

08 September 2023

Department of Enterprise, Trade and
Employment

Ref.: Feedback to the Repair of Goods Directive

Dear Sir/Madam

About WEEE Ireland

WEEE Ireland is a not-for-profit Compliance Scheme limited by guarantee and owned by its members – more than 1300 producers of electrical and electronic equipment (EEE) and batteries. The Scheme has operated under Ministerial approval since 2005.

Last year, we reported 38,107 tonnes of direct Waste Electrical and Electronic Equipment (WEEE) collection, recycled and recovered through our national logistics and treatment operators and downstream specialist facilities, all certified to EN 50625 CENELEC standards.

Although WEEE Ireland is an Irish company focused on solutions for the national system, it also works in partnership with a strong network of European associations to provide pan-European compliance to its Members via WEEE Europe and PV Cycle. As a member of EUCOBAT and the WEEE Forum, the Scheme is also adding to the experience and knowledge held by these centres of excellence committed to developing best practice in the Extended Producer Responsibility (EPR) field.

In the context of this consultation, and under our new EPR (Extended Producer Responsibility) mandate, aligned with a Circular Economy vision; WEEE Ireland's Board of Directors and Management team is working on behalf of our Members to achieve a more circular and resource-efficient future, where e-waste generation is decreased through prevention, repair, reuse, and recycling.

On behalf of more than 1360 Irish industry Producers, we celebrate the DECC public consultation initiative, inviting the public and all relevant stakeholders to have their say on the proposal for a [Directive on common rules promoting the repair of goods](#) published by the EU Commission in March this year. This process will give us the chance to provide evidence and ideas on the key aspects of the consultation, that in our opinion, need to be considered by the Department when giving the corresponding feedback to the Commission.

WEEE Ireland would gladly continue participating by giving feedback in further workshops or review activities that are carried out within the Department of Enterprise, Trade and Employment's consultation process to articulate more on the points above.

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What are WEEE doing on repair?

With a view to shifting the recycling focus towards prevention, reuse, and repair, the WEEE Ireland team continued their collaborative and cooperative efforts on a range of projects to investigate and improve repair activities in Ireland.

The [2022 White Goods Repair Data Project](#), gave a better understanding and measurement of the repair initiatives, already in place by White Goods Association members and other home appliance producers

In comparison with the EU data, the report shows that in Ireland:

- The jobs created in the repair and reuse sector is 2.5% higher.
- (The items of) Products with repair requests are 2.5% higher.
- The total number of products repaired is 2.6% higher.
- The total number of repair and after sales partners is almost equivalent to the EU average.

Meanwhile with the [CESI \(Circular Economy Skills Initiative\) Project](#) funded by CIRCULÉIRE and its strategic partners, DECC, EPA and EIT Climate-KIC, a QQI-level 6 certification course was created to train repair technicians (with industry placement). This project has developed into a successful programme with the recruitment of the third intake of trainees underway in August 2023. A second pilot project is now underway to review the potential for replicating this innovative programme for the consumer electronics sector, and WEEE Ireland is actively involved in this development.

WEEE Ireland also engages, supports financially and actively promotes the online directory [Repair My Stuff](#). This non-governmental network represents social enterprises that focus on reuse, repair, and recycling, promoting a specific strategy that enhances cooperation between participants in the value chain.



DECC Consultation on the EU proposal for a Directive on Common rules promoting the Repair of Goods

On 22 March 2023, the EU Commission published a proposal for a [Directive on common rules promoting the repair of goods](#) (hereinafter “the Proposal”). This aims to encourage producers to develop more sustainable business models by ensuring their products are repairable. The key elements of the proposal are:

- Producers will be required to provide repair services outside of legal guarantee.
- Consumers will be informed about producers’ repair obligations, and
- To develop an online national repair platform.
- To introduce a quality standard for repair services.

