with the requirements and obligations set out in this Directive;***
- b) tailored trainings for entrepreneurs and their employees.***

Amendment 59

Proposal for a directive Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Member States measures promoting repair

- 1. Member States shall take appropriate measures promoting repair.***
- 2. The measures referred to in paragraph 1 may, for example, take the***

form of repair vouchers, national repair funds or other actions and incentives.

3. Member States shall report to the Commission the measures taken under paragraph 1. By ... [12 months after the date of transposition of this Directive], the Commission shall make those measures publicly available. Member States shall report to the Commission on the applicable measures by...[12 months after the date of transposition of this Directive].

4. Member States shall ensure that the fundamental freedoms to provide services and of establishment as enshrined in the Treaties apply to providers of repair services, including in line with Directive (EU) 2018/958, as applicable. Furthermore, Member States shall not introduce in their national laws unjustified qualification requirements for professional repair services nor shall conduct checks, inspections or investigations which are unjustified in the light of those fundamental freedoms.

5. Member states shall ensure that the provider of a repair shall 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.

6. Member States shall ban practices that impede consumers to exert their right to repair, including but not limited to:

(a) banning practices that induce consumers to think that their good cannot be repaired due to previous repair or inspections by an independent repairer, non-professional repairer or end-users, or by inducing that it may generate risks related to safety;

(b) prohibiting any contractual, hardware or software technique that could prevent or limit repair and prohibit

the refusal to repair a good that has been previously repaired by an independent repairer, non-professional repairer or end-user.

Amendment 60

Proposal for a directive

Article 10 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall 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 shall 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.

Amendment 61

Proposal for a directive

Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall ensure that the following non-exhaustive and indicative criteria are taken into account for the imposition of penalties, where appropriate:

- (a) the nature, gravity, scale and duration of the infringement;*
- (b) the financial capabilities and the size of the concerned enterprise;*
- (c) any action taken by the seller or producer to mitigate or remedy the damage suffered by consumers;*

- (d) any previous infringements by the seller or producer;*
- (e) the financial benefits gained or losses avoided by the seller or producer due to the infringement, if the relevant data are available;*
- (f) penalties imposed on the seller or producer for the same infringement in other Member States in cross-border cases where information about such penalties is available through the mechanism established by Regulation (EU) 2017/2394 of the European Parliament and of the Council;*
- (g) any other aggravating or mitigating factors applicable to the circumstances of the case.*

Amendment 62

Proposal for a directive

Article 11 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Member States shall ensure that when penalties are to be imposed in accordance with Article 21 of Regulation (EU) 2017/2394, they include the possibility either to impose fines through administrative procedures or to initiate legal proceedings for the imposition of fines, or both, the maximum amount of such fines being at least 4 % of the seller's or producer's annual turnover in the Member State or Member States concerned.

Amendment 63

Proposal for a directive

Article 11 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. For cases where a fine is to be imposed in accordance with paragraph 1b, but information on the seller's or producer's annual turnover is not available, Member States shall introduce the possibility to impose fines, the maximum amount of which shall be at least EUR 2 million.

Amendment 64

Proposal for a directive Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall, by **24** months from the entry into force notify the Commission of the rules and of the measures referred to in paragraph 1 and shall notify it without delay of any subsequent amendment affecting them.

2. Member States shall, by **18** months from the entry into force notify the Commission of the rules and of the measures referred to in paragraph 1 and shall notify it without delay of any subsequent amendment affecting them.

Amendment 65

Proposal for a directive Article 12 – paragraph 1 – point -1 (new) Directive (EU) 2019/771 Article 7 – paragraph 1 – point d

Present text

Amendment

Directive (EU) 2019/771 is amended as follows:

(-1) In Article 7(1), point (d) is replaced by the following:

(d) be of the quantity and possess the qualities and other features, including in relation to durability, functionality, compatibility and security normal for goods of the same type and which the consumer may reasonably expect given the nature of the goods and taking into account

‘(d) be of the quantity and possess the qualities and other features, including in relation to durability, ***reparability***, functionality, compatibility and security normal for goods of the same type and which the consumer may reasonably expect given the nature of the goods and taking

any public statement made by or on behalf of the seller, or other persons in previous links of the chain of transactions, including the producer, particularly in advertising or on labelling.

into account any public statement made by or on behalf of the seller, or other persons in previous links of the chain of transactions, including the producer, particularly in advertising or on labelling.’

The text of the introductory part of the sole paragraph of Article 12 is amended here to cover amendments 65 - 72.

Amendment 66

Proposal for a directive

Article 12 – paragraph 1 – point 1 – point a (new)

Directive (EU) 2019/771

Article 13 – paragraph 2 – subparagraph 2 (new)

Text proposed by the Commission

Amendment

In **Article 13(2) of Directive (EU) 2019/771** the following **sentence** is added:

In derogation from the first **sentence of this paragraph**, where the costs for replacement are equal to or greater than the costs for repair, the seller shall repair the goods in order to bring those goods in conformity.

(1) ***Article 13 is amended as follows:***

(a) In **paragraph (2)** the following **subparagraph** is added:

‘By way of derogation from the first **subparagraph**, where the costs for replacement are equal to or greater than the costs for repair, the seller shall repair the goods in order to bring those goods in conformity, ***unless the repair is factually or legally impossible or would create significant inconvenience to the consumer.***’

Amendment 67

Proposal for a directive

Article 12 – paragraph 1 – point 1 – point b (new)

Directive (EU) 2019/771

Article 13 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(b) ***the following paragraph is inserted:***

‘3a. In the event that the consumer chooses for repair as the remedy to have

the goods brought into conformity, the consumer may also directly request the producer to bring the goods into conformity. A fulfilment of this request by the producer is deemed to discharge the seller from its liability pursuant to Article 10.

Amendment 68

Proposal for a directive

Article 12 – paragraph 1 – point 1– point c (new)

Directive (EU) 2019/771

Article 13 – paragraph 4 a (new)

Present text

Amendment

(c) the following paragraph is inserted:

"4a. Where, in accordance with paragraph 2 of this Article, the good has been brought into conformity by means of repair, the seller or producer shall be liable for any lack of conformity which exists at the time the consumer received the repaired goods and which becomes apparent within 1 year after that time provided that Member States have maintained or introduced time limits for the conformity of the original good in accordance with Article 10, paragraphs 1, 2 or 3. This shall not apply if the seller has already successfully repaired the goods in accordance with Article 10. Without prejudice to Article 7(3), this paragraph shall also apply to goods with digital elements. This paragraph shall be without prejudice to other time limits under Article 10 and further claims of the consumer."

Amendment 69

Proposal for a directive

Article 12 – paragraph 1– point 1 a (new) – point a (new)

Present text

1. Repairs ***or replacements*** shall be carried out:
- (a) free of charge;
 - (b) within a reasonable period of time from the moment the seller has been informed by the consumer about the ***lack of conformity***; ***and***
 - (c) without any significant inconvenience to the consumer, taking into account the nature of the goods and the purpose for which the consumer required the goods.

Amendment

(1a) Article 14 is amended as follows:

(a) paragraph 1 is replaced by the following:

“1. Repairs shall be carried out:

- (a) free of charge;
- (b) within a reasonable period of time from the moment the seller has been informed by the consumer about the ***repair***;
- (c) without any significant inconvenience to the consumer, taking into account the nature of the goods and the purpose for which the consumer required the goods; ***and***

(ca) depending on the specificities of the relevant product-category, in particular of its permanent availability for the consumer, the seller shall provide the consumer free of charge with a replacement good, including a refurbished good on loan if the repair cannot be completed during the period referred to in point b).

Amendment 70

Proposal for a directive

Article 12 – paragraph 1– point 1 a (new) – point b (new)

Directive (EU) 2019/771

Article 14 – paragraph 1 a (new)

Present text

Amendment

(b) the following paragraph is inserted:

“1a. Replacements shall be carried out:

- a) free of charge;***

b) within a reasonable period of time from the moment the seller has been informed by the consumer about the lack of conformity;

c) without any significant inconvenience to the consumer, taking into account the nature of the goods and the purpose for which the consumer has required the goods.

d) upon the explicit request by the consumer, by offering a refurbished good”

Amendment 71

Proposal for a directive

Article 12 – paragraph 1 – point 1 a (new) – point c (new)

Directive (EU) 2019/771

Article 14 – paragraph 4 a (new)

Present text

Amendment

(c) the following paragraph is inserted:

“4a. In the event that the consumer decides, pursuant to Article 13(3a), that the producer shall bring the goods in conformity by means of repair, the producer shall be considered to be the seller for the purpose of this Article.”

