

Legislative
Assembly
of Ontario



Assemblée
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68 ELIZABETH II, 2019

Bill 72

An Act to amend the Consumer Protection Act, 2002 respecting the repair of electronic products

Mr. M. Coteau

Private Member's Bill

1st Reading February 21, 2019

2nd Reading

3rd Reading

Royal Assent



EXPLANATORY NOTE

The Bill is about the repair of electronic products.

The Bill requires a company to give a consumer or repair shop what they need to repair the electronic products themselves. The company can charge for this, but within limits.

**An Act to amend the Consumer Protection Act, 2002
respecting the repair of electronic products**

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1 The *Consumer Protection Act, 2002* is amended by adding the following Part:

**PART V.1
RIGHT TO REPAIR ELECTRONIC PRODUCTS**

Definitions

54.1 In this Part,

“brand holder” means a business that electronic products are branded as being products of; (“titulaire de marque”)

“branded electronic products”, in relation to a brand holder, means electronic products branded as being products of that brand holder; (“produits électroniques de marque”)

“consumer electronics repair business” means a person that engages in the business of diagnosing, maintaining or repairing electronic products used by consumers; (“entreprise de réparation de produits électroniques grand public”)

“electronic products” means tangible goods that work at least in part because of electronics that are part of them or attached to them. (“produits électroniques”)

Right to repair

54.2 (1) At the request of a consumer or consumer electronics repair business, a brand holder shall provide them with the most recent version of the documents, replacement parts, software and other tools that the brand holder uses for, or provides to others for,

- (a) diagnosing, maintaining or repairing the brand holder’s branded electronic products; or
- (b) resetting an electronic security function of the brand holder’s branded electronic products if the function is disabled during diagnosis, maintenance or repair.

Documents for free

(2) The brand holder must provide the documents for free, unless the consumer or business demands paper copies.

Printed documents at cost

(3) If the consumer or business demands paper copies, the brand holder may charge them a fee, but the fee must not exceed a reasonable estimate of the costs of providing paper copies.

Parts, software, tools at fair price

(4) The brand holder may charge the consumer or business a fee for providing the replacement parts, software and other tools, but,

- (a) without any price discrimination between the consumer or business and any other person; and
- (b) at a net profit percentage that does not exceed a reasonable estimate of the net profit percentage that the brand holder earns for diagnostic, maintenance or repair services, if the brand holder sells those services.

Commencement

2 This Act comes into force one year after the day it receives Royal Assent.

Short title

3 The short title of this Act is the *Consumer Protection Amendment Act (Right to Repair Electronic Products), 2019*.