The 18 Articles of the Proposal are designed to encourage consumers to repair rather than replace goods by making it easier and more cost-effective to do so as well as reducing the burden on the environment.

Obligation to repair.

In terms of the recitals 11, 12, 14, and 19, along with Articles 5 and 12 of the Proposal, the producer will be obliged to repair (for free or against a price) where possible, and where the costs are equal or less to the replacement. In other words, within the legal guarantee, repair will become the preferred remedy in case of a non-conforming product. This new rule will be included in the EU Directive 2019/771 (Sales of Goods Directive).

Nonetheless, it should also be encouraged, that when the repair is not possible (or more expensive than the replacement), manufacturers and sellers should have the flexibility to replace defective products with refurbished ones, before replacing them with a new one.

The Digital Europe position articulates this point- *“(a)llowing replacement with refurbished products is key to achieving a viable circular economy. This solution allows for defective products to be collected, transported and repaired at the same time, ensuring greater efficiency. It also minimises disruption for consumers as they can have a quick solution rather than waiting for their product to be shipped to a repairer, repaired and returned individually”*.¹

The definition of “replacement” should be reviewed for inclusion it in the Proposal (replacement with refurbished rather than new), to allow for this possibility, as the definition of refurbishment is already included in both the Proposal of Repair of Goods and the [Proposal for a Regulation](#)

¹ [Right-to-Repair-Directive-a-welcome-framework-to-boost-repair.pdf \(digitaleurope.org\)](#) p. 3



[establishing a framework for setting ecodesign requirements for sustainable products](#) (ESPR proposal).²

Cost of Repair

In practice, the costs of product repair are often higher than replacement costs, this is cited due to the cost of spare parts, problem that –in a way- is being addressed by the ESPR Proposal, which sets the framework for product reparability at the production phase, in particular, on product design requirements and the availability of spare parts.³

Labour costs and lack of suitably qualified staff/technicians are the significant issues our Members in Ireland are highlighting that need to be addressed, to make reparability easier and more available to the public.

In fact, as per the feedback provided to the Department of Environment, Climate and Communications on 10 August 2023, WEEE Ireland Members representing a significant proportion - 25% and 19% - of our WEEE and Battery market share, respectively, identified the lack of suitably qualified and interested staff/technicians as one of the main obstacles that they are facing for repairing items.

Also, a study performed by Lund University emphasised the availability of repair services is not sufficient, due to a lack in number of qualified repairers, contributing to an increase in the prices for repairing and the time customers need to spend to have their products repaired.⁴

Likewise, in the [2022 White Goods Repair Data Project](#), it was identified that for Cooling and Freezing items and Household Appliances, **labour costs** tended to be the largest contributors to the total cost of repair, followed by spare parts costs and transport costs.

“There is a need for attractive education and raised interest among young and unemployed people regarding jobs in the repair sector. It should also be easier for repair companies to recruit and educate trainees, which today is hindered by lack of time and resources”⁵

Therefore, action to tackle the lack of expertise and training in the EU repair community needs to be addressed to ensure high-quality repair using genuine parts, tools, and training. The raising of

² Art. 2 (18)

³ Article 5 of the ESPR Proposal.

⁴ [Promoting the repair sector in Sweden 2020 IIIIEE.pdf \(lu.se\)](#) p.19

⁵ Ibid.



standards through recognised qualifications could improve repair activities and provide assurance that health, safety, and quality are maintained throughout a product's extended lifespan.

A circular economy innovation fund from the CIRCULÉIRE platform was used to support the kick-off and setup of the CESI trainee programme in Ireland, with significant financial support and contributions-in-kind then input by the project partners. The new CESI pilot on Consumer Goods is being supported initially by the Minister's CEIG fund and the partners will deliver similar contributions. Access to similar initial funding opportunities aligned with public and private partnerships as delivered by CIRCULÉIRE, WEEE Ireland, FIT training agency and the White Goods Association is a model that should be reviewed and replicated to deliver similar results across other EEE streams and sectors. As a founding Member, we look forward to the continued development of the CIRCULÉIRE initiative which has mentored and enabled much of WEEE Ireland's Circular Economy workflows since 2020.