Amendment 72

Proposal for a directive

Article 12 – paragraph 1 – point 1 b (new)

Directive (EU) 2019/771

Article 17 – paragraph 1 a (new)

Present text

Amendment

(1b) In Article 17 the following paragraph is inserted:

“1a. The commercial guarantee is without prejudice to the consumer’s right pursuant to Article 13(3a) to choose for

the producer to repair a good that is not in conformity. Any terms of the commercial guarantee that discourage the consumer from making use of its right pursuant to Article 13(3a) are deemed to be void.”

Amendment 73

Proposal for a directive Article 14 a (new)

Text proposed by the Commission

Amendment

Article 14a

Evaluation report

1. By [5 years after the entry into force of this Directive], the Commission shall carry out an evaluation of this Directive and assess its contribution, and in particular Articles 5, 9a and 12, to the proper functioning of the internal market, the high level of consumer protection and the improvement of the environmental sustainability of products, as well as their impact on businesses, in particular micro, small and medium enterprises.

With regards to Article 7 it shall evaluate and assess the effectiveness of online platforms for repair based on data from individual Member States, containing information on the number of active repair service providers, consumers and the number of transactions performed.

2. The Commission shall draw up a report on the main findings and submit it to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. Member States shall provide the Commission with the information necessary for the preparation of that report.

3. The report shall be accompanied, where appropriate, by a legislative proposal.

Amendment 74

Proposal for a directive Article 16 – paragraph 1

Text proposed by the Commission

1. Article 5(1) and (2) and Article 6 of this Directive shall not apply to contracts for the provision of repair services concluded before [24 months after the entry into force].

Amendment

1. Article 5(1) and (2) and Article 6 of this Directive shall not apply to contracts for the provision of repair services concluded before [18 months after the entry into force].

Amendment 75

Proposal for a directive Article 16 – paragraph 2

Text proposed by the Commission

2. Article 12 of this Directive shall not apply to sales contracts concluded before [24 months after the entry into force]

Amendment

2. Article 12 of this Directive shall not apply to sales contracts concluded before [18 months after the entry into force]

Amendment 76

Proposal for a directive Article 17 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [24 months from the entry into force] at the latest. They shall immediately inform the Commission thereof.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [18 months from the entry into force] at the latest. They shall immediately inform the Commission thereof.

Amendment 77

Proposal for a directive Article 17 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Member States shall apply those measures from [24 months from the entry into force].

Amendment

Member States shall apply those measures from [18 months from the entry into force].

Amendment 78

**Proposal for a directive
Annex I – part 2 – table – line 4**

Text proposed by the Commission

Price for repair or, if it cannot be calculated, the applicable calculation method *and maximum price of repair*

Amendment

Maximum price **expected** for repair or, if it cannot be calculated, the applicable calculation method

Amendment 79

**Proposal for a directive
Annex I – part 2 – table – line 10 a (new)**

Text proposed by the Commission

Amendment

If applicable, additional information provided voluntarily by the repairer

Amendment 80

**Proposal for a directive
Annex II – heading**

Text proposed by the Commission

Amendment

LIST OF UNION LEGAL ACTS
LAYING DOWN REPARABILITY
REQUIREMENTS

LIST OF UNION LEGAL ACTS
LAYING DOWN REPARABILITY
REQUIREMENTS **AND LIST OF
REPARABLE GOODS**

Amendment 81

**Proposal for a directive
Annex II – point 9**

Text proposed by the Commission

9. /Mobile phones, cordless phones and tablets according to Commission Regulation (EU) .../...²⁹ /

²⁹ ...

Amendment

9. Mobile phones, cordless phones and tablets according to Commission Regulation (EU) .../...²⁹

²⁹ ...

Amendment 82

**Proposal for a directive
Annex II – point 9 a (new)**

Text proposed by the Commission

Amendment

9a. Bicycles

EXPLANATORY STATEMENT

The right to repair proposal

The proposal by the European Commission for common rules promoting the repair of goods aims at making repair of defective products more attractive and thus at increasing the amount of consumer goods getting repaired instead of being thrown away. Several studies and surveys have shown that consumers have a positive attitude towards repairing goods. Therefore, the Rapporteur wishes to support those trends in consumer as well as business behaviour and to promote the so-called right to repair. The report follows the lines of the Commission proposal to enable consumer participation in the Green Transition towards a sustainable and circular economy. In this regard, the Rapporteur believes the report to be complementary to the legislative proposals on Ecodesign Requirements for Sustainable Products and Empowering Consumers for the Green Transition.

Incentivising repair within the legal guarantee

The report aims at clarifying central elements of the proposal and at increasing the level of ambition. Consumer legislation should encourage the repair of defective products. Therefore, the Rapporteur suggests improving the attractiveness of repair within the legal guarantee period under the Sales of Goods Directive by a timely repair and a requirement of a loan product for consumers if the repair will take an unnecessarily long time. To further increase the attractiveness of repair, the legal guarantee period of repaired goods should be extended. This is not only a matter of sustainability but also of legal clarity. Thus, the Rapporteur proposes as a one-off measure to extend the legal guarantee period by additional twelve months once a product is brought back to conformity via a repair. As consumers are very time sensitive when it comes to the repair of their goods, the Rapporteur proposes that consumers can directly address producers for repairing defective products. Meeting the repair request by the producer will discharge the seller from his/her liability for conformity vis-à-vis the consumer under the Sales of Goods Directive without creating a separate legal relationship between the consumer and the producer.

Creating a repair market

For products whose defect is, in terms of time or in terms of scope, not covered by the legal guarantee under the Sales of Goods Directive, the report proposes to strengthen the right of repair for consumers. In the Rapporteur's view, the right to repair is no appendix to product

regulation such as the Ecodesign Regulation. It does not intend to remedy a market failure and the right's scope should therefore, as a matter of principle, not be limited to product categories where market dynamics have not led to properly repairable products. Yet, the right to repair becomes practically meaningless if producers of products, for which there are no legal reparability requirements in Union legal acts yet, can successfully rely on factual or legal impossibility. The Rapporteur therefore supports the positive list approach proposed by the Commission, according to which products that are subject to the right to repair are explicitly mentioned in an annex. Yet, after careful consideration, the Rapporteur nevertheless decided to extend the scope in his report to a category of products that are repairable without any legal reparability requirements and where consumers' claims to repair will be met by producers as well as independent repairers without any specific product regulation, which are bicycles. Additionally, triggers for more competition in after-sales situations are included. Not only should producers provide all end-users with spare parts and information for the repair but they should also prevent prohibitive and discriminatory pricing for spare parts. This strengthens the independent repair market and empowers consumers to choose other repair service providers than producers. Together with the supplementing instruments proposed by the Commission's proposal such as the online platform and the repair information form that should in the eyes of the Rapporteur be a voluntary one in order to prevent additional burdens for businesses, independent repairers will be put into a position where they can compete with traditional producers. Finally and in order to make repair affordable for all citizens, the report wants Member States to introduce measures, such as repair vouchers or reduced VAT rates for repair services, that will increase demand for repair services and thereby kick-start the repair economy. In sum, empowering consumers to have their goods repaired and creating a proper repair market will truly support the ambition to create a circular and climate neutral economy.

ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the report:

[illegible]

12.10.2023

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

for the Committee on the Internal Market and Consumer Protection

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
(COM(2023)0155 – C9-0117/2023 – 2023/0083(COD))

Rapporteur for opinion: Sunčana Glavak

SHORT JUSTIFICATION

The Right to repair

Aligned with the European Green Deal and its objective of sustainable consumption and the outcome of the Conference on the Future of Europe (CoFoE), the Commission's proposal for common rules promoting the repair of goods aims to increase the repair of consumer goods. The Rapporteur took the decision to focus her draft opinion on those parts of the Commission proposal with shared competences for the Environmental Committee.

The Rapporteur supports the right to repair initiative and underlines the need to make the repair of products easier, more convenient and cheaper for consumers, while reducing waste and boosting the repair sector. The draft opinion stresses the business to consumer dimension of the repairs within this proposal and notes the close link with the legislative proposal on Ecodesign Requirements for Sustainable Products, which has just been voted in plenary this July. It lays strong foundation to make repairs easier in the future by introducing for example specific measures regarding early obsolescence and a repair score through Delegated Acts on a product-by-product basis.

The Rapporteur aims to strengthen the right to repair outside of the legal guarantee further, for consumers and for repairers, especially in regards to the availability of the spare parts and transparency of their prices, which is one of key elements in the repair process. This should benefit both sides, supporting repairers in having the appropriate resources for the higher demand of repairs, while giving the accurate information to consumers, notably through the information form and providing more options for repair. More options for repair should entice consumers to shift how they think about repair and thus their behaviour.

