

Right to Repair Review Team
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To whom it may concern

Re: Treasury Review – Right to Repair Framework Extension to Agricultural Machinery

Primary Producers SA (PPSA) welcomes the opportunity to provide feedback on the Commonwealth Treasury's review of the Right to Repair framework and the proposal to extend the Motor Vehicle Service and Repair Information Sharing Scheme to agricultural machinery.

PPSA is the peak industry body representing the interests of South Australian primary producers and is the state's member of the National Farmers' Federation (NFF). Our membership comprises South Australia's peak commodity organisations, including Grain Producers SA, Livestock SA, the SA Dairyfarmers' Association, the SA Forest Products Association, the Horticulture Coalition of SA, and the Wine Grape Council of SA.

PPSA strongly supports extending the Right to Repair framework to agricultural machinery and believes reforms should provide practical, affordable and timely access to repair information, diagnostic tools, software and replacement parts.

Agriculture is increasingly dependent on sophisticated machinery incorporating proprietary software, electronic control systems, telematics and digital diagnostics. While these technologies have improved productivity, they have also increased producers' dependence on manufacturers and authorised dealer networks for servicing, repairs and software access.

For South Australian producers, particularly those operating in regional and remote areas, timely access to repairs is not merely a convenience—it is essential to maintaining business viability. Machinery failures during seeding, spraying or harvest can result in substantial production losses and significant economic impacts for individual businesses and regional communities.

As outlined in our attached submission, PPSA strongly supports extending Australia's Right to Repair framework to agricultural machinery and has taken careful consideration of the matters canvassed in the discussion paper to support industry co-design of this proposed framework.

Farm businesses depend on reliable access to repair services to maintain productivity, manage risk and remain internationally competitive. Current repair restrictions impose unnecessary costs, reduce competition and create avoidable operational risks for producers.

OUR INDUSTRY MEMBERS

We believe that Treasury should implement a comprehensive agricultural machinery Right to Repair framework that ensures producers and independent repairers have fair access to the information, tools, software and parts required to undertake timely repairs while maintaining appropriate safeguards for safety, cybersecurity and intellectual property.

PPSA's Key Recommendations:

- 1. Extend the existing Right to Repair framework to agricultural machinery and equipment used in primary production.**
- 2. Require manufacturers to provide independent repairers, producers and authorised training organisations with access to repair information, diagnostic software, firmware updates and technical manuals on fair and reasonable commercial terms.**
- 3. Ensure producers are not denied warranty protections solely because repairs have been undertaken by the owner or an independent repair provider.**
- 4. Require manufacturers to provide access to replacement parts and specialised tools necessary to undertake repairs.**
- 5. Establish clear compliance, enforcement and dispute resolution mechanisms.**
- 6. Ensure future reforms account for increasing digitalisation, software controls and remote-access technologies in agricultural machinery.**

PPSA welcomes the opportunity to participate in ongoing consultation regarding the design and implementation of the framework. Should you require any further information, please do not hesitate to contact admin@ppsa.org.au

Thank you for your consideration of our submission.

Yours sincerely



Caroline Rhodes
Chief Executive Officer

Copy: Hon Clare Scriven MLC, Minister for Primary Industries and Regional Development
Prof Mehdi Doroudi, Chief Executive, Dept of Primary Industries and Regions SA

PRIMARY PRODUCERS SA

Submission in response to the Treasury Review:

Right to Repair Framework Extension to Agricultural Machinery

OUR INDUSTRY MEMBERS



PPSA at a glance

Primary Producers SA (PPSA) is the peak industry body representing the interests of South Australian primary producers.

PPSA also serves as the South Australian member of the National Farmers Federation (NFF). This ensures PPSA is directly engaged in all NFF activities including implementation of the Roadmap for Australian Agriculture to exceed \$100 billion in farm gate value by 2030.

PPSA has the capacity to provide strong representation and advocacy on behalf of the South Australian primary production sector through our membership base.

Our members are the peak commodity organisations of South Australia. Current members include Grain Producers SA, Livestock SA, SA Dairyfarmers' Association, SA Forest Products Association, Horticulture Coalition of SA, and the Wine Grape Council of SA. Each organisation is represented by a councillor on the PPSA Policy Council, to provide direction and oversee the operations of PPSA.