Also, addressing the training, skills, and employment issue for repair in Ireland, will help the market-driven approach principle to the price of repairs outside the legal guarantee considered in the Proposal,⁶ making more repairers available to consumers and with that, more quality options to the consumer of where to get their items repaired.

Online information sites.

As per Article 7 of the Proposal, MS are required to "at least" have one online platform on their territory that allows consumers to find repairers, which opens the possibility of having many platforms per country, which might bring an extra administrative burden to companies and bring fragmentation of the information available to consumers.⁷

In Ireland, WEEE Ireland already partners with [www. RepairMyStuff.ie](http://www.RepairMyStuff.ie) to promote information on repair services in their locality to the public. Working again with the White Goods Association the Scheme developed an 'Authorised Repair' listing which denoted those repair agents actively engaged by the brands in Ireland. The RepairMy platform aims to make it easier for the consumer to avail of the many great repair services in their locality and throughout the country.

Therefore, WEEE Ireland considers the importance of promoting and developing the existing online platform, rather than creating new ones or additional ones.

⁶ As per the recital, the market driven approach is intended with the implementation of the EU Repair Information Form established in Article 2 of the Proposal.

⁷ ['Right to Repair' Directive: a welcome framework to boost repair - DIGITALEUROPE](#)

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Repairability Requirements | Products addressed by the Proposal.

The product groups addressed by the Proposal are (household) electronic products (consumer goods in general) that are technically repairable, according to the European Commission in its Impact Assessment Report,⁸ and that are detailed in Annex II as follows:

- Domestic washing machines and washer-dryers;
- Household dishwashers;
- Refrigerating appliances with a direct sales function;
- Refrigerating appliances;
- Electronic displays;
- Welding equipment;
- Vacuum cleaners;
- Servers and data storage products;
- Mobile phones, cordless phones, and tablets.

Concerning the above, we consider that with the new Battery Regulation, batteries where the end user is a consumer, could be included in the list. As per Recital 18 of the Battery Regulation cited as follows, such kinds of batteries are covered by the Sales of Good Directive (which will include the rule of repair as the first remedy), and therefore, their relevance within Annex II of the Proposal should be considered:

“Where the end-user is a consumer, and the battery has been subject to preparation for re-use, preparation for repurposing, repurposing or remanufacturing, that battery should be covered by a sales contract that complies with Directive (EU) 2019/771 of the European Parliament and of the Council (5). In particular, the requirements of that Directive cover conformity of the product, liability of the seller, including the option of a shorter liability or limitation period, burden of proof, remedies for lack of conformity, repair or replacement of the goods, and commercial guarantees”

Repair Quality Standard

As per the recitals along with Article 7(1) of the Proposal, an EU easy-repair standard (European Standard for Repair Services) will be developed by the EU Commission, to build consumer confidence in high-quality repairs by repairers, achieving safety and reliability objectives.

WEEE Ireland celebrates the idea of having an EU quality standard for repair services, nonetheless, the standard should be mandatory and legally binding. By making it voluntarily, it could open the possibility to undertake repairs without the corresponding quality and safety standards, and therefore, the consumer safety could be compromised.

⁸ [SWD_2023_59_1_EN_impact_assessment_part1_v5.pdf\(europa.eu\)](#)

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“If a product is not properly repaired, consumer safety could be compromised. If a consumer has repaired a product, the liability for the safety of the product is not with the manufacturer”⁹

Should you have any queries, please let us know.

Kind regards

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⁹ EU Commission, JRC Technical Report on the Analysis and Development of a Scoring System for Repair and upgrade of products, 2019, p. 132; available at [Analysis and development of a scoring system for repair and upgrade of products - Publications Office of the EU \(europa.eu\)](#),

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