



Third Session – Forty-Third Legislature  
of the  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Legislative Affairs**

*Chairperson*  
*Robert Loiselle*  
*Constituency of St. Boniface*



Vol. LXXX No. 6 - 6 p.m., Wednesday, April 22, 2026

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Forty-Third Legislature**

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ASAGWARA, Uzoma, Hon.	Union Station	NDP
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SANDHU, Mintu, Hon.	The Maples	NDP
SCHMIDT, Tracy, Hon.	Rossmere	NDP
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SCHULER, Ron	Springfield-Ritchot	PC
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<i>Vacant</i>	The Pas-Kameesak	

**LEGISLATIVE ASSEMBLY OF MANITOBA  
THE STANDING COMMITTEE ON LEGISLATIVE AFFAIRS**

**Wednesday, April 22, 2026**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – MLA Robert Loiselle  
(St. Boniface)**

**VICE-CHAIRPERSON – MLA JD Devgan  
(McPhillips)**

**ATTENDANCE – 6    QUORUM – 4**

*Members of the committee present:*

*Hon. Min. Sandhu*

*Mr. Brar, MLA Devgan, Mr. Guenter,  
MLA Loiselle, Mr. Nesbitt*

**APPEARING:**

*Hon. Ron Kostyshyn, Minister of Agriculture*

**PUBLIC PRESENTERS:**

*Bill 49 – The Business Practices Amendment Act*

*Josh Tabish, Chamber of Progress*

*John Graham, Retail Council of Canada*

*Zainab Mansaray, Canada-Africa Relation  
Enterprises Inc.*

*David Grant, private citizen*

*Bill 15 – The Consumer Protection Amendment  
Act*

*Anthony Rosborough, private citizen*

*John Graham, Retail Council of Canada*

*Rick Vincent, Piston Ring Service*

*Dean Harder, National Farmers Union–Manitoba  
Warrington Ellacott, Whirlpool Canada LP*

*Denis Cloutier, Automotive Trades Association  
Manitoba*

*David Grant, private citizen*

*Bill 48 – The Real Property Amendment and  
Planning Amendment Act (Land Conveyed for  
Public Purposes)*

*David Grant, private citizen*

**WRITTEN SUBMISSIONS:**

*Bill 15 – The Consumer Protection Amendment Act*

*Emily Holtby, Automotive Industries Association  
of Canada*

*John Pearce, Canadian Repair Coalition*

*Lucas Malinowski, Global Automakers of Canada  
Rémi Moreau, Association of Home Appliance  
Manufacturers, Canada*

*Charles Bernard, Canadian Automobile Dealers  
Association*

*Meagan Hatch, Electronic Product Stewardship  
Canada*

*Alissa Centivany, private citizen*

*Ted Rother, private citizen*

*Jennifer Steeves, Canadian Vehicle Manufacturers'  
Association*

**MATTERS UNDER CONSIDERATION:**

*Bill 15 – The Consumer Protection Amendment  
Act*

*Bill 48 – The Real Property Amendment and  
Planning Amendment Act (Land Conveyed for  
Public Purposes)*

*Bill 49 – The Business Practices Amendment Act*

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**Clerk Assistant (Ms. Katerina Tefft):** Good evening. Will the Standing Committee on Legislative Affairs please come to order.

Before the committee can proceed with the business before it, it must elect a Chairperson.

Are there any nominations?

**Mr. Diljeet Brar (Burrows):** I nominate MLA Loiselle.

**Clerk Assistant:** MLA Loiselle has been nominated.

Are there any other nominations?

Hearing no other nominations, MLA Loiselle, will you please take the Chair.

**The Chairperson:** Our next item of business is the election of a vice-person.

Are there any nominations?

**Mr. Brar:** I nominate MLA Devgan.

**The Chairperson:** MLA Devgan has been nominated.

Are there any other nominations?

Hearing no other nominations, MLA Devgan is elected Vice-Chairperson.

Well, good evening. This meeting has been called to consider the following bills: Bill 15, The Consumer Protection Amendment Act; Bill 48, the real estate property amended and planning amendment act, land conveyed for public purposes; Bill 49, The Business Practices Amendment Act.

I would like to inform all in attendance of the provisions in our rules regarding the hour of adjournment. A standing committee meeting to consider a bill must not sit past midnight to hear public presentations or to consider clause by clause of a bill except by unanimous consent of the committee.

I would also like to inform all members of the public in the gallery of the rules of decorum for standing committees. Please note that any participation from the gallery is not allowed. Examples of specific actions that are not allowed include clapping, cheering or interrupting presentations. Taking photos or videos of the meeting is also not allowed, and please set your phones to mute. I thank everyone in advance for their co-operation.

In regards to public presentation guidelines: Prior to proceeding with public presentations, I would like to advise members of the public regarding the process for speaking in a committee. In accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members. Questions shall not exceed 45 seconds in length, with no time limit for answers.

Questions may be addressed to presenters in the following rotation: first, the minister sponsoring the bill or another member of their caucus; second, a member of the official opposition; and third, an independent member. If a presenter is not in attendance when their name is called, they will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will—removed from the presenters list.

The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to state the person's name. This is the legal—oh, sorry—this is the signal for the Hansard recorder to turn the mics on and off.

In regards to written submissions: written submissions from the following persons have been received and distributed to committee members. We've got Emily Holtby, Automotive Industry Association of Canada, on Bill 15; John Pearce, Canadian Repair Coalition, on Bill 15; Lucas Malinowski, Global Automakers of Canada, on Bill 15; Rémi Moreau, Association of Home Appliance Manufacturers, on Bill 15; Charles Bernard, Canadian Automotive Dealers Association, on Bill 15; Meagan Hatch, Electronic Product Stewardship Canada, on Bill 15; Alissa Centivany, private citizen, on Bill 15; Ted Rother, private citizen, on Bill 15; and Jennifer Steeves, Canadian Vehicle Manufacturers' Association, on Bill 15.

Does the committee agree to have these documents appear in the Hansard transcript of the meeting? *[Agreed]*

In regards to order of presentations. On the topic of determining the order of public presentations, I will note that we have out-of-town presenters registered, marked with an asterisk on the list.

With this consideration in mind, then, in what order does the committee wish to hear the presentations?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Hear out-of-town presenters first.

**The Chairperson:** So starting with presenters that are here, followed by presenters that are out-of-town? *[interjection]*

**An Honourable Member:** The out-of-town presenters, but they're here.

**The Chairperson:** Okay, so, got it. So presenters that are here and from out-of-town. Excellent.

Is that agreed upon? *[Agreed]*

Thank you for your patience. We will now proceed with public presentations.

**Bill 49—The Business Practices Amendment Act**

**The Chairperson:** Okay, I will now call on Mr. Josh Tabish on Bill 49.

All right, Mr. Tabish, you have 10 minutes.

**Josh Tabish (Chamber of Progress):** Good evening, Chair and members of the committee. My name is Josh Tabish, and I am here as the senior director for Canada at Chamber of Progress.

We are a tech industry association that supports public policies to build a more inclusive society in which all people benefit from technological advances. I'm here today because we share the Legislature's concern about affordability, and we fully understand the desire to ensure that Manitoban–Manitoba consumers are getting a fair deal.

I want to be clear from the outset, we do not oppose the intent of this bill to protect consumers from unfair price increases. In fact, by getting this legislation right, you have an opportunity to set the high water mark for thoughtfully designed algorithmic pricing legislation in Canada, a made-in-Manitoba solution that others will look to.

However, the current drafting of Bill 49 risks inadvertently capturing and chilling savings tools that consumers routinely rely on. Specifically, the bill's lack of guidance for evaluating price increases, its over-broad disclosure mandate and its data transparency requirements risk creating unintended consequences for consumers and the market.

While this legislation is intended to target price increases, its broad scope also captures routine pricing practices that are pro-consumer, including digital coupons, loyalty programs, targeted promotions and markdowns, perhaps inadvertently. While Canadian data is currently unavailable, research from the US shows that digital coupons save the average household about \$1,400 US a year, or \$2,000 Canadian, and that low-income families are amongst the most active deal-seekers.

So, to better align Bill 49's consumer protection objectives with workable compliance and to preserve the consumer savings that Manitoba families depend on, we offer three constructive recommendations today to help strengthen the legislation.