Our purpose

As the united voice of South Australia's primary production sector, our purpose is:

- To **advocate the interests and concerns of Primary Producers** to both State and Federal governments and community using evidence-based reasoning.
- To **present one voice** to government, both State and Federal, and the wider community on Cross-Commodity issues affecting Primary Producers in South Australia.
- To **promote Primary Production in South Australia** and ensure that the contributions and achievements of South Australian Primary Producers are recognised; and
- To **assist stakeholders and suppliers to Primary Production** where such assistance will benefit Primary Producers.

What we do

PPSA develops the South Australian primary production sector through:

- 1. Engagement.** PPSA partners with government and industry to develop policies and programs that promote the social, economic, and environmental sustainability of South Australian primary production.
- 2. Leadership.** PPSA acts as the conduit to the South Australian primary production sector and presents a united voice on behalf of its membership in advocacy and representative activities.
- 3. Communication.** PPSA influences policy makers by promoting the contribution we make to the South Australian economy and engaging positively with government and the broader community.

Introduction

Primary Producers SA (PPSA) welcomes the opportunity to provide feedback on the Commonwealth Treasury's review of the Right to Repair framework and the proposal to extend the Motor Vehicle Service and Repair Information Sharing Scheme to agricultural machinery.

For many primary producers, undertaking their own repairs and maintenance can provide a cost-effective option, particularly for routine servicing on older machinery with largely mechanical systems. However, as agricultural machinery and vehicles become increasingly sophisticated and reliant on electronic systems, effective diagnosis and repair often require specialised tools, software, subscriptions, cables, and training. In these circumstances, purchasing and maintaining the necessary equipment may not represent value for money for all primary producers.

During the warranty period, repair costs may be minimal or fully covered by the manufacturer. Authorised dealers may be tied to fixed warranty repair regimes, for standards, training, tooling and recoverable job costs. However, many primary producers experience significant downtime while waiting for authorised dealers to undertake repairs, particularly during critical farming periods. These delays can have substantial productivity impacts and may lead producers to question the practical value of warranty coverage when access to timely repairs is limited. Using an independent, non-authorised repairer who has the requisite standards, training, tooling particularly for lower cost items, such as a \$1000 chainsaw, generally can offer cost savings, faster turnaround times, and more flexible part options.

Primary producers should be able to retain the right to repair and maintain equipment they own, including the ability to choose whether repairs are undertaken by themselves, an independent repairer, or an authorised dealer. Local non-dealer shops also often provide highly personalized customer service and are more willing to work on older or obsolete equipment that authorized dealers might refuse.

Purchasing vehicles, machinery or equipment should not result in producers being effectively locked out of repair options through restricted access to diagnostic software or repair information. Importantly, primary producers are best placed to determine what represents value for money for their individual circumstances. Some may conclude that the additional cost of authorised dealer repairs is justified where it reduces downtime, improves timeliness, and supports farm productivity.

Others may prefer to undertake repairs themselves or engage independent repairers to avoid service delays and reduce costs. A competitive repair market, supported by access to repair information and diagnostic tools, enables producers to make these decisions based on their operational needs rather than restrictions imposed by manufacturers. Providing genuine repair choice can also reduce the need for producers to invest in specialised on-farm repair equipment and facilities while ensuring they have access to timely and affordable repair services when required.

PPSA Response to Discussion Paper

PPSA provides the following responses to the matters currently before Treasury for review:

Proposal 1

Require data providers to supply scheme information in relation to agricultural machinery which includes agricultural vehicles manufactured after a prescribed date, with their own automotive power and which are built to perform agricultural tasks, and agricultural implements which attach to a vehicle manufactured after a prescribed date, without their own power and that are built to perform agricultural tasks.

Consultation Questions

1. **What are your views on the proposed scope of agricultural machinery? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.**

PPSA recommends extending the existing Right to Repair framework to agricultural vehicle, machinery, equipment or associated systems used in agricultural tasks during primary production.