The Rapporteur also calls for promoting refurbished goods as an alternative solution when repair is deemed impossible. Furthermore, complementary to the provisions proposed by the Commission, strengthening the culture of repair through awareness raising campaigns will be an important step towards fulfilling the goals of this Directive and in effect have a positive side-effect of going beyond the scope of this Directive. Moreover, further incentives like potential

financial incentives that could be made available for consumers and repairers, uplifting the demand for reparability services and establishing the repair as an attractive solution for the consumers could provide an additional boost to encourage consumers to repair their goods and repairers to increase their offers. The online platform and information form are solutions, which should benefit repairers and consumers equally. The information form gives the consumers access to all the relevant information and a possibility to compare different offers for repair, while keeping the competitiveness level between the repairers, which should lead towards a well-developed repair market and with healthy competition based on prices and quality. The Rapporteur recognizes the need for online platforms to be free and user friendly for both consumers and repairers. In addition, the Rapporteur proposes the creation of a main internet portal to be established in each Member State, which should provide access to the national online platform. This portal should act as a one-stop-shop where consumers not only find links to all kinds of repairers but also to consumer information and their legal rights. In addition, a need for strong and targeted awareness raising campaigns is crucial to ensure that the consumers become familiar with the existence of such a portal and online platform.

To create a functioning framework for consumers to improve their right to repair is at the heart of this draft opinion, together with supporting the business sector and SMEs, while further developing the repair market, all of which is bringing the Union one step closer to the goal of climate neutrality.

AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to take the following into account:

Amendment 1

Proposal for a directive

Recital 1

Text proposed by the Commission

(1) Directive (EU) 2019/771 of the European Parliament and of the Council¹² pursues the objective of improving the functioning of the internal market, while achieving a high level of consumer protection. In the context of the green transition, this Directive pursues the objective of improving the functioning of the internal market, while promoting more sustainable consumption, and thereby complements the objective pursued by

Amendment

(1) Directive (EU) 2019/771 of the European Parliament and of the Council¹² pursues the objective of improving the functioning of the internal market, while achieving a high level of consumer protection ***as well as increased circularity within the economy***. In the context of the green transition, this Directive pursues the objective of improving the functioning of the internal market, while promoting more sustainable consumption, and thereby complements the objective pursued by

Directive (EU) 2019/771.

Directive (EU) 2019/771.

¹² Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136, 22.5.2019, p. 28).

¹² Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC (OJ L 136, 22.5.2019, p. 28).

Amendment 2

Proposal for a directive Recital 2

Text proposed by the Commission

(2) In order to achieve these objectives, and in particular to facilitate cross-border provision of services and competition among repairers of goods purchased by consumers in the internal market, it is necessary to lay down uniform rules promoting the repair of goods purchased by consumers within and beyond the liability of the seller established by Directive (EU) 2019/771. Member States have already taken or are considering to introduce rules promoting repair and reuse of goods purchased by consumers outside the existing liability of the seller established by Directive (EU) 2019/771. Differing mandatory national rules in this area constitute actual or potential obstacles to the functioning of the internal market, adversely affecting cross-border transactions of economic operators acting on that market. Those operators may have to adapt their services to comply with the different mandatory national rules and may be faced with additional transaction costs for obtaining the necessary legal advice on the requirements of the law of the Member State of the consumer's habitual residence, when applicable pursuant to Regulation (EC) 593/2008 of the European Parliament

Amendment

(2) In order to achieve these objectives, and in particular to facilitate cross-border provision of services and **fair** competition among repairers of goods purchased by consumers in the internal market **and of ensuring that the Union reaches climate neutrality by 2050 at the latest as defined by Regulation (EU) 2021/1119 of the European Parliament and of the Council^{12a}**, it is necessary to lay down uniform rules promoting the repair of goods purchased by consumers within and beyond the liability of the seller established by Directive (EU) 2019/771. Member States have already taken or are considering to introduce rules promoting repair and reuse of goods purchased by consumers outside the existing liability of the seller established by Directive (EU) 2019/771. Differing mandatory national rules in this area constitute actual or potential obstacles to the functioning of the internal market, adversely affecting cross-border transactions of economic operators acting on that market. Those operators may have to adapt their services to comply with the different mandatory national rules and may be faced with additional transaction costs for obtaining the necessary legal

and of the Council¹³, and to adapt their contracts for the provision of repair services accordingly. This will affect, in particular, small and medium sized enterprises, mostly represented in the repair sector. Legal fragmentation may also negatively affect consumer confidence in cross-border repair due to uncertainties regarding factors which are important for the decision to repair goods.

advice on the requirements of the law of the Member State of the consumer's habitual residence, when applicable pursuant to Regulation (EC) 593/2008 of the European Parliament and of the Council¹³, and to adapt their contracts for the provision of repair services accordingly. This will affect, in particular, small and medium sized enterprises, mostly represented in the repair sector. Legal fragmentation may also negatively affect consumer confidence in cross-border repair due to uncertainties regarding factors which are important for the decision to repair goods.

¹³ Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (OJ L 177, 4.7.2008, p. 6).

^{12a} ***Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law')(OJ L 243, 9.7.2021, p. 1).***

¹³ Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (OJ L 177, 4.7.2008, p. 6).

Amendment 3

Proposal for a directive Recital 3

Text proposed by the Commission

(3) In order to reduce premature disposal of viable goods purchased by consumers and to encourage consumers to use their goods longer, it is necessary to set out rules on repair of such goods. Repair should result in more sustainable consumption, since it is likely to generate less waste caused by discarded goods, less

Amendment

(3) In order to reduce premature disposal of viable goods purchased by consumers and to encourage consumers to use their goods longer, it is necessary to set out rules on repair of such goods, ***obligations for relevant producers to repair such goods and to simplify the process for consumers to get their goods***

demand for resources, including energy, caused by the process of manufacturing and sale of new goods replacing defective goods, as well as less greenhouse gas emissions. This Directive promotes sustainable consumption in view of achieving benefits for the environment while also producing benefits for consumers by avoiding costs associated with new purchases in the short term.

repaired. Repair should result in more sustainable consumption, since it is likely to generate less waste ***and reduce dispersion of toxic substances and of critical raw materials*** caused by discarded goods, less demand for resources, including energy, caused by the process of manufacturing and sale of new goods replacing defective goods, as well as less greenhouse gas emissions. This Directive promotes sustainable consumption in view of achieving benefits for the environment, ***by promoting a life cycle of products which include re-use, repair, refurbishment and recycling***, while also producing benefits for consumers by avoiding costs associated with new purchases in the short term.

Amendment 4

Proposal for a directive Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) Various obstacles prevent consumers from opting for repair, notably unavailability of information on reparability of a product when purchasing a good, lack of information on repair services, lack of access to spare parts, lack of interoperability and similar technical barriers, but above all costs of repair that remain too high. This Directive should therefore ensure that consumers can effectively use their right to repair.

Amendment 5

Proposal for a directive Recital 6 b (new)

Text proposed by the Commission

Amendment

(6b) The aim of this Directive will be supported by the general provisions of Directive [empowering consumers in the green transition] in ensuring that manufacturers and distributors do not mislead consumers into thinking that exercising their right to repair with the provider of their choice may generate safety or technical risks.

Amendment 6

Proposal for a directive Recital 7

Text proposed by the Commission

(7) In order to help consumers identify and choose suitable repair services, consumers should receive key information on repair services. The European Repair Information Form should lay down key parameters that influence consumer decisions when considering whether to repair defective goods. This Directive should set out a model standardised format. A standardised format for presenting repair services should allow consumers to assess and easily compare repair services. Such standardised format should also facilitate the process of providing information on repair services, in particular for micro, small and medium sized businesses providing repair services. In order to avoid additional burdens due to overlapping pre-contractual information requirements, a repairer should be deemed to have fulfilled corresponding information requirements of relevant EU legal acts, where applicable, if the European Repair Information Form has been filled in correctly and provided to the consumer. Information in the European Repair Information Form should be provided to consumers in a clear and comprehensible manner and in line with the accessibility requirements of Directive

Amendment

(7) In order to help consumers identify and choose suitable, ***timely and affordable*** repair services, consumers should receive key information on repair services. The European Repair Information Form should lay down key parameters that influence consumer decisions when considering whether to repair defective goods. This Directive should set out a model standardised format. A standardised format for presenting repair services should allow consumers to assess and easily compare repair services. Such standardised format should also facilitate the process of providing information on ***independent and professional*** repair services, in particular for micro, small and medium sized businesses providing repair services. In order to avoid additional burdens due to overlapping pre-contractual information requirements, a repairer should be deemed to have fulfilled corresponding information requirements of relevant EU legal acts, where applicable, if the European Repair Information Form has been filled in correctly and provided to the consumer. Information in the European Repair Information Form should be provided to consumers in a clear and comprehensible manner and in line with the accessibility

