



Media Statement

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GUIDELINES PROMOTE GREATER CONSUMER CHOICE IN PRODUCT REPAIR, SERVICE AND MAINTENANCE

The Competition Commission (Commission) has gazetted the final Guidelines on Repair, Service and Maintenance Aftermarkets to promote greater consumer choice, fair competition and access to more affordable, quality repair services. The Guidelines cover the repair service and maintenance of commonly purchased products such as mobile phones, tablets, gaming consoles and other electronics; audiovisual equipment, including televisions; household appliances, such as washing machines and tumble dryers; medical equipment and devices; and back-up water and electricity systems.

These Guidelines support fair competition between authorised and independent service providers. The Guidelines also promote greater choice for consumers about where and how their products are repaired or serviced and seek to protect customers against anti-competitive business practices. The Guidelines further identify business practices that could limit repair options, raise costs or prevent independent repairers from competing in the repair, service, and maintenance aftermarkets. The Guidelines were published under section 79 of the Competition Act No. 89 of 1998, as amended (the Act), following public consultation with businesses and other participants across several sectors.

For manufacturers and repair businesses, the Guidelines provide clearer guidance on practices that may harm competition, and when a restriction may be justified, or may unfairly reduce consumers' choices. Potentially harmful practices include blocking access to spare parts or repair information, preventing independent repairers from entering or growing in the market, or pressuring consumers not to use an independent repairer.

The Guidelines do not create obligations beyond those already contained in the Act. The Commission encourages Original Equipment Manufacturers (OEMs) and related businesses to review the Guidelines and ensure that their after-sales repair, service and maintenance practices of its products after they are first purchased do not limit competition or harm consumers.

Fair competition among independent repair, service and maintenance providers can give consumers a wider choice of providers, better service and more affordable repairs, while helping them keep products working for longer. It can also support the growth of small repair businesses, expand the market for refurbished products, encourage new repair solutions and ultimately lead to greater participation in the economy. The Commission encourages service providers to alert it when OEMs engage in anti-competitive, conduct, frustrate their ability to provide services, or engage in the types of conduct outlined in the Guidelines.

The Guidelines apply to the parts, services and information needed to repair, service or maintain products and their components. Consumer choice can be limited when switching to another product or brand is too costly, or when only the manufacturer can provide the parts, information or diagnostic tools needed for repair. This can leave consumers with fewer repair options and make it more difficult for independent repairers to offer reliable and competitive services. In most cases, the Guidelines apply when a consumer must pay for repairs because it is not covered by a statutory, implied or express warranty. They may also apply during a warranty period when that particular repair is not covered. Motor vehicles are excluded because they are already covered by the Commission's Guidelines for Competition in the South African Automotive Aftermarket.

Moving forward, the Commission will assess every complaint related to the product repair, service, and maintenance aftermarkets based on its own facts and evidence. It will consider whether a restriction may break sections 5, 8 or 9 of the Act, and whether it has valid justification, including consumer safety, improved technology or efficiency, the protection of intellectual property, or compliance with other laws. The practices mentioned in the Guidelines are examples only. The Commission may investigate other conduct and take action where necessary.

The Guidelines are available on the Commission's website at <https://www.compcom.co.za/final-repair-service-maintenance-guidelines/>

[ENDS] Issued by:

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