2. **Are there types or classes of equipment which are used in an agricultural context that Treasury should consider when designing the expansion of the scheme?**

The Motor Vehicle Service and Repair Information Sharing Scheme (MVIS) applies to passenger vehicles and light goods vehicles, other than omnibuses, manufactured on or after 1 January 2002. To operate on roads, these vehicles must be registered in the state or territory that its owner resides. Registration is a way of ensuring that vehicles are identifiable, insured, accountable, and subject to safety regulation. From the registration it is reasonably straightforward to identify vehicle manufacturers subject to MVIS. Agricultural vehicles and machinery combinations need only be registered under conditional or seasonal registration to be used on a public road. Many agricultural vehicles and machines or equipment never accesses public roads or need to be identifiable, insured or accountable to the vehicle registrar.

To capture which agricultural vehicles, machinery or equipment should be included in an Agricultural Machinery Service and Repair Information Sharing Scheme (AVMIS), **PPSA recommends Treasury consider definitions contained within Heavy Vehicle National Law (HVNL)**, as follows:

agricultural implement means a vehicle without its own automotive power, built to perform agricultural tasks, and includes an agricultural trailer.

Examples—

- auger
- conveyor
- field bin
- harvester front
- irrigating equipment or machinery

agricultural machine means a vehicle with its own automotive power, built to perform agricultural tasks.

Examples—

harvester, tractor

agricultural task means a task carried out in agriculture.

Examples of an agricultural task—

- cultivating land
- growing and harvesting crops
- rearing livestock

agricultural trailer means a trailer that is designed to carry a load and used exclusively to perform agricultural tasks but does not include a semitrailer.

agricultural vehicle means an agricultural implement or agricultural machine.

Using this approach, manufacturers and authorised dealers are responsible for ensuring that products sold, or intended for sale, to primary producers in Australia are captured by AVMIS where the intended use falls within the scheme's scope. This would provide the Australian Competition and Consumer Commission (ACCC), as the regulator responsible for administering and enforcing AVMIS, with a clear and readily applicable framework for assessing compliance.

In the Future

PPSA anticipates future agriculture that embraces a combination of automation, artificial intelligence (AI), robotics, and data-driven decision making, to create even more productive farms whilst using fewer resources. **Future AVMIS should have scope to capture AI or digital technology innovations introduced into primary production.** Increasingly, primary producers and equipment operators are using AI engines, such as ChatGPT, to diagnose equipment problems. How will the scheme respond to innovation and development in AI engines. The framework must be sufficiently flexible to address future developments. The definitions must be sufficiently flexible to address future developments, including:

- Autonomous machinery
- Artificial intelligence-enabled systems
- Remote software updates
- Subscription-based machinery functionality
- Data access and interoperability requirements

3. What would be the appropriate date for agricultural machinery to be manufactured on or after for inclusion in the scheme?

PPSA recommends aligning the appropriate date for inclusion in the scheme with the existing Motor Vehicle Service and Repair Information Scheme for motor vehicles and light goods vehicles that are manufactured on or after 1 January 2002.

PPSA supports the rationale adopted during consultation on the Motor Vehicle Service and Repair Information Scheme, which recognised that the widespread introduction of computerised onboard diagnostic systems, electronic fuel injection and other digital technologies represented a significant industry transition point. Applying a similar commencement date would minimise the regulatory burden on manufacturers while ensuring the scheme captures most agricultural machinery, equipment and technologies that incorporate computerised systems and diagnostic capabilities. This approach would provide broad coverage of equipment currently used in agricultural operations while maintaining a practical and proportionate regulatory framework.

4. Are there risks to including information relating to the ADS of agricultural machinery in the scheme? If so, what are these risks and how might they be mitigated?

PPSA recommends the scheme include information relating to an automated driving system (ADS).

Notwithstanding the need for broader access, repair information and associated diagnostic systems should be utilised by individuals and businesses that possess the requisite technical competence, training, and specialised tools necessary to accurately diagnose faults and undertake corrective

repairs in a safe and effective manner. With respect to ADS appropriate safeguards can be implemented through licensing arrangements, user accreditation requirements, and penalties for misuse. These measures can protect legitimate manufacturer interests while ensuring that lawful and safe repair activities are not unnecessarily restricted.

5. Should there be an upper or lower purchase price limit applied to the range of agricultural machinery to which the scheme should apply?

PPSA recommends that there is no upper or lower purchase price limit applied to the range of agricultural machinery to which the scheme should apply.