First, to prevent consumer confusion and unnecessary complaints, the bill should clarify how price increases will be evaluated by excluding pro-consumer savings and operational costs. So the core prohibition in Bill 49 states that a platform takes advantage of a consumer by demanding a price that is higher than the price offered to other consumers. But determining whether there's a meaningful price difference between what consumers see in practice—

sorry—difference between what consumers see is difficult in practice.

Prices are constantly moving up and down for everyone based on a variety of supply and demand factors, meaning you can't easily point to a single price offered to other consumers at any given moment. This makes the bill's current wording challenging to implement from a compliance perspective.

\* (18:10)

While the express consent provision tackles concrete harms like sudden price jumps during checkout, Manitoba consumers would benefit from additional statutory guidance for evaluating whether higher prices were offered to other consumers for the same goods. To achieve this, we propose amending the text to protect pro-consumer savings while accounting for standard operational costs.

We respectfully submit that the definition exclude common discounts, including promotional offers, limited-time sales and loyalty rewards, as well as differences driven by delivery costs, online versus in-store pricing, store location or a consumer-selected service level. This will help prevent consumer confusion and reduce unnecessary complaints over price differences that are not tied to the algorithmic increases that are targeted by the bill.

This would also need to be reconciled with the bill's definition of personalized algorithmic pricing, which lists a consumer's delivery location as an in-scope data input. Its current inclusion in that definition could inadvertently prohibit distance-based delivery fees from being calculated, which is necessary to ensure fair service fees for consumers.

Second, to avoid flooding consumers with warnings that stigmatize routine discounts, we suggest removing or amending the material fact designation. So in section 3(2) of the bill, it mandates that the use of—sorry, it mandates that the use of personalized algorithmic pricing is deemed a material fact under The Business Practices Act. Failing to disclose a material fact constitutes an unfair business practice and is subject to pretty serious penalties.

Perhaps unintentionally, this change effectively creates a broad mandate requiring platforms to place disclosure labels on all uses of algorithmic pricing even when they are providing pro-consumer benefits like digital coupons. To put it another way, while Bill 49 aims to protect consumers from harmful price increases, it would also mandate warnings for savings discounts.

Warnings for discounts, in our view, are unnecessary and could distract from the bill's goals. Platforms routinely make discounts prominent to win consumers over, right?

For example, you just saved \$5 on diapers in the app. When personalized transactions trigger a warning, consumers can lose the ability to quickly distinguish between practices that help them and practices that harm them. This is sometimes called warning fatigue, where disclosures become so ubiquitous that consumers tune them out entirely.

So, to prevent flooding customers with unnecessary warnings, we respectfully submit that the Legislature strike the material fact designation in section 3(2) or, alternatively, MLAs could limit the disclosure duty to price increases alone and exclude non-price-increasing personalization from mandatory disclosure.

Okay, our third and final recommendation is that we clarify that disclosing broad data categories is sufficient to avoid technical mandates that could harm discount programs. So section 4(2) of the bill directs regulators to consider whether back-end algorithmic data available to the supplier is also made available to the consumer when assessing an unfair business practice. In effect, this creates a test of data symmetry between a buyer and the seller when reviewing the complaint. The drafting in section 4(2)(d) could push businesses to build costly reporting systems to disclose raw customer data to their users in order to demonstrate compliance, which would create unintended consequences.

First, many small businesses lack the resources to build this reporting infrastructure. A recent US survey—again, there's no good Canadian data—but a recent US survey found that 35 per cent of small businesses already use automated pricing tools, primarily to optimize promotions and discounts. Faced with new compliance burdens, smaller operators may stop offerizing—offering, sorry—personalized deals, which would harm consumers.

Second, exposing proprietary pricing data risks undermining competition by allowing rivals to reverse-engineer strategies and converge on similar pricing.

We submit that MLAs amend this language to clarify that providing a general explanation of the categories of data satisfies the transparency requirement rather than requiring the disclosure of raw data.

So, in conclusion, Chamber of Progress supports protecting consumers, and we must ensure we're not accidentally harming the discounts and competitive forces that they benefit from. We believe these three targeted amendments will allow Bill 49 to achieve its goals effectively while ensuring that consumers enjoy new protections against 'harmful'—harmful algorithmic pricing that drives up costs.

So thank you for your time, and I look forward to any questions you may have.

**The Chairperson:** Thank you, Mr. Tabish.

Any questions?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Well, thank you very much for coming down and spending your evening with us, and it looks like a beautiful day outside, and thanks for your remarks on this bill.

**The Chairperson:** Any other questions?

**Mr. Greg Nesbitt (Riding Mountain):** Thank you, Mr. Tabish. Again, thank you very much for your input into this bill. We'll certainly be looking at the transcript here and seeing what possible amendments we might be able to put forward to this bill as it moves through the legislative process.

I guess—I'm just going to ask you a question. Would you agree that, should this bill be passed, that the government will have to have a considerable amount of staff in place to monitor any potential algorithmic pricing in the Manitoba marketplace, and how feasible is that? *[interjection]*

**The Chairperson:** Sorry, Mr.—sorry, Mr. Tabish, I have to recognize you.

**J. Tabish:** I jumped the gun.

One of the challenges with algorithmic pricing is that the inputs that shape personalized pricing are significant; there's hundreds or even thousands of them. And one of the—and so, making—for consumers to make sense of whether they're being overcharged relative to another customer is quite challenging. And so this will be a big job for regulators, and one of the concerns we have about the bill is that, right now, there's not enough guidance on what the baseline price would be that a consumer could compare against to determine whether they are a victim of harmful algorithmic price increases.

And the fear here is that this is going to lead to a surge in unnecessary or frivolous complaints that could really overwhelm regulators. And so, I—that's

where I would really direct the committee's attention back to our first recommendation, which will help, I think, tighten that up and reduce the burden on government, should complaints be brought forward.

**The Chairperson:** Any other questions?

**Mr. Nesbitt:** Yes, just one final question here. In your experience, have you seen any evidence of algorithmic pricing here in Manitoba?

**J. Tabish:** So when you look at the studies on this, they often say—you know, the US Federal Trade Commission put out a study that said, yes, a lot of personalized data is being collected and it could be used in harmful ways, but there hasn't been a kind of smoking gun showing that there is widespread algorithmic pricing increases affecting consumers. And that's true of the US, where the data on this is the best.

I'm not aware of any data on the Canadian market or the Manitoba market that suggests this is a widespread problem. We know that there are always bad actors out there who can take advantage of these technologies to do these things. And so that's why we really think the legislation needs to focus specifically on harmful price increases and be tightened up to not wrap in routine discounts that Manitoba consumers rely on.

**The Chairperson:** All right, thank you. Any other questions?

Thank you for your time.

### **Bill 15—The Consumer Protection Amendment Act**

**The Chairperson:** We will now be moving on to Bill 15 and Dr. Rosborough, who I believe is online.

Good evening, Dr. Rosborough, can you hear us?

**Anthony Rosborough (Private Citizen):** Good evening. Yes, can you hear me?

**The Chairperson:** Yes, we can. You have 10 minutes, when you're ready.

**A. Rosborough:** Well, good evening, Chair and members of the committee. I'm an assistant professor of law and computer science at Dalhousie University in Halifax; that's where I'm joining you from tonight. And much of my research and work has been focused on the right-to-repair movement over the past seven years or so. And I've been studying legislative and policy developments in Canada, the US and the EU. I've also had the opportunity to

advise governments and policymakers in Canada, the US, Australia, the European Commission, the European parliament as well.

\* (18:20)

Another hat I wear is I'm a co-founder and president of the Canadian Repair Coalition. We're a national advocacy organization promoting the right to repair in Canada.

So I'm very thankful for the opportunity to be included in the committee's discussions here this evening, and I want to begin by expressing my strong support for Bill 15. I applaud Minister Sandhu and the government of Manitoba for researching and introducing this bill, and more broadly for the commitment to the right to repair.

I also want to point out that right-to-repair legislation like Bill 15 is becoming the norm rather than the exception in North America. And what began as a sort of niche issue 20 years ago is now front and centre in a lot of policy debates around the world. And so Manitoba joins many other right-to-repair legislative movements across North America, including Quebec's bill 29, Ontario's bill 187 and now all 50 US states that have considered or passed right-to-repair legislation over the past eight years.

And so the right to repair is most commonly characterized as a consumer law issue, as we see with Bill 15 this evening. And there's sustainability and affordability implications, obviously, that are tied up in that. But I also want to highlight the importance of repair in our thinking about national resilience and sovereignty.