¹⁴ Directive 2019/882/EU of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

¹⁴ Directive 2019/882/EU of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Amendment 7

Proposal for a directive Recital 8

Text proposed by the Commission

(8) The consumer's free choice to decide by whom to have its goods repaired should be facilitated by requesting the European Repair Information Form not only from the producer, but also from the seller of the goods concerned or from independent repairers, where applicable. Repairers should provide the European Repair Information Form only where the consumer requests that form and the repairer intends to provide the repair service or it is obliged to repair. A consumer may also choose not to request the European Repair Information Form and to conclude a contract for the provision of repair services with a repairer pursuant to pre-contractual information provided by other means in accordance with Directive 2011/83/EU of the European Parliament and the Council.¹⁵

¹⁵ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and

Amendment

(8) The consumer's free choice to decide by whom to have its goods repaired should be facilitated by requesting the European Repair Information Form not only from the producer, but also from the seller of the goods concerned or from independent **and professional** repairers, where applicable. Repairers should provide the European Repair Information Form only where the consumer requests that form and the repairer intends to provide the repair service or it is obliged to repair. ***The consumer should be made aware of the right to request the European Repair Information Form, also through information campaigns.*** A consumer may also choose not to request the European Repair Information Form and to conclude a contract for the provision of repair services with a repairer pursuant to pre-contractual information provided by other means in accordance with Directive 2011/83/EU of the European Parliament and the Council¹⁵.

¹⁵ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and

repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (Text with EEA relevance) (OJ L 304, 22.11.2011, p. 64–88).

repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (Text with EEA relevance) (OJ L 304, 22.11.2011, p. 64–88).

Amendment 8

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) There are situations in which a repairer incurs costs necessary for providing the information on repair and price included in the European Repair Information Form. ***For instance, the*** repairer may need to inspect the goods to be able to determine the defect or type of repair that is necessary, including the need for spare parts, and to estimate the repair price. In these cases, a repairer may only request a consumer to pay the costs that are necessary for providing the information included in the European Repair Information Form. In line with the pre-contractual information and other requirements set out in Directive 2011/83/EU, the repairer should inform the consumer about such costs before the consumer requests the provision of the European Repair Information Form. Consumers may refrain from requesting the European Repair Information Form where they consider that the costs for obtaining that form are too high.

Amendment

(9) There are situations in which a repairer incurs costs necessary for providing the information on repair and price included in the European Repair Information Form. ***Charging those costs should be limited to cases where*** repairer may need to inspect the goods to be able to determine the defect or type of repair that is necessary, including the need for spare parts, and to estimate the repair price. In these cases, a repairer may only request a consumer to pay the costs that are necessary for providing the information included in the European Repair Information Form. ***Those costs should be able to be deducted from the final price of the repair, except for producers obligated to repair according to Article 5 of this Directive where these producers should always provide the European Repair Information Form free of charge when requested.*** In line with the pre-contractual information and other requirements set out in Directive 2011/83/EU, the repairer should inform the consumer about such costs before the consumer requests the provision of the European Repair Information Form. Consumers may refrain from requesting the European Repair Information Form where they consider that the costs for obtaining that form are too high.

Amendment 9

Proposal for a directive

Recital 10

Text proposed by the Commission

(10) Repairers should not alter the conditions of repair that they provide in the European Repair Information Form, including on the price for repair, for *a certain period of time*. This ensures that consumers are given sufficient time to compare different repair offers. In order to safeguard as much as possible the contractual freedom for repairers other than producers of goods for whom an obligation to repair applies, to be able to decide whether to conclude a contract for the provision of repair services at all, repairers should remain free to decide not to conclude such a contract, including in situations where they have provided the European Repair Information Form. If a contract for the provision of repair services is concluded based on the European Repair Information Form, the information on conditions of repair and price contained in that form should constitute an integral part of the contract for the provision of repair services, thereby defining the repairer's obligations under that contract. Non-compliance with those contractual obligations is governed by the applicable national law.

Amendment

(10) Repairers should not alter the conditions of repair that they provide in the European Repair Information Form, including on the price for repair, for *at least 30 calendar days from the day when the consumer receives the form*. This ensures that consumers are given sufficient time to compare different repair offers. In order to safeguard as much as possible the contractual freedom for repairers other than producers of goods for whom an obligation to repair applies, to be able to decide whether to conclude a contract for the provision of repair services at all, repairers should remain free to decide not to conclude such a contract, including in situations where they have provided the European Repair Information Form. If a contract for the provision of repair services is concluded based on the European Repair Information Form, the information on conditions of repair and price contained in that form should constitute an integral part of the contract for the provision of repair services, thereby defining the repairer's obligations under that contract. Non-compliance with those contractual obligations is governed by the applicable national law.

Amendment 10

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) Since the obligation to repair imposed on producers under this Directive

Amendment

(12) Since the obligation to repair imposed on producers under this Directive

covers defects that are not due to the non-conformity of the goods with a sales contract, producers may provide repair against a price paid by the consumer, against another kind of consideration, or for free. The charging of a price should encourage producers to develop sustainable business models, including the provision of repair services. Such a price may take into account, for instance, labour costs, costs for spare parts, costs for operating the repair facility and a customary margin. The price for and the conditions of repair should be agreed in a contract between the consumer and the producer and the consumer should remain free to decide whether that price and those conditions are acceptable. The need for such a contract and the competitive pressure from other repairers should encourage producers who are obliged to repair to keep the price acceptable for the consumer. The repair obligation may also be performed for free when the defect is covered by a commercial guarantee, for instance, in relation to guaranteed durability of goods.

covers defects that are not due to the non-conformity of the goods with a sales contract, producers may provide repair against a ***reasonable and non-discriminatory*** price paid by the consumer, against another kind of consideration, or for free. The charging of a price ***reasonable and non-discriminatory*** should encourage ***both*** producers to develop sustainable business models, including the provision of repair services ***and consumers to seek repair***. Such a price may take into account, for instance, labour costs, costs for spare parts, ***costs of shipping and delivery***, costs for operating the repair facility and a customary margin. The price for and the conditions of repair should be agreed in a contract between the consumer and the producer and the consumer should remain free to decide whether that price and those conditions are acceptable. The need for such a contract and the competitive pressure from other repairers should encourage producers who are obliged to repair to keep the price acceptable for the consumer. The repair obligation may also be performed for free when the defect is covered by a commercial guarantee, for instance, in relation to guaranteed durability of goods. ***To incentivise consumers to have their product repaired outside of the legal guarantee, a producer may provide a replacement or a refurbished good, for the duration of the repair, which is expected to be returned once the consumer receives its repaired good.***

Amendment 11

Proposal for a directive Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) In order to ensure a sustainable product life cycle, producers and vendors,

also in cooperation with national authorities, might be able to offer end-of-life bonuses for products that can no longer be repaired, in order to incentivise the consumer to buy a product with a better environmental performance.

Amendment 12

Proposal for a directive Recital 14

Text proposed by the Commission

(14) The requirements laid down in delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁶, according to **which** producers should provide access to spare parts, repair and maintenance information or any repair related software tools, firmware or similar auxiliary means, **apply**. Those requirements ensure the technical feasibility of repair, not only by the producer, but also by other repairers. As a consequence, the consumer can select a repairer of its choice.

Amendment

(14) The requirements laid down in delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁶ **apply**. According to **those requirements**, producers should provide access to spare parts **and tools, including original spare parts, to repairers and consumers**, repair and maintenance information or any repair related software tools, firmware or similar auxiliary means **for reasonable and non-discriminatory prices, taking into account the protection of sensitive information and business secrets**. Those requirements ensure the technical feasibility of repair, not only by the producer, but also by other repairers. As a consequence, the consumer can select a repairer of its choice, **which ensures competition and benefits consumers with better services and lower prices when selecting a repairer. In this context, this Directive should encourage that all actors of the repair sector can access spare parts at a reasonable and non-discriminatory price, as well as repair and maintenance information and diagnosis tools necessary to perform the repair, be it hardware or software.**

¹⁶ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast) (Text with EEA relevance) (OJ L 285, 31.10.2009, p. 10–35).

¹⁶ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast) (Text with EEA relevance) (OJ L 285, 31.10.2009, p. 10–35).

Amendment 13

Proposal for a directive Recital 16

Text proposed by the Commission

(16) To avoid overburdening producers and to ensure they are able to perform their obligation to repair, that obligation should be limited to those products for which and to the extent any reparability requirements are provided for in Union legal acts.