Many agricultural tasks rely on integrated systems comprising vehicles, machinery, equipment and digital technologies to achieve efficient and effective outcomes. For example, satellite-connected solar water pumps are increasingly used across regional and remote properties to automate water management for livestock and irrigation. These systems reduce reliance on diesel-powered pumps and eliminate the need for frequent manual inspections. Through satellite connectivity, they can transmit real-time information on water flow, tank levels and system faults to smartphones or base stations, enabling remote monitoring and management.

The cost of a satellite-connected solar pumping system can vary significantly depending on its configuration. While the standard pumping equipment may cost between \$2,500 and \$10,000, satellite connectivity and telemetry components can add a further \$1,000 to \$3,000 in upfront costs, in addition to ongoing data subscription fees.

Access to repair information, diagnostic tools and replacement parts would help reduce repair costs and equipment downtime by enabling timely maintenance and repairs, particularly in regional and remote areas where authorised dealers or service providers may not be readily available. This is especially important for integrated systems that support critical farm operations.

This example also highlights a potential limitation of setting a purchase-price threshold at \$2,500. Individual components within a broader system may be available for purchase at substantially lower prices, despite being essential to the operation of a much higher-value integrated system. As a result, a high purchase-price threshold may inadvertently exclude important equipment and components from Right to Repair provisions, limiting the practical benefits for primary producers.

Proposal 2

Grant the following parties' access to scheme information for agricultural machinery across commercial contexts: appropriately qualified independent Australian repairers carrying on, or actively seeking to carry on, a repair business, and appropriately qualified repairers who are engaged as part of broader agricultural operations.

Consultation Questions

6. What are your views on the proposed arrangements for ensuring access to scheme information for repairers of agricultural machinery? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs

PPSA recommends repair information should be accessible to a broad range of users, including agricultural machinery owners and operators, independent repair businesses, agricultural engineering service providers, authorised training organisations, and agricultural contractors operating machinery on behalf of producers.

PPSA is encouraged by the Commonwealth Treasury's Review of the MVIS when discussing wider access to that scheme, reported among users of the scheme, '*benefits include significant improvements in productivity, profitability, ability to service a wider range of vehicles, and customer satisfaction*' (p.8).

Accordingly, in primary production access to repair information should promote competition, reduce repair costs and downtime, and enable agricultural machinery and equipment to be maintained and repaired in a timely manner, particularly in regional and remote areas where authorised dealers may not be readily available. For example, where a local heavy vehicle repairer has access to repair and service information for Cummins truck engines, that repairer should also be permitted access to the equivalent repair information for Cummins engines used in tractors, headers and other agricultural power units. Given that these engines are often based on the same or substantially similar platforms, restricting access to repair information according to the equipment in which the engine is installed creates an unnecessary barrier to effective repair, limits competition, and reduces the ability of qualified independent repairers to service agricultural machinery.

7. Are the restrictions on accessing scheme information contemplated in Treasury’s proposal appropriate to ensure access to scheme information remains sufficiently controlled? Are there risks to accessing and using scheme information by repairers operating under arrangements beyond a workshop?

PPSA acknowledges the importance of ensuring that access to repair and diagnostic information is managed responsibly, particularly where safety and risk considerations are involved. However, restricting access solely to qualified persons approved by manufacturers could have the unintended effect of limiting access to manufacturers and their authorised dealer networks, rather than extending it to competent and appropriately skilled repairers engaged directly by agricultural businesses.

Such an approach would largely reinforce manufacturer-controlled service arrangements and may reduce the intended benefits of the scheme, including increased competition, greater repair choice and improved service accessibility. Agricultural businesses should retain the ability to engage competent repairers of their choosing, provided those repairers possess the necessary skills, qualifications and capabilities to undertake repairs safely and effectively.

Access should include:

- Diagnostic software and fault codes
- Repair manuals and technical specifications
- Firmware and software updates required for maintenance and repair
- Calibration procedures
- Parts catalogues
- Service bulletins and technical notices

Information should be offered in a timely manner and at reasonable cost.

8. A number of arrangements may be used by agricultural businesses which involve the repairing, servicing and maintaining of agricultural machinery. Are there particular business arrangements which Treasury should consider when determining who can access scheme information?

When determining who should be entitled to access information under a Right to Repair scheme, Treasury should consider that diverse business arrangements exist across the agricultural sector. Any access framework should promote competition, support timely repairs, maintain safety standards and protect sensitive data, while recognising the practical realities of operating in regional and remote areas.