And so, for one, repair jobs are always local jobs. And when we build an economy that embraces repairing and servicing, we strengthen our domestic capacity and we support Canadian and Manitoban businesses. And in this geopolitical moment that we're all, sort of, finding ourselves in, we're undergoing a need to revisit our dependencies on foreign manufacturing, supply chains located outside of Canada and products, devices and equipment that cannot be effectively serviced or maintained here.

So I'd like to impress upon the committee tonight that the right to repair is also about the resilience of our communities, our businesses and our country as a whole. But I'm just now going to turn specifically more to the bill. And so I really want to highlight, the strong points of the bill is that it sets a really solid framework that establishes a general obligation to make the means of repair available to consumers.

And it also correctly characterizes the means of repair quite broadly, including information, parts, tools, software and services. And the bill acknowledges that repair goes beyond simply spare parts and acknowledges that modern repair really depends on things like software and information and other sort of intangibles to make real.

The bill also contains some strong affordability and access principles and acknowledges that the means of repair often involve minimums and maximums in terms of things like timelines and fees for different resources needed for repair. And so, overall, the bill creates this really solid framework that Manitoba could build on over time through regulations.

But there's also some points that I think warrant some clarification. So the first is the status of commercial repairs or independent businesses. So, at present, the bill is somewhat narrowly construed in giving the right or the entitlement only to the buyer of a product, and it doesn't expressly extend that right to independent repair businesses or subsequent owners of products. So if only the original purchaser can claim the benefit of the act, it leaves a crucial actor in the, kind of, repair ecosystem—you might think of it as independent repairers and small businesses—they're left out of the picture, potentially.

Another point is with respect to warranties. Often we've seen in other contexts that manufacturers will rely on warranty terms to discourage independent or self-repair by voiding it if the product is repaired by anyone other than the manufacturer.

In consumer protection reforms elsewhere, we've seen, often, terms that prevent that type of activity or abuse of warranties. And here it's not included in the bill. And we would love to see a clarification that includes this really important discussion about warranties and whether they can be voided through self or independent repair.

And I think, zooming out a bit, I think the biggest challenge on—for me, in sort of analyzing the bill is in leaving some of the core operative components to regulations. And so a fairly significant concern here is leaving, you know, some of the, for example, remedies and enforcement to regulation, which sort of sidesteps the need for statutory consequences for non-compliance.

And so the concern is that this gives the executive, sort of, very broad statutory authority to carve back this promising bill by regulation in the future, by

perhaps future governments or so on. And that could exempt certain classes of goods, certain classes of buyers, certain means of repair, certain resources that are needed in the future. And it could modify any of those requirements through regulation.

Some other things that are kind of left to the regulations that we would love to see in the bill itself are, for example, how long repair supports will be provided for certain types of products, how quickly repair supports must be provided, the timeline to provide them, what fees are allowed in terms of minimums and maximums and what exemptions may apply.

And now, I know that probably you're thinking that a lot of these things are too granular to be in legislation and must be left to regulation, but, you know, even some upper and lower limits to these things that could be then prescribed by regulation would probably leave us with a little bit more certainty that the bill will remain kind of as intended into the future.

Another is with respect to the scope of consumer goods, and I know that the folks in the agricultural sector have raised some concerns about this, but the act—the bill, as proposed, applies to consumer goods. And it's a little bit uncertain as to whether the scope would also apply to commercial and industrial equipment.

So, for example, a lot of agricultural machinery is also regulated through the farm implements act. And it's not clear whether the same products and devices would be regulated under The Consumer Protection Act in the case of these reforms, or if separate right-to-repair reforms are needed in the agricultural context under that legislation.

And, you know, commercial and industrial equipment, for example, might include things like transport trucks. Is a business equipment also covered here under The Consumer Protection Act or is that left to, for example, The Sale of Goods Act? So there's a little bit of uncertainty in terms of the interplay with related legislation.

Lastly, the kind of scope of means of repair that's listed in the act and what constitutes a means of repair is a really great starting point—what's listed in the act—but ideally there'd be a bit more granularity with respect to things like troubleshooting information, schematics, passwords, security codes, training materials, parts lists, calibration tools. So, ideally, we would see a little bit more of a broad definition of what

constitutes the means of repair so that that couldn't be narrowed in the future through regulation.

And so, to conclude, I think Bill 15 should be recognized as a constructive and really important step toward the right to repair in Manitoba. And, honestly, huge applause should be given to those who have put the work into putting this bill forward. It's enormous progress to see anything being introduced.

This bill locates repair access within the province's consumer protection framework. It acknowledges that modern repair depends on software, which is a really important linchpin for the whole right-to-repair movement. And, in particular, the bill's requirement that suppliers disclose exemptions before sale is very useful and important because consumers need adequate information at the time of sale in order to make repair-friendly decisions.

So, overall, the bill creates a flexible framework that Manitoba can build on over time through regulation. And, once again, I'd just like to applaud Minister Sandhu and the government of Manitoba for doing the hard work of introducing this bill and, more broadly, for their commitment to the right to repair.

So thank you very much. I'm happy to take any questions.

**The Chairperson:** Thank you, Dr. Rosborough. I hope I said your name right.

Are there any questions from the committee?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Well, thank you, Doctor. It's so nice to hear from you for the strong support that you have for Bill 15. Again, there are many, many things to come through the regulations. Really looking forward to your input when we develop the regulations.

Thank you very much.

**The Chairperson:** Any other questions? Yes? Minister—sorry—Mr. Guenter—*[interjection]*—we'll see.

**Mr. Josh Guenter (Borderland):** Thank you, Dr. Rosborough, for your presentation, and appreciated everything you had to say, especially your suggestions for more specificity, more detail in Bill 15.

You know, as the opposition critic, we support, I can say, as a caucus—the PC caucus supports the concept of right to repair. But that's one of the concerns we have, is that the bill before us is very, very vague, and it lacks a lot of detail and leaves it up to the government to develop the regulations after.

So, you know, we'd like to see a little more of that as well.

And just thank you for, again, for your suggestions and taking the time to be with us today.

**The Chairperson:** Dr. Rosborough, do you have anything to add?

**A. Rosborough:** I'll just want to draw upon my experience speaking before Parliament in Ottawa in relation to the copyright amendments that took place in 2024. And, again, there was the suggestion that some really important details should be left to regulation there. And, overwhelmingly, that notion was supported by those who were most opposed to the right to repair, sought that leaving it to regulation was most advantageous to them.

So I would just like to—just to sort of highlight that often, you know, crafting of regulation is not as transparent as the process that we are undergoing tonight. It's not as open and deliberative, and so I'd really call upon this committee to, you know, think of ways to increase some of the specificity on the points that I mentioned.

And once again, thank you for having me.

\* (18:30)

**The Chairperson:** All right, thank you for your time, Dr. Rosborough.

Any other questions from the committee?

Seeing none, we will move on with David Grant. Is David Grant present?

Okay, so he'll be going to the bottom of the list.

Next up we have Mr. John Graham. Is Mr. John Graham present? *[interjection]* Excellent. Good job.

Mr. Graham, you have 10 minutes. You have the floor.

**John Graham (Retail Council of Canada):** It's a pleasure to be here tonight.

My name is John Graham. I'm the director of government relations with the Retail Council of Canada. And for those that are not familiar, Retail Council of Canada is a not-for-profit organization that represents very small independent retailers straight through to the largest retailers in Canada. About 70 per cent of retail activity are members of our organization, and we can all be proud of the fact that there's about 4,700 retail stores scattered across this province, employing about 75,000 Manitobans.

So we're the largest employment sector, which is something to be proud of.

I really appreciate the opportunity to speak to you regarding Bill 15, and we also appreciate the openness of the minister to engage with Retail Council prior to this opportunity to present at committee.

RCC supports the intent behind the right-to-repair policy, helping consumers extend product life, improving access to repair and reduce waste where practical and safe. However, the success of the framework will depend on balance. A balanced approach must protect safety, affordability and innovation. And if that balance is lost, the result is not just regulatory change; it could lead to higher costs, reduced product availability and, ultimately, fewer choices for Manitobans.

A foundational principle in achieving that balance is clarity of responsibility. And under Bill 15, repair obligations should be manufacturer led, not retail led. This reflects how the system actually functions. Manufacturers control design, software and security systems, parts availability and technical documentation. Retailers do not design products, do not control repair ecosystems and certainly do not determine global supply conditions.