Reparability requirements do not oblige producers to repair defective goods, but ensure that goods are repairable. Such reparability requirements can be laid down in relevant Union legal acts. Examples are delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁷, which create a framework to improve the environmental sustainability of products. ***This limitation of the obligation to repair ensures that only those goods which are repairable by design are subject to such obligation.*** Relevant reparability requirements include design requirements enhancing the ability to disassemble the goods and a range of spare parts to be made available for a minimum period. The obligation to repair corresponds to the scope of the reparability requirements, for instance, ecodesign requirements may apply only to certain components of the goods or a specific period of time may be set to make spare

Amendment

(16) To avoid overburdening producers and to ensure they are able to perform their obligation to repair, that obligation should be limited to those products for which and to the extent any reparability requirements are provided for in Union legal acts. Such reparability requirements can be laid down in relevant Union legal acts. Examples are delegated acts adopted pursuant to Regulation [on the Ecodesign for Sustainable Products] or implementing measures adopted pursuant to Directive 2009/125/EC of the European Parliament and of the Council¹⁷, which create a framework to improve the environmental sustainability of products. Relevant reparability requirements include design requirements enhancing the ability to disassemble the goods and a range of spare parts to be made available for a minimum period. The obligation to repair corresponds to the scope of the reparability requirements, for instance, ecodesign requirements may apply only to certain components of the goods or a specific period of time may be set to make spare parts available. The obligation to repair under this Directive, which allows the consumer to claim repair directly against the producer in the after-sales phase, complements the supply-side related reparability requirements laid down in

parts available. The obligation to repair under this Directive, which allows the consumer to claim repair directly against the producer in the after-sales phase, complements the supply-side related reparability requirements laid down in Regulation [on the Ecodesign Sustainable Products], encouraging consumer demand for repair.

Regulation [on the Ecodesign Sustainable Products], encouraging consumer demand for repair.

¹⁷ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast).

¹⁷ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast).

Amendment 14

Proposal for a directive Recital 18

Text proposed by the Commission

(18) While this Directive imposes the obligation to repair on the producer, it also facilitates consumer choice of repair services from other repairers. This choice should in particular be facilitated **by requesting** the European Repair Information Form not only from the producer but also other repairers like the seller or independent repairers or by searching via the online repair platform. As consumers would need to pay for the repair, they are likely to compare repair opportunities in order to choose the most suitable repair services for their needs. Thus, it is likely they approach independent repairers in their proximity or the seller before reaching out to producers which may for instance be located at a greater distance and for which the price could be higher due to transportation costs.

Amendment

(18) While this Directive imposes the obligation to repair on the producer, it also facilitates consumer choice of repair services from other repairers, **including independent and professional ones**. This choice should in particular be facilitated **through measures that ensure fair competition in the repair sector such as ensuring access to spare parts at reasonable costs for all actors of the sector, but also by empowering consumers to request** the European Repair Information Form not only from the producer but also other repairers like the seller or independent **and professional** repairers or by searching via the online repair platform. As consumers would need to pay for the repair, they are likely to compare repair opportunities in order to choose the most suitable repair services for their needs. Thus, it is likely they approach independent **and professional** repairers in their proximity or the seller before

reaching out to producers which may for instance be located at a greater distance and for which the price could be higher due to transportation costs.

Amendment 15

Proposal for a directive Recital 21

Text proposed by the Commission

(21) In order to encourage repair, Member States should ensure that for their territory at least one online platform exists which enables consumers to search for suitable repairers. That platform may be an existing or privately operated platform, if it meets the conditions laid down in this Directive. That platform should include user-friendly and independent comparison tools which assist consumers in assessing and comparing the merits of different repair service providers, thereby incentivising consumers to choose repair instead of buying new goods. While that platform aims at facilitating the search for repair services in business-to-consumer relationships, Member States are free to extend its scope also to include business-to-business relationships ***as well as community-led repair initiatives.***

Amendment

(21) In order to encourage repair, Member States should ensure that for their territory at least one online platform exists which enables consumers to search for suitable repairers ***and where existing, community repair initiatives, as the repair cafés.*** That platform may be an existing or privately operated platform, if it meets the conditions laid down in this Directive. That platform should include user-friendly and independent comparison tools which assist consumers in assessing and comparing the merits of different repair service providers, ***as well as community-led repair initiatives,*** thereby incentivising consumers to choose repair instead of buying new goods. While that platform aims at facilitating the search for repair services in business-to-consumer relationships, Member States are free to extend its scope also to include business-to-business relationships.

Amendment 16

Proposal for a directive Recital 23

Text proposed by the Commission

(23) Member States should ensure that consumers have easy access to the online platform ***allowing*** them to find ***suitable***

Amendment

(23) Member States should ensure that consumers have easy access to the online platform ***free of charge, enabling*** them to

repair services for their defective goods. The online platform should also be accessible to vulnerable consumers, including persons with disabilities, in accordance with applicable Union law *relating to* accessibility.

find *appropriate* repair services for their defective goods. The online platform should also be accessible to vulnerable consumers, including persons with disabilities, in accordance with applicable Union law *on* accessibility.

Amendment 17

Proposal for a directive Recital 24

Text proposed by the Commission

(24) The search function based on products may refer to the product type or brand. Since repairers cannot know the specific defect before a request to repair has been made, it is sufficient that they provide on the online platform generic information on key elements of repair services to enable consumers to decide whether to repair the good in question, in particular the average time to complete repair, the availability of temporary replacement goods, the place *where* the consumer hands over the goods for repair and the availability of ancillary services. Repairers should be encouraged to regularly update their information on the online platform. In order to build consumer confidence in the repair services available on the online platform, repairers should be able to demonstrate their adherence to certain repair standards.

Amendment

(24) The search function based on products may refer to the product type or brand. Since repairers cannot know the specific defect before a request to repair has been made, it is sufficient that they provide on the online platform generic information on key elements of repair services to enable consumers to decide whether to repair the good in question, in particular the average time to complete repair, the availability of temporary replacement goods, the place *or the means with which* the consumer hands over the goods for repair and the availability of ancillary services. Repairers should be encouraged to regularly update their information on the online platform. In order to build consumer confidence in the repair services available on the online platform, repairers should be able to demonstrate their adherence to certain repair standards *and consumers should be able to rate the repair service*.

Amendment 18

Proposal for a directive Recital 24 a (new)

Text proposed by the Commission

Amendment

(24a) Each Member State should establish a main internet portal, acting as a one-stop-shop in a consumer-friendly manner, which provides access, free of charge, to the national online platform or platforms and information concerning repair, including consumers' legal rights. Easy access to the online platform will play an important part to help change the culture of repair in the Union. In addition, Member States and the Commission should ensure that targeted awareness raising campaigns, which are crucial to ensure that the consumers become familiar with the existence of such a portal and online platform, are organised. To the extent possible Member States should take into account, the special needs of people with disabilities.

Amendment 19

Proposal for a directive Recital 26

Text proposed by the Commission

(26) In order to promote sustainable consumption of goods in situations outside the liability of the seller, the online platform should also promote goods subject to refurbishment as an alternative to repair or to buying new goods. To that end, the online platform should include a functionality allowing consumers to find sellers of goods subject to refurbishment or businesses buying defective goods for refurbishment purposes, in particular by enabling a search function per product category. Such sellers of goods subject to refurbishment or purchasers of defective goods for refurbishment should have access to the platform based on the same principles and technical specifications applicable to the repair functionality.

Amendment

(26) In order to promote sustainable consumption of goods in situations outside the liability of the seller, the online platform should also promote goods subject to refurbishment as an alternative to repair or to buying new goods. To that end, the online platform should include a functionality allowing consumers to find sellers of goods subject to refurbishment or businesses buying defective goods for refurbishment purposes, in particular by enabling a search function per product category. Such sellers of goods subject to refurbishment or purchasers of defective goods for refurbishment should have access to the platform based on the same principles and technical specifications applicable to the repair functionality.
Having access to the online platform should not be used as an opportunity to

promote or sell new goods.

Amendment 20

Proposal for a directive Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) The cost of repair has been identified as the main obstacle preventing consumers to go for this option outside the liability of the seller provided under Directive (EU) 2019/771. In order to address this problem, Member States may take appropriate measures to establish financial and fiscal incentives that allow consumers to claim back part of the costs of repair, and thus, making it a more attractive option. These incentivising measures might take the form of lower VAT rates, repair vouchers or reduced taxes on services and labour in order to further incentive customers to opt for a good being repaired instead of replaced. In addition, Member States should pay particular attention to micro, small and medium sized enterprises as their businesses are a vital part of the repair chain.