Agricultural businesses rely on a broad ecosystem of service providers to maintain increasingly complex machinery, equipment and digital technologies. Access arrangements should therefore extend beyond manufacturers and authorised dealer networks to accommodate the following groups:

- **Independent Repairers and Information Service Providers**

Many independent repairers rely on third-party information providers and data aggregators that convert original equipment manufacturer (OEM) technical information into practical repair, diagnostic and maintenance resources. Providing clear access rights for these intermediaries would improve the usability of repair information, support competition and reduce the risk of manufacturers maintaining exclusive control over essential repair data.

- **Independent Diagnostic and Tool Manufacturers**

Modern agricultural equipment increasingly relies on electronic control systems, telematics and onboard diagnostics. Independent diagnostic tool manufacturers play an important role in providing cost-effective alternatives to proprietary manufacturer equipment. The scheme should ensure these businesses have access to the information necessary to develop and maintain compatible diagnostic tools, preventing manufacturers from requiring agricultural businesses and repairers to purchase brand-specific equipment as the only means of servicing machinery.

- **Specialist Agricultural Service Providers**

Agricultural operations frequently engage specialist service providers, including diesel mechanics, auto electricians, precision agriculture technicians, irrigation technicians, telematics specialists and farm technology providers. These businesses often require access to specific categories of diagnostic and repair information. The scheme should accommodate these specialised business models without imposing unnecessarily broad or burdensome certification requirements that may restrict participation.

- **Cybersecurity, Safety and Data Protection**

PPSA recognises that certain categories of information may require additional safeguards, particularly where access could affect machine safety systems, cybersecurity protections or sensitive operational data. For higher-risk information, Treasury should consider proportionate eligibility requirements, such as demonstrated technical competency, relevant trade qualifications, adherence to secure data-handling practices and appropriate business accreditation. Any safeguards should be designed to manage genuine risks without creating unnecessary barriers to competition or repair access.

- **Training and Workforce Development**

Authorised training organisations (Registered Training Organisations (RTOs), TAFEs and other vocational training providers) should be able to access the same diagnostic and repair information available to professional repairers. This access is essential to ensure apprentices, technicians and future agricultural service professionals are trained on contemporary equipment and technologies. Supporting access for training providers will help address ongoing skills shortages and contribute to a capable and sustainable agricultural repair workforce.

In summary, PPSA contends that a Right to Repair scheme that recognises such business arrangements will better support agricultural productivity, increase repair options for primary producers and improve equipment uptime, particularly in regional and remote communities where access to authorised service providers may be limited.

Proposal 3

Support the appropriate use of scheme information for agricultural machinery by enabling data providers to impose terms and conditions limiting certain prescribed modifications (unauthorised modifications) and excluding information from the scheme which is separable from other types of information, and which has the sole purpose of enabling an unauthorised modification.

Consultation questions

9. What are your views on the proposed approach to the modification of agricultural machinery? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

Distinguishing between legitimate repair and diagnostic activities and unauthorised modifications can present practical challenges within a Right to Repair framework. However, **PPSA considers that the primary objective of the scheme should be to ensure that primary producers and independent repairers have access to the same diagnostic tools, repair information, software and technical resources that are available to authorised dealers.**

Ensuring equivalent access to repair resources will promote competition, improve service availability in regional and remote areas, reduce equipment downtime and support the productivity of agricultural businesses, while maintaining appropriate safeguards for safety, cybersecurity and regulatory compliance.

PPSA agrees that an additional Scheme Adviser would be required to support the expansion of the Right to Repair scheme to agricultural machinery.

10. What types of modifications, if any, should be prescribed as unauthorised modifications for agricultural machinery under the scheme?

The purpose of providing access is to enable the diagnosis, maintenance and repair of agricultural machinery, equipment and technology in a timely and cost-effective manner, rather than to facilitate unauthorised modifications or alterations to equipment performance, safety systems or regulatory controls. **PPSA recommends that any measures implemented to address concerns regarding unauthorised modifications should be proportionate and should not unnecessarily restrict access to the information and tools required for legitimate repair activities.**

Proposal 4 (Option 1 & Option 2)

Consultation questions

11. Which proposal, if any, do you support in relation to safety information? Please outline your reasons and any alternative approaches you consider preferable.