Assigning obligations where there is no control creates a structural imbalance. It places responsibility on Manitoba retailers for systems that they don't manage, many of which involve manufacturers located globally on the other side of the world.

Retailers play an important role, for sure, in the consumer experience. They need to provide access to products, customer service, warranty support and often are the first point of contact when issues do arise for products that have been purchased in their stores. The role is especially important in Manitoba, where many retailers are physically located in communities that depend on local stores for access and service and employment, of course.

This leads to our broader concern: the risk of unintended disadvantaging of local retailers, and I think that's something, probably, we all would be concerned about. Physical retailers in Manitoba operate under a different reality than global online sellers and foreign manufacturers. They employ Manitobans, pay local taxes, maintain storefronts and support communities.

When new obligations are introduced, particularly those tied to global manufacturing systems, those costs are not absorbed evenly; they're most often

borne by local businesses because they are easily—easier to regulate, fall within provincial jurisdiction and directly accountable for compliance. This creates a structural disadvantage compared to out-of-market sellers who may not face the same enforcement reach or, frankly, manufacturers that just don't even know where Manitoba is.

This is why alignment with established frameworks is really important, and under the European Union's right-to-repair model, primary legal responsibility rests with manufacturers, not with retailers. Retailers may facilitate the process, but they are not responsible for ensuring that a repair system exists. Responsibility should rest with those best positioned to deliver it, the manufacturers, so that consumers benefit without unintended cost consequences.

Accordingly, while we support maintaining the definition in the bill of sale as the retail sale, we recommend an update to the definition of supplier. It should clearly mean the manufacturer of a designated consumer good; not the seller and the manufacturer, but the manufacturer. Retailers most definitely have a role in this though; we understand that.

It's also important to recognize that right-to-repair legislation can influence what products are available in Manitoba: which products are stocked, whether retailers continue to offer low-entry-level products and the overall range of options they make available to consumers.

And particularly, our sensitivity is around entry-level and affordable products that may be at risk. These products operate on thinner margins, are designed with different expectations, lower price points, shorter lifespans and simpler replacement models rather than long-term servicing. Applying uniform repair obligations across all product categories risks reducing the availability of these lower cost options.

This result may not be more repair but fewer options for Manitobans, and we've started to see this in Quebec. This is why product differentiation is essential and not all products should be considered the same. Our goal should be to avoid outpricing entry-level goods.

As part of the future regulatory development, we would recommend clear product category definitions, exclusions for safety—of course, critical or highly complex products—but also consideration of price thresholds to preserve affordability.

A further key issue for us is liability. Neither retailers or manufacturers should be held responsible for improper independent consumer repairs, damage caused by third-party repair activity or issues beyond their control. Without clear liability protections, businesses may respond by limiting repair pathways or reducing products offered to manage that risk. This, in turn, could shift consumer purchases towards online sellers and out of province, where they can continue to access those products that are no longer able to be carried or safely or confidently carried in retail stores in Manitoba.

Finally, we want to point out national alignment. And we recognize Manitoba's efforts in this area and the importance of supporting access to repair. We're sensitive, though, and we'll be very interested in an active part of the conversation around regulatory development because we're certainly seeking to avoid a fragmented approach that—across this country that ultimately increases compliance costs and places Manitobans and Manitoba businesses at a competitive disadvantage. So, you know, obviously we would have liked to see a nationally co-ordinated approach, but that's challenging on a lot of fronts these days.

So, to conclude, I want to highlight those recommendations that we want to put forward, and that is, maintain the sale definition but define supplier as a manufacturer of that good. We want to suggest that a coming-into-force date apply the legislation only to sales occurring at least one year after all regulations are in place. This allows industry time to adjust and systems to be put in place.

Confidentiality clause within the bill: We think it's really important to clarify that source code, trade secrets and security-sensitive systems are not required to be disclosed. If they are, we are going to lose access, as consumers, to a lot of really interesting products.

And, as well, what we've seen in Quebec is the importance of really defining disclosure—in particular, exemptions or exclusions—and being able to permit digital disclosure formats, recognizing that products are manufactured for global markets and avoid imposing obligations on retailers for manufacturer-controlled information.

So in Quebec, there was consideration of putting stickers on every package, putting dangly signs on every shelf, giant banners in stores, having retailers house all of the manuals. And we really think that using an online—a website tool is certainly the simplest way.

Finally, you—we, again, look forward to the opportunity to be actively involved in the consultations that go forward with regulations and appreciate this opportunity to share our perspective.

**The Chairperson:** Mr. Graham, thank you for your presentation.

Any questions from the committee?

**MLA Sandhu:** Well, thank you very much, Mr. Grant [*phonetic*], coming down and presenting today. It was a wonderful discussion while we had it. There's—lots of people were on Zoom call that day. And I understand the concern that you have brought forward. That's why you will be fully involved when we develop our regulations.

Thank you very much.

**The Chairperson:** Thank you, Minister Sandhu.

Any other questions?

**Mr. Guenter:** Thank you, Mr. Graham, for coming to speak to committee tonight. And I appreciated, as the critic, hearing the concerns that you had.

\* (18:40)

And I think it's important to have that input from folks such as yourself, you know, who know how this thing works and have experience and have seen what it looks like across the country and how we can improve the implementation of a right-to-repair concept in Manitoba.

So thank you again for taking the time to come to speak.

**The Chairperson:** Mr. Graham, do you have anything to add?

**J. Graham:** No. I appreciate the opportunity to speak tonight. I would say that where there's opportunities—certainly look forward to the regulatory development process—but there were some suggestions that we'd hope to see as part of enhancing the strength of the bill that's been going through legislative process right now.

Thank you very much.

**The Chairperson:** Thank you. Mr. Graham. Thank you for your time.

Next we will move to Mr. Vincent.

Good evening, Mr. Vincent. You have 10 minutes when you are ready.

**Rick Vincent (Piston Ring Service):** Good evening, Mr. Chair and members of the committee.

My name is Rick Vincent and I'm the sales manager for Piston Ring Service. Piston Ring is a Canadian, family-owned company that's been operating for nearly 75 years, and we have deep roots in Manitoba where we work closely with independent repair shops every single day. Our role is to supply those shops with parts, tools and technical support to keep the—Manitobans safely on the road.

But more than that, we are part of a broader local ecosystem. Repair shops employ local people. They train apprentices and they are often pillars of their communities, especially in rural and northern Manitoba. So when we talk about right to repair from our perspective, this isn't an abstract policy issue; it's about whether a shop can finish a repair and whether a customer can get their vehicle back on the road.

What we're seeing right now is that many of these shops are increasingly unable to complete repairs, not because of lack of skill but because they can't access the information they need. It's about whether Manitobans can afford to fix their vehicles and where they have the freedom to do so.

Today I want to focus your attention on three important matters. First, what we're seeing on the ground in Manitoba; second, why Bill 15 is an important step forward; and third, what needs to be strengthened to ensure it actually works in practice.

Starting with what we're seeing on the ground. The automotive sector has changed dramatically over the past decade. Vehicles today are no longer just mechanical, they're highly computerized, software-driven machines. A routine repair is no longer just about replacing a part. It often requires access to diagnostic software, calibration systems and real-time vehicle data. And that's where the challenge lies.

Independent repair shops—our customers—are increasingly running into situations where they simply cannot access the information or tools they need to complete a repair—again, not because they lack the skill or the equipment, but because the access is controlled by the vehicle manufacturer.

We hear examples like this all the time, and I want to share one specific illustration from our own team. Our tool and equipment sales manager at Piston Ring works directly with shops across Manitoba and recently compiled a set of common challenges they're facing when trying to access diagnostic and repair information from vehicle manufacturers.

Despite our shops making significant investments in specialized tools and equipment to overcome the challenges of diagnostics and programming, shops continue to encounter barriers particularly when attempting to access key- and security-related functions for manufacturers such as Lexus, Subaru, Toyota, Honda, Acura, BMW.

What these examples show very clearly is that even when independent shops are willing to invest—again, often significantly—in specialized manufacturing-specific tools, they still don't have full access to the systems that they need to do the repairs. In general, the issue isn't a lack of effort or capability on the part of the shop. It's that access to key diagnostic systems remains restricted or incomplete.

Another example for Mercedes-Benz. Even well-equipped independent shops that invested in OE-specific tools can often not complete the certain repairs. They're forced to send items like modules back to the dealership to get programmed before they can install them, and, again, not because they don't have the expertise but because they don't have the information.

