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Re: EU directive on common rules promoting the repair of goods

Dear Sir/Madam,

The Environmental Protection Agency (EPA) welcomes the opportunity to make a submission on the proposed EU directive on common rules promoting the repair of goods (hereafter 'the Directive').

The submission is comprised of this cover letter and is compiled on the basis of the EPA's statutory work programme in this area.

Responsibilities of the EPA

The Environmental Protection Agency (EPA) is responsible for protecting and improving the environment as a valuable asset for the people of Ireland. Our purpose is to protect, improve and restore our environment through regulation, scientific knowledge and through working with others. Responsibilities of the EPA include, but are not limited to:

- Authorisation of specified activities including large industrial and waste activities (e.g. landfills, incinerators, waste transfer stations, biological treatment facilities).
- Enforcement of EPA authorised activities. Prosecuting or assisting in the prosecution of significant breaches of environmental protection legislation.
- Issuing Certificates of Registration for local authority waste activities and Certificates of Authorisation for Historic Landfills.
- Assessing and making decisions on by-product notifications and end of waste applications.

- Conducting an annual programme of audits and inspections of EPA licensed facilities.
- Supervising the environmental protection activities of local authorities by auditing their performance, provision of guidance and working through NIECE (Network for Ireland's Environmental Compliance and Enforcement).
- Working with local authorities and other agencies to tackle environmental crime.
- Delivery of the Circular Economy Programme which incorporates implementation of the National Waste Prevention Programme.
- Reporting national waste statistics and implementing national waste characterisation programmes.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.
- Generating targeted information, advice and guidance to assist compliance and enable behavioural change to support transition to a resource efficient circular economy.

The EPA's Circular Economy Programme 2021 – 2027

The Circular Economy Programme aims drive Ireland's move to a circular economy where businesses, citizens and the public sector reduce resource use, prevent waste and achieve sustainable economic growth.

The Circular Economy Programme has supported the reuse and repair sector for many years and will continue to deliver activities over the lifetime of the programme. Our work in the sector includes:

- Partnering with national organisations with a focus on growing reuse and repair (this has included partnerships with the Rediscovery Centre, Community Resources Network Ireland, CIRCULÉIRE and Monaghan County Council on www.repairmystuff.ie)
- Behavioural insight surveys providing evidence to inform policy, to inform behavioural change interventions and inform awareness campaigns. We recently completed a nationally representative behavioural insight survey on repair with the results due to be published this month.
- Research on reuse and repair in Ireland. The programme aims to complete studies on repair enterprises and repair skills in 2023 as part of the programme's Circular Insights series.
- Statutory data reporting including the programme reporting on the extent of reuse in Ireland for the first time in June 2023.¹
- Publishing guidance to support enterprises, this includes technical guidance on reuse and preparing for reuse due for publication by the end of 2023.

¹Based on the requirements of Commission Implementing Decision (EU) 2021/19).

- Regulatory functions including acting as the competent authority for Regulation 27 (by-product) and Regulation 28 (end of waste) which support the reuse of materials and the recycling of waste materials into new products.
- Providing funding supports for reuse and repair projects through the Local Authority Circular Economy Fund and Green Enterprise.

The Circular Economy Programme is also engaging with key public, private and NGO stakeholders with the aim of establishing a national reuse and repair partnership. This new national partnership will *...promote a national reuse and repair culture and work to overcome barriers to the take-up of pre-owned/refurbished goods and product repair*. It will play a role in bringing together relevant bodies to embed and scale reuse and repair activity in Ireland through agreed targeted actions and timeframes. These actions will focus on collecting data, developing systems to enable future monitoring and reporting of reuse and repair, developing skills and employment in the sector and overcoming barriers to scaling reuse and repair.

General comments

Ireland has not yet succeeded in breaking the link between economic growth, consumption levels and waste generation and is missing valuable opportunities to maximise the beneficial and efficient use of waste materials. Our circularity and recycling rates are both below the average across EU Member States. Successfully transposing and implementing the proposed Directive will be part of the co-ordinated delivery of measures needed to move Ireland from a linear to a circular economy.

The EPA welcomes the increased focus on longer lasting products that can be repaired, recycled and re-used under the EU Green Deal including Sustainable Products and the Right to Repair. The transition to a circular economy requires an agreed purpose from stakeholders across product and service supply chains. The EPA is supportive of the proposed Directive.

Key messages

1. **Developing the existing national online platform for repair** (Policy option #2, Article 6& 7, Recital 18)

Ireland has the advantage of having an existing national online platform for repair (RepairMyStuff.ie). The website was developed as an initiative by Monaghan County Council, also funded through the EPA, and was launched in 2018. The platform acts as a directory linking consumers to local repairers. At the end of 2022 there were 1,213 repairers registered on the site, with 106,400 users in that year. The overall number of repairers in the State is as yet unknown, but

there is a need to boost numbers registered in some counties where there is currently a low level of registration. The EPA has highlighted the importance of adequately resourcing the facility. A substantial commitment would be needed to deliver the ambition of the Directive including its maintenance, functional development, promotion, and growth. The EPA has recently contracted research on establishing baseline information on repair enterprises as part of our Circular Insights series² (expected completion Dec 2023). Additionally, the EPA's first nationally representative behavioural insights survey on repair is due to be published this month. The survey, carried out in 2022, reports an 11% awareness within the population, of the RepairMyStuff.ie website. It identifies that the majority (75%) of those who searched for a business on the website got their item repaired. These results indicate that the availability of online platforms would be successful in bringing about the required behavioural change.