PPSA prefers Option 2 to reduce the regulatory burden associated with the treatment of scheme information.

PPSA recognises the need to protect intellectual property, cybersecurity and safety systems. However, these considerations should not be used to unnecessarily restrict access to information required for lawful repair activities.

PPSA notes that appropriate safeguards can be established through licensing arrangements, user accreditation requirements and penalties for misuse without preventing legitimate repair activity.

12. Are distinct approaches required in relation to safety information for motor vehicles and agricultural machinery, and if so, why?

PPSA acknowledges that a distinct approach to safety information may be warranted for agricultural machinery when compared with motor vehicles, reflecting the different operating environments, user groups and maintenance requirements associated with agricultural equipment. Machinery used in agricultural is generally integrated with equipment or attachments, and customised implements suited to agricultural task. Safety documentation must account for interface hazards and changing weight distributions.

Unlike motor vehicles, agricultural machinery or equipment is often operated in remote and regional locations where timely access to authorised service providers may be limited.

PPSA acknowledges that primary producers frequently undertake routine maintenance and minor repairs themselves or engage independent repairers to minimise equipment downtime during critical operational periods. Restricting access to safety-related repair information could delay repairs, increase costs and adversely affect farm productivity.

Proposal 5

Provide greater access to scheme information for intermediaries by:

a. imposing an obligation for data providers to supply scheme information to intermediaries:

in a reasonably accessible form

for a price not exceeding fair market value

as soon as reasonably practicable following the intermediary requesting access to that information.

b. prescribing terms and conditions of supply and use which are appropriate for the intermediary context.

Consultation questions

13. What are your views on the proposed approach to intermediaries? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA believes regulatory burden on vehicle manufacturers, intermediaries and repairers and creates a barrier to entry to independent repair businesses operating across rural and regional areas. Minimising 'red tape' for all participants in the scheme should be an objective.

14. Beyond those factors outlined in the proposal, what, if any, additional obligations or limitations should be considered in the provision of scheme information to intermediaries?

PPSA agrees alternative approaches which do not require the separation of safety information could provide an equivalent level of protection while improving sector productivity.

15. How should the scheme apply to remote service providers?

The agricultural Right to Repair scheme should support regional and remote service providers by requiring manufacturers to provide fair and reasonable access to diagnostic software, repair tools, technical information and service manuals. Such access would enable independent repairers and

local mechanics to service increasingly complex agricultural machinery and equipment efficiently and effectively.

Improving access to repair information and tools would increase competition in repair markets, reduce reliance on authorised dealer networks and help address service gaps in regional and remote areas. This would support more timely repairs, minimise equipment downtime and improve productivity for primary producers who depend on reliable access to machinery during critical operational periods.

Proposal 6

Expand the coverage of the scheme by including a scheme vehicle’s repair and maintenance history in the definition of scheme information and imposing an obligation on data providers to provide Australian repairers with the ability to update a vehicle’s repair and maintenance history.

Consultation questions

16. What are your views on the proposed expansion of the scheme to repair and maintenance history? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA supports an approach that provides equipment owners, authorised repairers and independent repairers with reasonable access to repair and maintenance history necessary to diagnose, maintain and repair agricultural machinery.

PPSA agrees that independent repairers should not be disadvantaged in the transition to electronic logbooks. In addition to access, the ability to update a vehicle’s repair and maintenance records would support consumers to maintain complete vehicle service records, which in turn can help maintain warranty coverage and support vehicle resale value.

Such access would improve repair outcomes, reduce equipment downtime, support machinery or equipment resale markets and promote greater competition within agricultural repair services, particularly in regional and remote areas.

17. Are there any unique considerations or challenges that arise in relation to facilitating access to repair and maintenance history for agricultural machinery, compared to motor vehicles?

PPSA considers that facilitating access to repair and maintenance history for agricultural machinery or equipment presents a range of considerations when compared with motor vehicles.

Agricultural machinery or equipment is often operated for significantly longer service lives than motor vehicles, with equipment remaining in use for decades and frequently changing ownership multiple times. Access to repair and maintenance records can therefore play an important role in supporting ongoing maintenance, diagnosing faults, assessing equipment condition and preserving asset value throughout the machinery's operational life.