Diagnostic trouble codes is another issue. For instance, there's proprietary on some manufacturers and cannot be reliably interpreted by some of the after-market tools out there, such as Mitchell or Identifix, and it makes the accurate diagnosing very difficult. As a result, even after doing everything right, the shop still hits a wall, and the vehicle must be sent back to the dealership, sometimes hours away, adding time, cost and frustration for the customer.

In a province like Manitoba, geography matters. If you're in Winnipeg, that might be a slight inconvenience, but if you're rural or northern that could mean significant delays, added costs, real disruptions. And we're talking about farmers doing harvests; we're talking tradespeople who rely on their trucks; we're talking families who need their vehicle to get to work, get to school; and even fleets that support essential services.

Independent shops are often the only accessible option in these communities. When they can't complete a repair, the entire system breaks down. And, in many parts of Manitoba, the local independent shop isn't just an alternative, it's the only option.

There's also a very real cost impact. Independent repair shops are essential to keeping repair costs competitive.

According to a recent MNP report—which is a piece of what we just passed out—consumers can save up to 30 per cent on common repairs. And once you get into more complex, labour-intensive work, your savings of—can be upwards of 80 per cent over the dealerships. But that competition only works if the shops have access to the same tools and information.

If independent shops are forced to turn away even one repair per week, that estimates out to \$336 million lost annually, nationally. It's about 9 per cent in urban centres and about 16 per cent in rural. Without that access, choice disappears and costs go up.

So that brings me to Bill 15. And we want to be very clear: this legislation is an important and a positive step forward. It recognizes something fundamental, that in today's world, repair includes not just physical parts but also software, diagnostics and digital systems.

From our perspective, that's a critical acknowledgement and it aligns with the reality our industry is facing.

The framework in Bill 15 has the potential to improve affordability, support small businesses and preserve consumer choice in Manitoba. And, importantly, it sends a signal that Manitoba is looking ahead, that it understands where technology is going and wants to ensure its consumer protection laws keep pace with that technology.

But—and this is really the key message I want to leave you with today—the effectiveness of this bill will depend entirely on how it's implemented, because, right now, many of the most important decisions are going to be left to future regulations. And from the perspective of the businesses we serve, that creates some uncertainty.

So what needs to be strengthened? First and foremost, it is essential that motor vehicles must be included early and explicitly in the framework. If vehicles are not designated early and clearly, then the sector where these issues are most urgent could be left out or delayed, and the benefits of this legislation will not reach Manitoba drivers or repair shops in a meaningful way.

Second, access needs to be complete and not partial. That means access not just to manuals or basic tools but to the full range of what modern repair requires—again, diagnostic systems, software updates, calibration tools and, critically, vehicle-generated data. Without access to that data, many repairs simply cannot be completed.

And, third, consumers need to be able to choose who repairs their vehicle and to authorize that repair provider to access the necessary systems on their behalf. There's a simple principle but an important one. Ownership should include the right to decide who repairs your vehicle and when so.

And, finally, the framework needs to be enforceable. Access needs to be fair, timely and practical, not theoretical. That means clear rules, clear expectations and mechanisms to address situations where access is restricted or conditions are unreasonable. Because, ultimately, rights without enforcement are not effective rights. If access exists in theory but not in practice, the law will deliver—will not deliver results.

We recognize the need to balance repair access with manufacturers' concerns about intellectual property and cybersecurity. These concerns can be addressed through clear rules that enable secure, controlled access to the information needed for legitimate repairs. This is not an either-or situation. We can protect both innovation and competition.

One simply needs to look to the Motor Vehicle Service and Repair Information Sharing Scheme that was implemented by Australia at the national level in July 2022.

And, to date, they have not seen a single security breach or cyberattack linked to the legislation for right to repair. And they've developed an excellent system for reporting issues, which has already led to substantial fines to one manufacturer for not giving proper access to the information required.

Another excellent source for how right-to-repair legislation can work for Manitobans is to look at bill 29 that was implemented recently in Quebec. This was also done as an amendment to their Consumer Protection Act.

To conclude, at Piston Ring, we have first-hand—we see first-hand how important independent repair shops are to Manitoba. Again, they're local employers, they support rural communities, they provide affordable options for consumers and they keep essential vehicles on the road.

Bill 15 represents a real opportunity to support those businesses and the people who rely on them. But to fully realize that opportunity, the framework needs to be clear, complete and enforceable, especially when it comes to motor vehicles.

\* (18:50)

Manitoba has the chance to get this right, to create a system that supports local business, strengthens competition and delivers real benefits to consumers. This is an opportunity to make sure that the right to repair works in practice, not just in principle.

Thank you for your time, and I look forward to your questions.

**The Chairperson:** Thank you, Mr. Vincent.

Any questions?

**MLA Sandhu:** Well, Rick, so nice to see you again, and wonderful, nice weather outside. But we are discussing a very, very important bill. And I can share with you, actually, the experience you have over here. Like, my truck had issues, had to take into an independent shop.

They said, sorry, we can't fix it because we don't have the software to look at it. So I have to go to the dealership shop to get it fixed. Completely understand. Thank you very much for coming down and looking forward to having more discussion on this as well.

Thank you.

**The Chairperson:** Any other questions?

**Mr. Guenter:** Thank you, Mr. Vincent, for your presentation, for taking the time to be here today and you made a very strong case for a right to repair. And I wholeheartedly support your comments and suggestions.

So thank you very much.

**The Chairperson:** Mr. Vincent, anything to add?

**R. Vincent:** I just want to, again, say thank you all very much for the opportunity. We very much enjoy being part of this conversation, right to repair, again, from our business and our customers that we support. We know it's wholly important for long-term viability of our industry and, again, we appreciate Minister Sandhu putting this forward and being part of this.

So thank you very much.

**The Chairperson:** Thank you.

Next up online, I believe we have Mr. Harder.

Mr. Harder, can you turn your camera on, if you can hear us?

**Dean Harder (National Farmers Union–Manitoba):** Yes, I can hear you.

**The Chairperson:** Okay.

**D. Harder:** Oh, okay.

**The Chairperson:** Can't quite see you yet; oh, there you go.

**D. Harder:** All right, thank you.

**The Chairperson:** Okay, Mr. Harder, you have 10 minutes when you're ready.

**D. Harder:** Thank you to the Standing Committee on Legislative Affairs for hearing the presentation this evening on Bill 15, The Consumer Protection Amendment Act—on The Consumer Protection Amendment Act.

I'm Dean Harder, a farmer from Lowe Farm, Manitoba. We operate a grain farm with equipment that includes large 500-horsepower tractors, combines, semi-tractor trailer units, grain dryer, trucks and various industrial and consumer products that are related to this bill.

Also, a National Farmers Union—Manitoba member sits on our regional council. The National Farmers Union is a grassroots organization of and for farmers and farm workers in Canada. And the NFU, in Manitoba, through its regional farm members, represents one of the two general farm organizations in the province.

The changes proposed by Bill 15 are directly aligned with the NFU's favoured approach to a right to repair.

Bill 15 enables consumers under The Consumer Protection Act to access effective repairs at a reasonable price and within a reasonable time frame.

The bill also gives Manitobans access to information and proper tools either for free or at a reasonable price. Bill 15 provides a meaningful right to repair to Manitobans as it reads now. And the NFU Manitoba applauds the government for passing meaningful legislation that will save Manitobans money, reduce waste and ensure autonomy over repair.

When we have the power to fix our belongings, we can show care to them and the world around us. While it is a good first step to a right to repair in Manitoba, we would like to see similar right-to-repair guarantees extended to farmers in an additional amendment to Manitoba's Farm Machinery and Equipment Act, where Bill 15 only creates a—the right to repair for consumer goods under The Consumer Protection Act. And Manitoba farmers also deserve the right to repair.

Every year, farmers are spending more on machine repairs. Between 2004 and 2024, machinery repair costs for farmers in Canada more than doubled, from \$232 million to \$240 million. These are sizable costs for a low-margin business. Farmers are often locked into getting repairs from authorized dealers, as some of the former speakers have showcased in other industries.

Machinery companies have historically been able to tightly control when and how farmers access repair services and tools. Subsequently, the prices for the costs for these items become captured or inflated for several key reasons.