The ECOS³ (2019) report identifies

...that the demand for long lasting, repairable and reusable products, could be triggered through public procurement or by making all repair actor and end-user spare parts available during a product's lifetime, providing technical documentation on all products, and limiting repair costs through reduced levels of taxation or fiscal incentives.

In negotiating and transposing the Directive, the EPA recommends that RepairMyStuff.ie is identified as the national facility for matching repairers with customers and meeting the ambition of the Directive. As well as identifying the hosting authority, such as the Local Authority sector, transposition should ensure that participation in the directory by repairers and by customers is incentivised through, for example, lower vat rates for repair activities.

2. Monitoring and reporting on the changes in repair activity (Article17)

In addition to reporting to the Commission on transposing of the Directive, national policy requires the achievement of a national target for repair activity and reporting against this target. The need for a target is identified in the government's Waste Action Plan for a Circular Economy: Ireland's National Waste Policy 2020 – 2025. The commitment is to work with Regional Waste Management Planning Offices and the City and County Management Association to produce a National Waste Management Plan for a Circular Economy that contains targets for reuse, repair, resource consumption and reducing contamination levels.⁴ The EPA considers that the newly formed National Reuse and Repair Partnership will be the vehicle to determine reuse and repair targets.

² [EPA Circular Insights series.](#)

³ [ECOS \(2019\) For better not worse: applying ecodesign principles to plastics in the circular economy](#)

⁴ [Waste Action Plan for a Circular Economy: Ireland's National Waste Policy 2020 – 2025.](#) At page 11.

This is identified in the EPA's response to the NWMO consultation on the draft National Waste Management Plan for a Circular Economy. The requirement for a target and reporting is made explicit for reuse which the EPA reported on in June of this year⁵. For repair, the additional challenge in quantifying repair activity needs to be met. Nonetheless the European Environment Agency identifies that:

*...shifting the focus of waste management directives from material recovery to waste prevention or other end-of life options can have a significant impact on repair services. This can be supported by definition of repair and reuse targets, similar to waste collection and recovery targets, in the waste management legislation.*⁶

As identified in the section above, the EPA has recently contracted research on establishing baseline information on repair enterprises as part of our Circular Insights series which will assist in the process of establishing baseline information for the sector.

In negotiating and transposing the Directive, the EPA recommends that provision is made for the establishment of a target(s) and indicators including the use of market-based assessments and metrics, that allow reporting on repair to take place. Additionally, the EPA recommends that repair targets/metrics are identified by product types for reporting to reflect the diverse activities in the sector.

3. Enforcement (Article 8)

To ensure implementation of the Directive, a lead authority in overseeing compliance is required in addition to a specified role in targeted and co-ordinated awareness and education campaigns focused on improving access to repair. The repair sector handles products rather than waste, as such relevant authorities responsible for product compliance and consumer protections need to be considered and an appropriate lead authority identified. The use of existing enterprise networks (such as Local Enterprise Offices) and partnerships (such as the National Reuse and Repair Partnership) also have a role in driving related activities.

In negotiating and transposing the Directive, the EPA recommends that the regulatory regime should include identifying a lead authority (or authorities), with a remit in product compliance and consumer protections, and specify their role in overseeing awareness and compliance activity relating to access to repair.

⁵ Based on the requirements of Commission Implementing Decision (EU) 2021/19).

⁶ [EEA \(2022\) An overview of Europe's repair sector ETC CE Report 2022/6](#)

4. Standards (Policy option #1 & #6, Article 7)

The EPA's 2022 behavioural insights survey on repair (due to be published in September 2023) highlights that general quality and cost benefits are a key motivation to repair, with 68% referencing the 'cost of repair being less than buying new' as encouraging them to repair a product. Most people indicate that 'warranties' and 'expected lifespan' are key purchasing motivations for products such as large electronic appliances.

The use of mandatory quality standards or quality assurance schemes, rather than voluntary standards or approaches, provide better clarity for customers and support enterprises and industry. Quality standards may apply to repairers as 'authorised service repairers' for product types or for different aspects of repair. This may be achieved through the use of registration systems. Similar to the proposed EU eco-design regulation⁷ a phased approach to specific sectors/materials could be adopted.

In negotiating and transposing the Directive, the EPA recommends that clarity for customers, sellers and producers is provided through mandatory standards or quality assurance schemes which encompass standardised warranties and labelling including information on the durability and expected life span of products.

Finally, the EPA's first nationally representative behavioural insights survey on repair is due to be published this month. Before the year end, research on repair enterprises and on repair skills will also be available as part of our Circular Insights series. Both of these will provide valuable insight on the repair sector in Ireland and will inform the work of the National Reuse and Repair Partnership.

If you require any further details of this work, or clarification on any of the matters raised in this submission, please do not hesitate to contact us.

Yours sincerely,



Warren Phelan, Programme Manager

Circular Economy Programme

⁷ Proposal for a [Regulation of the European Parliament and of the Council establishing a framework for setting ecodesign requirements for sustainable products](#) and repealing Directive 2009/125/EC.