Unlike motor vehicles, agricultural machinery or equipment is commonly serviced by a combination of authorised dealers, independent repairers, specialist technicians and farm operators themselves. Maintenance activities may also be undertaken in remote locations without immediate access to dealer networks or centralised service systems. As a result, repair and maintenance records are often fragmented across multiple providers, making comprehensive access to equipment history particularly valuable.

Modern agricultural machinery or equipment increasingly incorporates telematics, precision agriculture technologies, software updates and remote diagnostics. Consequently, maintenance history may include not only mechanical repairs but also software updates, calibration records, system configurations and diagnostic fault histories. Access to this information can be critical for effective troubleshooting, equipment interoperability and ongoing operation.

At the same time, appropriate safeguards should be maintained to protect commercially sensitive information, personal information and cybersecurity-related data. Consideration should also be given to the ownership of operational data generated by agricultural machinery or equipment, particularly where maintenance records may contain information relating to farm management practices, production activities or geographic locations.

Proposal 7

Increase the transparency of scheme pricing by mandating that scheme offers published by data providers quote the price of scheme information in Australian dollars.

PPSA agrees scheme information should be provided in a timely manner and at reasonable cost.

Proposal 8

Ensure scheme information does not exceed fair market value by enabling consideration of the price of information supplied overseas only where that information is made available under a similar scheme.

Consultation questions

18. What are your views on the proposed mandate to quote the price of scheme information in Australian dollars? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA recommends consistent pricing of scheme information in Australian dollars.

19. What are your views on the proposed amendment to factors relevant to determining fair market value of scheme information? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA recommends the scheme information offers value for all parties involved and is supplied at a price that does not exceed the fair market value of the information.

Factors relevant to determining the fair market value of information include:

- terms and conditions on which scheme information is offered for supply to repairers
- anticipated demand by repairers
- reasonable recovery of costs
- prices for information in overseas markets
- any amount payable to a third person with proprietary interest

20. Are there other factors requiring express consideration in determining the fair market value of scheme information related to agricultural machinery?

Farm businesses depend on reliable access to repair services to maintain productivity, manage risk and remain internationally competitive. Scheme information must minimise repair restrictions that impose unnecessary costs, reduce competition and create avoidable operational risks for primary producers.

Proposal 9

Enhance certainty regarding the supply periods of scheme information by introducing a presumption that information stored electronically allows for variability in the supply period unless providing for variability would impose an unreasonable burden on the data provider, and information is not provided by way of time limited subscription services by the data provider in other jurisdictions

PPSA recommends farm businesses, independent repairers and scheme authorised training organisations can acquire scheme information for periods which meet their business needs.

Proposal 10

Better align legislated timeframes with commercial practice by providing that scheme information must be made available for a minimum period of five business days where:

- an Australian repairer purchases scheme information, and
- to make that scheme information reasonably accessible the data provider must also provide physical hardware to the repairer or RTO, and
- that hardware needs to be physically sent to the repairer to facilitate access.

Consultation questions

21. What are your views on the proposed approach to the provision of scheme information in electronic form? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA recommends that the scheme requires that information be supplied in a form that farm businesses, independent repairers and authorised training organisations can use. Many primary producers prefer paper copies to ensure they can access information even when they have no connectivity or access to electronic forms.

22. What are your views on the proposed approach to timeframes where there is an accompanying supply of hardware? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA recommends farm businesses, independent repairers and authorised training organisations can acquire scheme information for periods which meet their business needs.

23. Are the prescribed supply timeframes for the availability of information appropriate in an agricultural vehicle context?

PPSA considers that the appropriateness of prescribed supply timeframes should be assessed by the operational realities of the agricultural sector. Agricultural businesses often rely on machinery and equipment during time-critical periods such as planting, harvesting, irrigation, livestock management and transport. Equipment failures during these periods can result in significant production losses, increased costs and operational disruption.

For this reason, information required for diagnosis, maintenance and repair should be made available as soon as practicable and, where possible, in real time through electronic systems. Delays in accessing repair information, diagnostic software, fault codes or technical manuals can prolong equipment downtime, particularly in regional and remote areas where authorised dealers or specialist technicians may not be readily available.