The first is the use of proprietary parts and repair tools that only authorized manufacturers have access to. The digitalization and heavy use of software controls on farm equipment requires proprietary diagnostic software to understand and resolve error codes that farmers may encounter when their machine fails; third-party or independent repairs are not given access or fully functionality of diagnostic software from authorized manufacturers or the ability to circumvent technological protection measures that prevent farmers and independent repairers to—from resolving software issues.

The second: ag machine manufacturers may engage in the practice of parts pairing. Parts pairing is this practice of tying serial numbers of specific parts to a machine using software tracking. If a part is replaced and not linked back to the machine through an authorized software link, the machine loses functionality. Parts pairing forces farmers to buy authorized parts and use authorized repair services. Parts pairing limits repairability.

Exacerbating this issue, Manitoba has seen waves of dealership concentration and closure over the last two decades. The concentration of and closure of authorized dealers has increased costs to farmers, as reported by a public interest research group in the United States. Increased distance and fewer options has increased travel costs for farmers as well.

The use of proprietary repair tools and parts, parts pairing and dealership consolidation has effectively created a captured market for big ag machinery companies and their dealership networks. These exclude third-party independent repairs that could provide localized services at better prices while contributing to the strength of rural communities.

It seems there may be intention to simply apply this act to farm machinery within the regulations.

We at NFU–Manitoba caution this government from defining agriculture machinery as a consumer good within those regulations for the purpose of extending the right to repair of agriculture equipment and machinery.

We would rather see these items applied more thoroughly in The Farm Machinery and Equipment Act itself. Warranties and repair obligations for agriculture equipment are already partially defined in that act. It provides important protections for the repair of agriculture equipment, including a 10-year guarantee on parts availability and availability of replacement parts within 14 days of the farmer's request for new parts.

The Farm Machinery and Equipment Act also ensures delivery of emergency replacement parts within 72 hours or working an alternative if those parts are not available. So farmers should not lose access to these tools, and you might consider applying requirements like them to other consumer items as well. The NFU worries that defining agricultural machinery as a consumer good under regulation would undermine the current protections provided to farmers under The Farm Machinery and Equipment Act. We also worry that if you don't address these considerations in the—considerations in the act now, they may never get applied.

Sorry, I—did I—oh.

**The Chairperson:** You're still on.

**D. Harder:** Ah, okay, sorry.

The Manitoba government should use this opportunity to expand Bill 15 to include the amendments to Farm Machinery and Equipment Act that would extend the right to repair to agriculture equipment. This would also include the increase in the parts guarantees for farm machinery from 15—from 10 to 15 years, and an explicit ban on parts pairing.

It should also ensure that farmers and independent repair shops have access to proper diagnostic software and technology and that manufacturers don't void warranty for seeking repairs from third-party repairs.

An NFU farmer member who is also a trained technician explains it this way: It's important to allow farmers and third-party repair shops to have the right to access the diagnostic software, service manuals and tools required to repair equipment, either for free or a reasonable fee. This equipment is getting more and more complicated, and expect a run-of-the-mill

farmer to be able to use software and properly troubleshoot is unreasonable but not impossible.

Third-party independent shops like myself would have training and experience with it, are certainly capable of using it competently. I've had a situation where I charge \$6,000 for an axle seal and the dealer charges \$16,000. When the customer brought it to me, we found a clear manufacturing flaw in the locking nut that caused the bearing failure. Even though I'm a certified technician, the dealer instantly claimed that they wouldn't help the customer because a third party was involved, even though it was definitely a manufacturer's problem.

\* (19:00)

Now, I'm not advocating for third parties to do warranty work, but a certified technician at an independent shop shouldn't void a manufacturer's obligation to provide a properly built product. What this showcases is that warranties are being created with unreasonable restrictions. It's a clear problem for your consideration within our province to consider.

We're also advocating that Bill 15 be amended to hold manufacturers rather than suppliers accountable for right-to-repair obligations, where suppliers are responsible under the current draft. Suppliers should not be held solely responsible for providing repair services or information about repair, as this can place enormous burden on small- and medium-sized suppliers. Quebec's right-to-repair legislation holds suppliers accountable for repair obligations and has shown that this is not the best course to take. Instead, Bill 15 should be changed to put the onus on manufacturers.

Finally, the term reasonable—use and repair at a reasonable price, and repair in a reasonable time—must be defined. The definition of reasonable is important for protecting the accessibility of repair and must be favourable to repairers and users. Our concern about the definition of what constitutes consumer goods, as well as the definition of reasonableness, highlights that the government should not leave these questions to regulation. Legislation is the best place to guarantee robust and clear definitions, rights and responsibilities.

I'd like to conclude by reiterating that Bill 15 is an important step forward for ensuring Manitobans have the right to repair with this bill, and improvements to the farm machinery and improvement act, Manitoba would become a leader for the rest of Canada in creating a meaningful right to repair for its citizens.

NFU Manitoba is happy to work with the government to make this happen.

Thank you.

**The Chairperson:** Thank you, Mr. Harder.

Any questions from the committee?

**MLA Sandhu:** Mr. Harder, thank you very much for your presentation today.

Thanks for highlighting a few of your concerns and also regarding manufacturer and suppliers' responsibilities. Again, that's why we want to make sure we have your input when we develop the regulations. It's going to be important. This is where the responsibilities will be designated—who will be responsible for what.

So thank you very much, once again, for presenting today. Thank you.

**The Chairperson:** Any other questions from the committee?

**Mr. Guenter:** Thank you, Mr. Harder, for taking the time to speak to committee today on this on this bill.

And I appreciated all your comments, particularly, you know, your call for a definition for the term reasonable time. It's something that I have called for as the opposition critic, and I think should be defined in the bill rather than in regulation, and I think it'd be great to see more detail in the bill and give the bill more teeth and—rather than leave it up to regulators to flesh that out later on.

So, again, thanks for taking the time to speak to us and—on this important issue.

**Hon. Ron Kostyshyn (Minister of Agriculture):** Dean, it's Ron Kostyshyn here.

A great discussion, opportunity, your presentation. But I think, at least, it's a segue of how agriculture distribution is happening of repair or even selling of equipment. And we just recently met with a number of individuals from the European countries where manufacturers now are making it more convenient for, I guess, one piece of machinery talking to the other. And this kind of falls out the scope of the right to repair. But it kind of provides a blueprint of how the industry is changing.

And to the industries like MacDon Industries or Bourgault air seeders, if they've got a particular tractor, or John Deere versus Case IH or New Holland—if it's not a matched company name, it's going to be very difficult in the future for these secondary companies

to be able to pair up with the four-wheel drive tractors or any kind of—

**The Chairperson:** Minister Kostyshyn, your time to ask a question has expired.

And I'd just like to remind everyone that we have to stick to last names.

Mr. Harder, do you have anything to add?

**D. Harder:** Yes, I just appreciate, you know, as just as a—as an additive, and thank you so much for your time.

Again, I can't reiterate enough how caring about how you include farm machinery and farm equipment within this has some specifics, and to not negate the other act and perhaps make sure clearly, clearly link them, at the very least.

**The Chairperson:** Excellent. Thank you, Mr. Harder.

Before we continue, I just want to remind all community members to stick to last names, and that community members have 45 seconds to ask a question.

Next up on line, we have Mr. Ellacott.

**Warrington Ellacott (Whirlpool Canada LP):** Hello?

**The Chairperson:** Hello. We can see you. We can hear you. You have 10 minutes when you're ready, Mr. Ellacott.

**W. Ellacott:** Dear Chair and members of the committee, Whirlpool Canada welcomes the opportunity to discuss Bill 15 with you this evening, The Consumer Protection Amendment Act.

My name is Warrington Ellacott, senior manager of government relations, and I've been with Whirlpool almost 30 years. Whirlpool Canada is a leading appliance supplier with 225 employees in Canada and does over a billion dollars of sales. Specifically in Manitoba, we service 97.3 per cent of all postal codes through 22 member companies of our service network, and they're all small- and medium-sized enterprises that support our activity in Manitoba.

While we support the bill's objectives, our endorsement is conditional on resolving concerns, specifically in the appliance sector relative to consumer safety, employee protections and trade professional protections and the regulation of licensed preparer services.

Residential and commercial appliances are very complex electronic durable goods, as some of the presenters have already commented. However, they are extensively regulated, both provincially and federally, covering many aspects, including electrical product safety, gas and gaseous fuels regulations for propane or natural gas, flammability requirements—like, for example, our refrigerators are—use R600a isobutane, which is a flammable gas—water and air systems, and they're also regulated for energy and water efficiency. So there is federal regulation along with provincial regulations on the books related to these products.