Amendment 21

Proposal for a directive Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) Fostering reparability at Union level requires a smart mix of measures. This Directive may be accompanied by other initiatives to counter the skills shortage to ensure that reparability services within the Union can be provided in the future, which should also be taken

into account in the context of education of the Union citizens, especially the importance of the vocational education in this regard.

Amendment 22

Proposal for a directive Recital 33 b (new)

Text proposed by the Commission

Amendment

(33b) Consumer behaviour is shaped by a wide variety of aspects. When choosing between repair and new purchase, decision criteria such as economic efficiency, durability, proximity of a repair service, and the time required play an important role. In addition to the provisions laid out in this Directive, awareness-raising measures for a culture of repair, improving consumers' knowledge about maintenance and care of products, and improving consumers' knowledge about the existing rights concerning legal guarantees might be strengthened to boost the demand for reparability services.

Amendment 23

Proposal for a directive Article 1 – paragraph 1

Text proposed by the Commission

Amendment

1. This Directive lays down common 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.

1. This Directive lays down common rules promoting ***and strengthening the right to*** repair goods, ***and the accessibility of the repair sector*** with a view to contributing to the proper functioning of the internal market, while providing for a high level of consumer and environmental protection ***as well as increased circularity***

within the economy.

Amendment 24

Proposal for a directive

Article 2 – paragraph 1 – point 2

Text proposed by the Commission

2. ‘repairer’ means any natural or legal person who, related to that person’s trade, business, craft or profession, provides a repair service, including producers and sellers that provide repair services and repair service providers whether independent or affiliated with such producers or sellers;

Amendment

2. ‘repairer’ means any natural or legal person who, related to that person’s trade, business, craft or profession, provides a repair service, including producers and sellers that provide repair services and repair service providers whether independent ***repairers, professional repairers*** or affiliated with such producers or sellers;

Amendment 25

Proposal for a directive

Article 2 – paragraph 1 – point 7 a (new)

Text proposed by the Commission

Amendment

7a. ‘online marketplace’ means online marketplace as defined in Article 2, point (55), of Regulation [on the Ecodesign for Sustainable Products];

Amendment 26

Proposal for a directive

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. For producers obliged to repair by virtue of Article 5 the European Repair Information Form shall be provided to the consumer as soon as possible, but no later than 14 calendar days after the consumer's request. For these producers

paragraph 3 shall not be applicable and the European Repair Information Form shall be provided free of charge to the consumer.

Amendment 27

Proposal for a directive

Article 4 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The repairer may request the consumer to pay the necessary costs the repairer incurs for providing the information included in the European Repair Information Form.

Amendment

*For cases where physical inspection of the product to be repaired is needed, the repairer may request the consumer to pay the necessary, **reasonable and non-discriminatory** costs the repairer incurs for providing the information included in the European Repair Information Form. **The costs may be deducted from the total amount of the repair service.***

Amendment 28

Proposal for a directive

Article 4 – paragraph 4 – point e

Text proposed by the Commission

(e) the price or, if the price cannot reasonably be calculated in advance, the manner in which the price is to be calculated and the maximum price for the repair;

Amendment

(e) the price, *where feasible itemized for each cost included but not limited to labour costs, costs for each spare part, original, compatible or second-hand, needed or possibly needed and, where applicable delivery costs* or, if the price cannot reasonably be calculated in advance, the manner in which the price is to be calculated, *the estimated price*, and the maximum price for the repair;

Amendment 29

Proposal for a directive

Article 4 – paragraph 4 – point f

Text proposed by the Commission

(f) the estimated time needed to complete the repair;

Amendment

(f) the estimated time needed to complete the repair ***and where applicable the estimated delivery time of the good;***

Amendment 30

Proposal for a directive

Article 4 – paragraph 4 – point g

Text proposed by the Commission

(g) the availability of temporary replacement goods during the time of repair and the costs of temporary replacement, if any, for the consumer;

Amendment

(g) the availability of temporary replacement goods, ***including refurbished products,*** during the time of repair and the costs of temporary replacement, if any, for the consumer ***as well as how to request and receive the replacement good;***

Amendment 31

Proposal for a directive

Article 4 – paragraph 4 – point h

Text proposed by the Commission

(h) the place where the consumer hands over the goods for repair,

Amendment

(h) the place where the consumer hands over the goods for repair ***or, where applicable, how to ship the goods for repair to the repairer and the cost, if any, of the shipment for the consumer;***

Amendment 32

Proposal for a directive

Article 4 – paragraph 5

Text proposed by the Commission

5. The repairer shall not alter the

Amendment

5. The repairer shall not alter the

conditions of repair specified in the European Repair Information Form for a period of 30 calendar days as from the date on which that form was provided to the consumer, ***unless the repairer and the consumer have agreed otherwise***. If a contract for the provision of repair services is concluded within ***the 30 day*** period, the conditions of repair specified in the European Repair Information Form shall constitute an integral part of that contract.

conditions of repair specified in the European Repair Information Form for a period of ***at least 30*** calendar days as from the date on which that form was provided to the consumer. ***It shall be clear from the European Information Repair Form for how many calendar days the conditions are valid for***. If a contract for the provision of repair services is concluded within ***that*** period, the conditions of repair specified in the European Repair Information Form shall constitute an integral part of that contract.

Amendment 33

Proposal for a directive Article 5 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that upon the consumer's request, the producer shall repair, for free or against a price or another kind of consideration, goods for which and to the extent that reparability requirements are provided for by Union legal acts as listed in Annex II. The producer ***shall not be obliged to repair such*** goods ***where*** repair ***is impossible***. The producer may sub-contract repair in order to fulfil its obligation to repair.

Amendment

1. Member States shall ensure that upon the consumer's request, the producer shall repair, for free or against a ***reasonable and non-discriminatory*** price or another kind of consideration, goods for which and to the extent that reparability requirements are provided for by Union legal acts as listed in Annex II. The producer ***may offer the consumer a replacement good, including refurbished*** goods, ***for the duration of the*** repair. The producer may sub-contract repair in order to fulfil its obligation to repair.

Amendment 34

Proposal for a directive Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Producers shall not:

- (a) 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,*
- (b) be obliged to repair such goods where repair is factually or legally impossible.*

Amendment 35

Proposal for a directive Article 5 – paragraph 2

Text proposed by the Commission

2. Where the producer obliged to repair pursuant to paragraph 1 is established outside the Union, its authorised representative in the Union shall perform the obligation of the producer. Where the producer has no authorised representative in the Union, the importer of the good concerned shall perform the obligation of the producer. Where there is no importer, the distributor of the good concerned shall perform the obligation of the producer.

Amendment

2. Where the producer obliged to repair pursuant to paragraph 1 is established outside the Union, its authorised representative in the Union shall perform the obligation of the producer. Where the producer has no authorised representative in the Union, the importer of the good concerned shall perform the obligation of the producer. Where there is no importer, the distributor of the good concerned shall perform the obligation of the producer. ***Where there is no distributor, the retailer or online marketplace that allows for consumers to conclude distance contracts shall perform the obligation of the producer. The economic operator performing the obligation to repair shall conduct the repair within the Union or, if it is necessary to conduct the repair outside the Union, in a way which does not result in longer waiting time for the repaired good or increased costs for the consumer, including time and costs for shipping.***

Amendment 36

Proposal for a directive
Article 5 – paragraph 3

Text proposed by the Commission

3. Producers shall ensure that independent repairers have access to spare parts and repair-related information and tools in accordance with the Union legal acts listed in Annex II.

Amendment

3. Producers shall ***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 in accordance with Union legislative acts concerning repair*** and repair-related information, ***instructions*** and tools, ***including, where relevant, diagnosis tools and access to data, at a reasonable and non-discriminatory price,*** in accordance with the Union legal acts listed in Annex II ***without prejudice to the protection of sensitive information and business secrets provided for in Directive (EU) 2016/943 of the European Parliament and of the Council^{1a}.***

^{1a} ***Directive (EU) 2016/943 of the European Parliament and of the Council of 8 June 2016 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure (OJ L 157, 15.6.2016, p. 1).***

Amendment 37

Proposal for a directive
Article 5 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Producers shall make available on their websites information related to repair, such as estimates of repair prices and prices of spare parts in accordance

with the Union legal acts listed in Annex II. The Commission shall, in line with its evaluation process under [Article 8a] assess the price evaluation of repairs.

Amendment 38

Proposal for a directive Article 5 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. 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, without prejudice to the protection of sensitive information and business secrets provided for in Directive (EU) 2016/943.

Amendment 39

Proposal for a directive Article 5 – paragraph 4

Text proposed by the Commission

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 15 to amend Annex II by updating the list of Union legal acts laying down reparability requirements in the light of legislative developments.