PPSA supports prescribed supply timeframes that ensure repair information is available promptly and on terms equivalent to those provided to authorised dealers. Consideration should also be given to the varying nature of agricultural machinery, equipment and repair information. Frequently used materials, such as service manuals, wiring diagrams, diagnostic procedures and software updates, should be available on demand through online platforms. More complex requests may require longer timeframes, however, these should remain reasonable and should not create unnecessary barriers to timely repairs.

The effectiveness of any prescribed timeframe should ultimately be measured against its ability to support rapid fault diagnosis and repair, minimise machinery downtime and maintain agricultural productivity. In practice, access arrangements that allow immediate or near-immediate access to repair information are likely to provide the greatest benefit to primary producers and independent repairers.

Proposal 11

Support timely access to security information by requiring security information to be provided within 1 business day, instead of 2, where the conditions for immediate supply are not met.

PPSA recommends requiring security information to be provided within 1 business day where the conditions for immediate supply are not met.

Proposal 12

Support timely access to security information by:

reducing the frequency with which Australian repairers are required to provide declarations and supporting documentation to access security information from one declaration per information access request, to quarterly declarations, and requiring the immediate provision of security information where a valid and up-to-date declaration is held by a data provider.

Consultation questions

24. Which proposal, if any, do you support in relation to security information? Please outline your reasons and any alternative approaches you consider preferable.
25. What would the expected benefits and costs be of each proposal related to security information? Please consider both your preferred option and the proposal you do not prefer.
26. Does the scheme's framework for regulating access to security information pose any specific challenges in the context of agricultural machinery?

PPSA recommends all repairers have unrestricted access to purchase general information about a scheme vehicle and prefer the data provider restricts access to safety and security information to competent repairers or authorised training organisations who meet the relevant fit and proper person criteria.

Data providers should keep records regarding access to security information.

Proposal 13

Enhance reporting arrangements under the scheme by requiring data providers to:

- provide a periodic report on the terms and conditions on which scheme information has been supplied, and the price of that information, and
- immediately notify the Scheme Adviser when system outages which affect Australian repairers' and scheme RTOs' access to scheme information occur.

PPSA supports the reporting arrangements proposed.

Proposal 14

Enhancing reporting arrangements under the scheme by enabling the Scheme Adviser to provide reports to the Minister about whether additional classes of vehicles should be included under the scheme.

Consultation questions

27. What are your views on the proposed changes to reporting requirements? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.
28. What are your views on the proposed expansion of the Scheme Adviser's reporting functions? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA agrees with proposed changes to enhance governance arrangements that would support the functioning of a scheme across both the automotive and agricultural sectors.

Proposal 15

Protect Australian repairers and scheme RTOs from prohibited contract terms by prohibiting scheme offers containing prohibited terms and conditions.

Proposal 16

Increase certainty regarding the provision of scheme information with other goods and services by clarifying that:

- a data provider does not breach the bundling prohibition where bundling scheme information with other goods and services is necessary to make scheme information reasonably accessible, and
- scheme information provided in an electronic form is not considered to be reasonably accessible if that information could reasonably have been supplied in a more accessible alternative form.

Consultation questions

29. What are your views on applying prohibited terms and conditions to scheme offers? Please outline whether you support the proposals, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA supports the elimination of scheme offers containing prohibited terms and conditions.

30. What are your views on the proposed clarification to the operation of the bundling prohibition? Please outline whether you support the proposal, any suggested refinements, and the expected benefits and costs of the proposal.

PPSA supports the principle that a data provider should not be considered to have breached the bundling prohibition where the provision of scheme information together with related goods or services is necessary for functionality.

PPSA supports the principle that scheme information should be provided in the most accessible and practical format available. Information supplied solely in electronic form should not be regarded as reasonably accessible where it could have been provided in an alternative format that would better enable users to access, interpret or apply the information. This is particularly relevant in regional and remote areas where internet connectivity may be limited or unreliable, and where access to information in alternative formats (including future formats) may be necessary to facilitate timely diagnosis, maintenance and repair of agricultural machinery and equipment.

Ensuring that scheme information is both accessible and usable will help achieve the objectives of the Right to Repair scheme by supporting effective repairs, reducing equipment downtime and improving service outcomes for primary producers, independent repairers and authorised training organisations.

ENDS.