Manitoba, however, is unique among Canadian provinces in that it does not formally recognize the appliance service technician trade provincially, although the appliance technician is a Red Seal nationally recognized professional trade.

Therefore, we would strongly urge Manitoba to promptly certify appliance service technicians as a trade to protect consumers and our workers from unqualified and unauthorized repair practitioners.

Allowing unqualified individuals to access connected appliance modules poses risks. Tampering can lead to re-engineering, block security patches, firmware instability, network vulnerabilities and other electrical hazards in our products. Therefore, it's crucial to recognize that the major appliance industry operates differently from the automotive sector.

Applying a single general approach risks unintended negative consequences for both consumers and the industries. The contrast in the acquisition and ownership cost is significant, and I've provided this in more detail in my brief.

I would also add that the repair of appliances is unique in that the repair technicians go to the customer's home. The product is not delivered to a bench at a shop. Therefore, there's personal security concerns, and that's why we do background checks with all of our professional servicers who work in our network.

Assertions made by some repair opponents that there's a lack of affordable and available appliance maintenance is driving up household expenses is misguided, and I provided details on our service history and performance history related to appliance repair, specifically in Manitoba and also across the nation.

In closing, we would recommend that the committee consult with federal bodies, standards organizations and other industry stakeholders related

to consumer product safety, gaseous fuels regulations and other building code and insurance underwriters to ensure that, as you broaden access to repair for regulated products by unauthorized and unlicensed parties, that we don't have an elevated consumer product safety risk.

\* (19:10)

Thank you for your attention, and I would be pleased to answer your questions.

**The Chairperson:** Thank you, Mr. Ellacott.

Any questions from the committee?

**MLA Sandhu:** Mr. Ellacott, I want to thank you for spending your evening with us again, as many other members have done. And the department is looking forward to having a good discussion on Monday on this as well.

Thank you very much.

**The Chairperson:** Any other questions?

**Mr. Guenter:** Thank you, Mr. Ellacott, for taking the time to speak tonight.

**The Chairperson:** Mr. Ellacott, anything to add?

**W. Ellacott:** No. Thank you for your time.

Thank you, Chair, members of the committee.

**The Chairperson:** Have a great evening.

Next up, we have Mr. Cloutier.

Good evening, when you're ready, you have 10 minutes.

**Denis Cloutier (Automotive Trades Association of Manitoba):** Thank you.

First of all, thank you to the Chair and the committee for allowing me to present this evening on behalf of the Automotive Trades Association. My name is Denis Cloutier, I am the executive director of the Automotive Trades Association, known as the ATA.

We represent the collision centres of Manitoba, and 70 per cent of the 220 accredited collision centres of Manitoba are members of the ATA. The ATA supports Bill 15 as an important step towards complete right-to-repair legislation for the Manitoba collision repair industry. And while I'm going to speak tonight to many of the points you've already heard, I do want to focus it as it has applies to the collision repair industry.

Yes, it has become a cliché that today's vehicles are computers on wheels. The collision repair claim is no longer just about replacing a bumper, straightening a panel or refinishing a fender. We're moving into an era where modern vehicles can no longer be fully and safely repaired with traditional tools and parts access alone.

Repairs often involve software, scanning, diagnostics, sensor calibration, telematics and manufacturer-controlled repair procedures. When independent collision repairers cannot access the same information, tools and systems available to vehicle manufacturers and their preferred networks, consumers lose choice, repairs become more expensive and repair times get longer.

Right to repair is about fair access, safe repairs and consumer choice. So what is the core problem? Modern collision repair depends on access to critical repair resources, including OEM repair procedures, diagnostic and scan tools, calibration instructions for advanced driver assist systems, software updates and vehicle communications and parts pairing and program capabilities.

Without that access, independent repair facilities may be prevented from completing repairs efficiently or, in some cases, at all. This creates a market where manufacturers can exert growing control over who is allowed to repair vehicles.

So why does this matter to Manitoba consumers? Right-to-repair legislation matters because it directly affects Manitoba drivers and families in three areas: (1) consumer choice. Vehicle owners should have the right to choose where their car is repaired after a collision. That choice becomes meaningless if independent shops are denied the tools and data needed to do the job.

Second, repair affordability. When repair access is limited, competition shrinks, and less competition means more inconvenient—more inconvenience for consumers and higher repair costs. Those high repair costs will directly result in higher MPI premiums for Manitoba families.

(3) is the safety aspect. Safety is one of the strongest reasons to support this legislation. Modern vehicles rely on systems like automatic emergency braking, blind spot monitoring, lane keeping assistance, forward collision warnings, airbags and occupant protection systems.

After a crash, these systems may require inspection, scanning, calibration, programming or verification.

Safe repair should not depend on whether a shop has privileged manufacturer relationships. Every qualified repairer should have access to the information needed to restore these systems properly.

So why does it matter to us as collision repair professionals? 'Indepesent' collision repair businesses are a critical part of local economies.

They employ technicians, estimators, painters, parts professionals and support staff and many are family-owned businesses that have served their communities for decades.

But as manufacturers expand control over vehicle data and repair functions, these businesses face a serious threat, as they may be unable to compete on a level playing field. They may be forced to outsource key repair steps. They may lose business despite having properly trained staff and the proper equipment. They may also be excluded from repairing certain makes or models.

Right-to-repair legislation helps preserve small-business viability, workforce opportunity and fair market competition.

So what should good right-to-repair legislation guarantee? Effective legislation should ensure that vehicle owners and their chosen repair facilities have access to the same essential repair resources made available to authorized or manufacturer-affiliated repairers, including repair and diagnostic information, wireless and direct data needed for repair, scan and calibration functions, security-related access necessary for legitimate repair, software and programming capabilities required after collision damage and fair and reasonable access terms. OEMs cannot make access cost prohibitive to independent repair facilities.

The goal is not to bypass safety, intellectual property or cybersecurity. The goal is to ensure that lawful repairs can occur safely, securely and competitively. The ATA encourage this government to close unintended loopholes that could allow manufacturers to circumvent the intentions of this legislation, and the ATA is available to assist in those conversations.

Supporting right to repair in collision repair advances several important public policy goals: consumer protection, market competition, lower repair and ownership costs, small-business support, workforce development and safer post-collision repairs when correct procedures are accessible. This is not an—just an industry issue, it's a consumer rights issue, a small-business issue and a road safety issue.

So, in closing, right-to-repair legislation for collision repair is about keeping the repair market fair, open and safe. When a vehicle is damaged, the owner should be able to choose a qualified repair facility with confidence that the shop can access the tools, the information and systems required to perform a complete and safe repair.

No manufacturer should be able to control repair access in a way that limits competition, raises costs, delays repairs and undermines consumer choice.

Thank you very much.

**The Chairperson:** Thank you, Mr. Cloutier.

Any questions from the committee?

**MLA Sandhu:** Thank you very much, Mr. Cloutier, for having—presenting to the committee this evening and also your support for this bill. Thank you.

**The Chairperson:** Any other questions?

**Mr. Guenter:** Likewise. Thank you, Mr. Cloutier, for taking the time to speak today, and appreciate you making the case for right to repair and all that you had to say. So, thank you.

**The Chairperson:** Mr. Cloutier, do you have anything to add?

**D. Cloutier:** No. Thank you for allowing us to be part of the process, and we look forward to continuing conversations. Thank you.

**The Chairperson:** Thank you. Have a great evening.

Next up, we have Mr. David Grant, but I see that—for bill—[*interjection*] Excellent—we'll move on to Bill 48, Mr. Grant?

Seeing that Mr. Grant doesn't seem to be here, we will then—and we will drop him, again, to the bottom of the list.

#### **Bill 49—The Business Practices Amendment Act** (Continued)

**The Chairperson:** Moving on to Bill 49, we had on the list Mrs. Vallejo, but she cannot make it tonight. We wanted to put that on the record.

Next up, we would have Mr. Graham on Bill 49.

Good evening again, Mr. Graham. You have 10 minutes when you're ready.

**John Graham (Retail Council of Canada):** Thanks very much again, Mr. Chair and committee.

I should mention that about 70 years ago, in this very building and likely in this very room, my grandfather, who was an MLA and a minister for a number of years, had the privilege of serving in the way that you serve Manitobans, so it's kind of a neat experience for me.