4. The Commission is empowered to adopt delegated acts in accordance with Article 15 to amend Annex II by updating the list of Union legal acts laying down reparability requirements in the light of legislative developments. **When a new good is covered by a Union legislative requirement on reparability, the Commission shall adopt such a delegated act within one year.**

Amendment 40

Proposal for a directive Article 5 a (new)

Text proposed by the Commission

Amendment

Article 5a

Consumers' right to repair

- 1. Consumers shall be able to seek quality and affordable repair from the provider of their choice.*
- 2. Member States shall ensure that consumers can access repair services, by the producer or authorized repairers and independent repairers, to restore a defective good to a condition where it fulfils its intended use, and with the ultimate goal to extend their lifetime.*
- 3. Member States shall ensure fair competition in the repair sector by ensuring non-discriminatory access at reasonable price to spare parts, where applicable, diagnosis tools as well as to repair and maintenance information, to all actors of the repair sector.*
- 4. Member States shall take appropriate measures to ban practices by producers that prevent consumers to exert their right to repair.*

Amendment 41

Proposal for a directive Article 6 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that producers inform consumers of their obligation to repair pursuant to Article 5 and provide information on the repair services in an easily accessible, clear and comprehensible manner, *for example* through the online

Member States shall ensure that producers inform consumers of their obligation to repair pursuant to Article 5 and provide information on the repair services in an easily accessible, clear and comprehensible manner through the online platform

platform referred to in Article 7.

referred to in Article 7, ***their websites and at the point of sale.***

Amendment 42

Proposal for a directive Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The information on obligations shall also be found on a digital product passport that includes information and origin of parts, and guidelines for repair. Where possible, the digital product passport shall include self-repair guidelines, information on the spare parts and tools needed while taking into account the safety and technical know-how required for the repair. The guidelines shall indicate clearly the cases in which self-repair is not advised.

Amendment 43

Proposal for a directive Article 6 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. Member States shall develop awareness-raising campaigns to inform consumers of their rights under Directive 2019/771 as well as about the right to repair, including obligations on producers, as laid down under this Directive.

Amendment 44

Proposal for a directive Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that at least one online platform exists for their territory that allows consumers to find repairers. That platform shall:

Amendment

1. Member States shall 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***. That platform shall:

Amendment 45

**Proposal for a directive
Article 7 – paragraph 1 – point a**

Text proposed by the Commission

(a) include search functions regarding goods, location of repair services, repair conditions, including the time needed to complete the repair, the availability of temporary replacement goods and the ***place*** where the consumer hands over the goods for repair, availability and conditions of ancillary services, including removal, installation and transportation, offered by repairers, and applicable European or national quality standards;

Amendment

(a) include search functions regarding goods, location of repair services, ***including a map-based function***, repair conditions, including the time needed to complete the repair, the availability of temporary replacement goods and the ***location*** where ***or the means with which*** the consumer hands over the goods for repair, availability and conditions of ancillary services, including removal, installation and transportation, offered by repairers, and applicable European or national quality standards;

Amendment 46

**Proposal for a directive
Article 7 – paragraph 1 – point d a (new)**

Text proposed by the Commission

Amendment

(da) allow consumers to rate or comment on repairers;

Amendment 47

**Proposal for a directive
Article 7 – paragraph 1 – point f a (new)**

Text proposed by the Commission

Amendment

(fa) be user-friendly and intuitive for consumers, especially for elderly people:

Amendment 48

Proposal for a directive

Article 7 – paragraph 1 – point f b (new)

Text proposed by the Commission

Amendment

(fb) ensure that the information is easily accessible and up-to-date.

Amendment 49

Proposal for a directive

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall ensure that the online platform also includes a search function by product category to find sellers of goods subject to refurbishment and purchasers of defective goods for refurbishment.

2. Member States, shall ensure that the online platform also includes a search function by product category to find sellers of goods subject to refurbishment and purchasers of defective goods for refurbishment. ***Repairers who also sell new goods shall not promote these through the online platform.***

Amendment 50

Proposal for a directive

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. Registration on the online platform for repairers, as well as for sellers of goods subject to refurbishment and for purchasers of defective goods for refurbishment, shall

3. Registration on the online platform for repairers, as well as for sellers of goods subject to refurbishment and for purchasers of defective goods for refurbishment, shall

be voluntary. Member States shall determine the access to the platform in accordance with Union law. The use of the online platform shall be free of charge for consumers.

be voluntary. Member States shall determine the access to the platform in accordance with Union law. The use of the online platform shall be free of charge for consumers **and repairers**.

Amendment 51

Proposal for a directive Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Member States shall not be obliged to provide for a new platform where a national platform already exists that meets the conditions set out in this article.

Amendment 52

Proposal for a directive Article 7 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. Member States shall establish a machine-readable national internet portal through which members of the public can access free of charge the online platform or platforms established in accordance with paragraph 1. Member States shall ensure that the portal provides information on Union and national repair related information in a consumer-friendly manner. This information shall include an overview of consumers' legal rights concerning the repair of a product and contact details of the relevant alternative dispute resolution bodies handling consumer complaints, and, where applicable, information about financial and fiscal incentives to lower costs of repair;

Amendment 53

Proposal for a directive Article 7 – paragraph 3 c (new)

Text proposed by the Commission

Amendment

3c. Member States, local and regional authorities and the Commission shall take appropriate measures to ensure that consumers are aware of the existence and informed about the services offered by the online platform and the internet portal, including through targeted and comprehensive awareness raising campaigns including at the point of sale.

Amendment 54

Proposal for a directive Article 7 – paragraph 3 d (new)

Text proposed by the Commission

Amendment

3d. Member States shall communicate to the Commission the link of the existing online platforms and portal for repair in their territory by ... [12 months after entry into force of this Directive] and the link of every new online platform for repair within one month of their launch. The Commission shall keep a publicly available and easily accessible and machine-readable database of online platforms for repair registered within the Member States.

Amendment 55

Proposal for a directive Article 7 a (new)

Text proposed by the Commission

Amendment

Article 7a

Incentives for repair

- 1. Member States shall take appropriate measures to support affordable repair for consumers. Such measures may include, but are not limited to, fiscal and financial incentives to make repair more attractive to consumers.*
- 2. Member States shall ensure that appropriate measures are taken to help micro, small and medium sized enterprises within the meaning of Commission Recommendation 2003/362/EC to apply the requirements set out in this Directive.*
- 3. Member States shall ensure that appropriate measures are taken to support repair training in the Union to counter the skills shortage to ensure reparability services in the future.*
- 4. Member States shall report on their best practices concerning the measures taken under paragraph 1 to the Commission. The Commission shall make these publicly available.*
- 5. By [3 years after entry into force], the Commission shall review and assess the effectiveness of the measures taken by Member States in promoting repair in their territories.*

Amendment 56

Proposal for a directive Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Evaluation

By ... [4 years after the entry into force of this Directive], the Commission shall carry out an evaluation of this Directive

and in particular assess its impact, on the proper functioning of the internal market, the level of consumer protection, its impact on businesses, including micro, small and medium enterprises and the improvement of the sustainable consumption of products. The Commission shall draw up a report on the its main findings and submit it to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions. The report shall be accompanied, where appropriate, by a legislative proposal and impact assessment.

Amendment 57

Proposal for a directive Annex I – table 2 – row 4

Text proposed by the Commission

Price for repair or, if it cannot be calculated, the applicable calculation method and maximum price of repair

[This means the total amount or, if not possible, the calculation method and the ceiling for the repair service, in EUR/national currency]

Amendment

Total price for repair ***and where feasible a list of itemized cost for all costs*** or, if it cannot be calculated, the applicable calculation method, ***the estimated price***, and maximum price of repair

[This means the total amount ***and where feasible the cost for each cost (included but not limited to labour costs, costs for every spare part needed or possibly needed and delivery costs)*** or, if not possible, the calculation method, ***the estimated price***, and the ceiling for the repair service, in euros or the national currency.]

Amendment 58

Proposal for a directive Annex I – table 2 – row 8

Text proposed by the Commission

Place of repair

[The place where ***repair is carried out by the repairer***, for instance, at the residence of the consumer, the location of the repair facility or elsewhere]

Amendment

Location or means of handover for repair

[The place where or the means through which the consumer hands over the good for repair, for instance, at the residence of the consumer or the location of the repair facility, or the means of shipment of the good to the repairer]

ANNEX: LIST OF ENTITIES OR PERSONS FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the draft report:

| Entity and/or person |
|--|
| APPLiA - Home Appliance Europe |
| Back Market |
| BEUC (The European Consumer Organisation) |
| BUSINESSEUROPE |
| DIGITALEUROPE |
| EUREFAS - the European refurbishment association |
| The Right to Repair Europe |
| SMEunited |
| |
| |

PROCEDURE – COMMITTEE ASKED FOR OPINION

| | |
|---|--|
| Title | Common rules promoting the repair of goods and amending Regulation (EU) 2017/2394, Directives (EU) 2019/771 and (EU) 2020/1828 |
| References | COM(2023)0155 – C9-0117/2023 – 2023/0083(COD) |
| Committee responsible Date announced in plenary | IMCO 17.4.2023 |
| Opinion by Date announced in plenary | ENVI 17.4.2023 |
| Associated committees - date announced in plenary | 12.7.2023 |
| Rapporteur for the opinion Date appointed | Sunčana Glavak 21.6.2023 |
| Discussed in committee | 4.9.2023 |
| Date adopted | 12.10.2023 |
| Result of final vote | <div style="display: flex; justify-content: space-between;"> +: 81 </div> <div style="display: flex; justify-content: space-between;"> –: 1 </div> <div style="display: flex; justify-content: space-between;"> 0: 0 </div> |
| Members present for the final vote | Catherine Amalric, Maria Arena, Margrete Auken, Marek Paweł Balt, Traian Băsescu, Aurélie Beigneux, Alexander Bernhuber, Malin Björk, Delara Burkhardt, Pascal Canfin, Mohammed Chahim, Maria Angela Danzi, Esther de Lange, Christian Doleschal, Pietro Fococchi, Hélène Fritzon, Catherine Griset, Teuvo Hakkarainen, Martin Hojsík, Jan Huitema, Petros Kokkalis, Ewa Kopacz, Joanna Kopcińska, Peter Liese, Sylvia Limmer, César Luena, Marian-Jean Marinescu, Tilly Metz, Dolors Montserrat, Alessandra Moretti, Ville Niinistö, Ljudmila Novak, Nikos Papandreou, Jutta Paulus, Francesca Peppucci, Stanislav Polčák, Jessica Polfjård, Erik Poulsen, Frédérique Ries, Sándor Rónai, Maria Veronica Rossi, Silvia Sardone, Christine Schneider, Ivan Vilibor Sinčić, Nils Torvalds, Edina Tóth, Alexandr Vondra, Mick Wallace, Emma Wiesner, Michal Wiezik, Tiemo Wölken |
| Substitutes present for the final vote | Matteo Adinolfi, João Albuquerque, Mercedes Bresso, Milan Brglez, Catherine Chabaud, Dacian Cioloș, Christophe Clergeau, Estrella Durá Ferrandis, Jens Gieseke, Romana Jerković, Radan Kanev, Ska Keller, Norbert Lins, Sara Matthieu, Manuela Ripa, Christel Schaldemose, Susana Solís Pérez, Grzegorz Tobiszowski, Nikolaj Villumsen |
| Substitutes under Rule 209(7) present for the final vote | Rasmus Andresen, Pascal Arimont, Konstantinos Arvanitis, Alessandra Basso, Ana Collado Jiménez, Niclas Herbst, Ladislav Ilčić, Virginie Joron, Alice Kuhnke, Elżbieta Rafalska, Tineke Strik, Lucia Vuolo |

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

| 81 | + |
|-----------|---|
| ECR | Pietro Fiocchi, Teuvo Hakkarainen, Ladislav Ilčík, Joanna Kopcińska, Elżbieta Rafalska, Grzegorz Tobiszowski, Alexandr Vondra |
| ID | Matteo Adinolfi, Alessandra Basso, Aurélia Beigneux, Catherine Griset, Virginie Joron, Maria Veronica Rossi, Silvia Sardone |
| NI | Maria Angela Danzi, Ivan Vilibor Sinčić, Edina Tóth |
| PPE | Pascal Arimont, Traian Băsescu, Alexander Bernhuber, Ana Collado Jiménez, Christian Doleschal, Jens Gieseke, Niclas Herbst, Radan Kanev, Ewa Kopacz, Esther de Lange, Peter Liese, Norbert Lins, Marian-Jean Marinescu, Dolors Montserrat, Ljudmila Novak, Francesca Peppucci, Stanislav Polčák, Jessica Polfjård, Christine Schneider, Lucia Vuolo |
| Renew | Catherine Amalric, Pascal Canfin, Catherine Chabaud, Dacian Cioloș, Martin Hojsík, Jan Huitema, Erik Poulsen, Frédérique Ries, Susana Solís Pérez, Nils Torvalds, Emma Wiesner, Michal Wiezik |
| S&D | João Albuquerque, Maria Arena, Marek Paweł Balt, Mercedes Bresso, Milan Brglez, Delara Burkhardt, Mohammed Chahim, Christophe Clergeau, Estrella Durá Ferrandis, Helène Fritzon, Romana Jerković, César Luena, Alessandra Moretti, Nikos Papandreou, Sándor Rónai, Christel Schaldemose, Tiemo Wölken |
| The Left | Konstantinos Arvanitis, Malin Björk, Petros Kokkalis, Nikolaj Villumsen, Mick Wallace |
| Verts/ALE | Rasmus Andresen, Margrete Auken, Ska Keller, Alice Kuhnke, Sara Matthieu, Tilly Metz, Ville Niinistö, Jutta Paulus, Manuela Ripa, Tineke Strik |

| 1 | - |
|----|---------------|
| ID | Sylvia Limmer |

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Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

| | | | |
|---|--|-------------------|-----------|
| Title | Common rules promoting the repair of goods and amending Regulation (EU) 2017/2394, Directives (EU) 2019/771 and (EU) 2020/1828 | | |
| References | COM(2023)0155 – C9-0117/2023 – 2023/0083(COD) | | |
| Date submitted to Parliament | 23.3.2023 | | |
| Committee responsible Date announced in plenary | IMCO 17.4.2023 | | |
| Committees asked for opinions Date announced in plenary | ENVI 17.4.2023 | JURI 17.4.2023 | |
| Not delivering opinions Date of decision | JURI 26.6.2023 | | |
| Associated committees Date announced in plenary | ENVI 12.7.2023 | | |
| Rapporteurs Date appointed | René Repasi 18.4.2023 | | |
| Discussed in committee | 27.3.2023 | 18.7.2023 | 9.10.2023 |
| Date adopted | 25.10.2023 | | |
| Result of final vote | +: 38 -: 2 0: 0 | | |
| Members present for the final vote | Alex Agius Saliba, Andrus Ansip, Pablo Arias Echeverría, Laura Ballarín Cereza, Alessandra Basso, Brando Benifei, Adam Bielan, Biljana Borzan, Vlad-Marius Botoș, Anna Cavazzini, Dita Charanzová, Deirdre Clune, Maria Grapini, Svenja Hahn, Eugen Jurzyca, Arba Kokalari, Marcel Kolaja, Kateřina Konečná, Andrey Kovatchev, Maria-Manuel Leitão-Marques, Antonius Manders, Leszek Miller, Anne-Sophie Pelletier, Miroslav Radačovský, René Repasi, Christel Schaldemose, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Róza Thun und Hohenstein, Tom Vandenkendelaere, Kim Van Sparrentak, Marion Walsmann | | |
| Substitutes present for the final vote | Geoffroy Didier, Malte Gallée, Claude Gruffat, Catharina Rinzema, Dominik Tarczyński, Stéphanie Yon-Courtin | | |
| Substitutes under Rule 209(7) present for the final vote | Eric Minardi | | |
| Date tabled | 30.10.2023 | | |

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

| 38 | + |
|-----------|---|
| ECR | Adam Bielan, Dominik Tarczyński |
| ID | Alessandra Basso, Eric Minardi |
| NI | Miroslav Radačovský |
| PPE | Pablo Arias Echeverría, Deirdre Clune, Geoffroy Didier, Arba Kokalari, Andrey Kovatchev, Antonius Manders, Andreas Schwab, Tomislav Sokol, Ivan Štefanec, Tom Vandenkendelaere, Marion Walsmann |
| Renew | Andrus Ansip, Vlad-Marius Botoș, Dita Charanzová, Catharina Rinzema, Róza Thun und Hohenstein, Stéphanie Yon-Courtin |
| S&D | Alex Agius Saliba, Laura Ballarín Cereza, Brando Benifei, Biljana Borzan, Maria Grapini, Maria-Manuel Leitão-Marques, Leszek Miller, René Repasi, Christel Schaldemose |
| The Left | Kateřina Konečná, Anne-Sophie Pelletier |
| Verts/ALE | Anna Cavazzini, Malte Gallée, Claude Gruffat, Marcel Kolaja, Kim Van Sparrentak |

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| ECR | Eugen Jurzyca |
| Renew | Svenja Hahn |

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Key to symbols:

+ : in favour

- : against

0 : abstention