Now, down to business, and as you've indicated, I'm John Graham. I'm the director of government relations for Retail Council of Canada. In a previous presentation, I've introduced to you that Retail Council of Canada is a not-for-profit organization that represents all types of retailers in this province, but for purposes of this conversation, I will point out that about 90 per cent of all retail grocery activity are members of our organization.

\* (19:20)

Bill 49 speaks to the growing narrative that retailers are using algorithms to quietly change different cut—charging different customers different prices, based on personal data, often described as surveillance pricing. It's quite a powerful idea, and it resonates at a time of real concern about affordability and data privacy. But it's important to be clear that there is no substantiated evidence that this practice occurs in Canadian retail today.

The concern itself is understandable, and no one wants to live in a world where prices rise simply because of an algorithm thinking you might be willing or forced to pay more. But much of the current debate is conflating two different things, and the confusion risks leading to policy that could unintentionally harm consumers. Retailers have always used data to set prices. Long before AI, prices reflected costs like rent, wages, transportation and competitor behaviour. The core question has always been the same: what price moves inventory efficiently while staying off competition?

What's changed is not the principle, it's the speed and the precision. Today's algorithm pricing is largely about using digital tools to solve everyday retail challenges more effectively: when to discount seasonal goods, how to reduce food waste from perishables, whether to match a competitor's price or when a timely offer might help a customer complete that purchase. These are not new practices. Technology simply allows retailers to do them better.

A key misconception is that algorithmic pricing is mainly used to raise prices. In reality, it's—overwhelmingly operates in the opposite direction. Consumers see it every day, through loyalty rewards

or frequently purchased items, personalized coupons at checkout, promotions or relevant products and markdowns and clearance of seasonal goods. These are targeted discounts, not targeted price increases. The idea that retailers are broadly using personal data to raise prices in real time doesn't align with how competitive retail markets actually function.

Unlike an airline, where there's limited choices of airlines, limited quantity of tickets, retail is intensely competitive. Consumers can compare prices instantly, switch stores very easily and access online alternatives within seconds. In that environment, retailers are incentivized to lower prices, not experiment with opaque or discriminatory pricing strategies that would quickly drive customers away and certainly appear on social media.

Another concern raised is the debate—in the debate has been about electronic shelf labels, with fear that they could enable constant price changes. In practice, they are far more practical than that. Electronic shelf labels improve price accuracy between the shelf and the checkout, support compliance with consumer protection rules, reduce manual errors for staff and help manage inventory more efficiently.

In Canada, price accuracy isn't optional. The Competition Act prohibits changing more than the—charging more than the lowest displayed price, and many retailers follow the Scanner Price Accuracy Code, compensating consumers when errors occur.

Electronic shelf labels don't weaken the—these protections, they strengthen compliance.

More broadly, Canada already has strong legal—a strong legal framework. Existing laws prohibit deceptive pricing, prevent anti-competitive behaviour, require pricing transparency and regulate how consumer data is used. This is not theoretical protections, they are enforced and functioning today.

That said, there's always room for improvement, and 'transparency' around pricing practices can and should evolve alongside technology, but broad restrictions based on misunderstood concepts and risks removing tools that actually benefit customers.

Legislation that treats personalized algorithmic pricing as inherently fair is rooted in—is, I get—rooted in genuine desire to help and protect Canadians and Manitobans. It's—we get it. There's no doubt about the desire here.

However, if not carefully designed, it could reduce retailers' ability to offer discounts efficiently,

in—could increase waste, practically—particularly for perishable goods, limit price flexibility and ultimately raise overall prices. In other words, the very consumers these policies aim to protect could end up paying more

It's also important to recognize that algorithmic pricing is not a single practice. It includes a wide range of tools, from clearance markdowns to loyalty-based discounts. And grouping all these under the label of surveillance pricing may be effective narrative, but it oversimplifies a complex issue.

If Manitoba wants to lead in a digital economy while keeping costs manageable for households, the goal should not be to restrict modern retail tools, but to understand them and regulate them with precision.

While our preference would have been for continued federal leadership to avoid patchwork and provincial approaches, we recognize Manitoba's proceeding and appreciate this opportunity to offer some input. So I'll offer the following as we close my comments.

First, given that there's no evidence of predatory or individualized price increases in retail and strong competitive pressures that work against it, our primary concern today is ensuring this legislation does not introduce new costs for consumers or businesses.

Secondly, it should, in its language, be—from our perspective—more explicit in its intentions of not limiting retailers' ability to provide discounts, promotions and pricing strategies that benefit customers. We encourage this clarifying language.

Third, this legislation should be—more clearly state its narrow focus and its intent that we understand that it's designed to prohibit the price increases of a specific individual customer. So we think that 4.1(c) should really be more explicit.

And, finally, consideration should be given to defining base or regular price. And a reasonable approach from our perspective is a supporting—a price supported by actual sales and offered for a meaningful period or volume, consistent with principles of the Competition Act and the guidance of the Competition Bureau.

With these clear definitions and careful calibration, practically around—particularly around individualized price increases in regular price, this bill can achieve its intent without unintended consequences or interrupt the long-understood promotional practices

that are in place and have been for many, many decades.

Thanks very much for the opportunity to present.

**The Chairperson:** Mr. Graham, once again, thank you.

Any questions from the committee?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Well, thank you very much, Mr. Graham, for your presentation to the committee. With this bill, discounts is not affected. Seniors' discount or any kind of discount is not affected.

Thank you very much for presenting today.

**The Chairperson:** Any other questions?

**Mr. Greg Nesbitt (Riding Mountain):** Thank you, Mr. Graham, for your remarks here tonight.

I take it, from what you say, that there's no other legislation in Canada on algorithmic pricing at this point, and your point was that perhaps there should be a Canadian regulation.

Can you just elaborate if there is any other legislation in place or being contemplated in any other provinces, and what impetus might this government have for putting this in?

**The Chairperson:** Sorry. Mr. Graham.

**J. Graham:** Thank you very much.

**The Chairperson:** My hardware wasn't working there, sorry.

**J. Graham:** No, my pleasure.

**The Chairperson:** My software wasn't working. It was my software.

**J. Graham:** Perfect. There is no other legislation in Canada at a provincial level. There is robust legislation at a federal level, and there have been—there's been work being done to keep pace with technology through the Competition Bureau and Competition Act.

The reality is that this isn't occurring in retail right now, and so we're not coming here protecting an action that is under way.

We're simply concerned about, somehow, the legislation being misunderstood in a way that removes the ability for us to continue to offer savings to Manitobans the way—in the ways that are all—have been done for years.

**The Chairperson:** Thank you, Mr. Graham.

Any other questions?

All right, thank you. Have a great evening.

Next up, we have Mr. Grant. And I see that Mr. Grant is not here, so we will move on to—we're going to drop him to the bottom of the list. We've been doing that a lot tonight.

Next up is Ms. Mansaray.

\* (19:30)

I hope I got your name right. Good evening. Welcome.

And when you're ready, you have 10 minutes.

**Zainab Mansaray (Canada-Africa Relation Enterprises Inc.):** Good evening, honourable Chair and the committee. I'm so pleased and honoured to be here. My name is Zainab Mansaray, the founder and CEO of the Canada-Africa relation, and the Canada Sierra Leone Friendship Society, affectionately referred to as enterprises and social, respectively.

I am passionate about fostering sustainability, development, cultural exchange and community empowerment. The enterprises is a game changer in the global market supply chain business, focusing on supporting competitive responsible and sustainable mineral, agricultural and natural resources trade between Africa and Canada.

We represent over 100,000 women members globally, and our operations are carried out by leading women working as consulting directors alongside professionals in mining and a team of volunteer students.

Our vision for the enterprises is to become a successful business contributing to harmoniously global co-existence, enhancing the subject sense of well-being in local population. We aim to continuously promote, implement and operationalize all United Nations Sustainable Development Goals into our business practices, creating an environment where all people belong. Especially women and girls can prosper and fulfill their potential.

We are actively seeking to form a comprehensive, progressive and fair trade agreement for a transatlantic Sierra Leone partnership, the agreement with the Canadian government, Manitoba, which I registered my business, so proud.

This policy proposal emphasized the economic opportunities for Canada in Africa, particularly in

Sierra Leone, known for its vast endowment in minerals. It proposed to enhance Canada-Africa relation and tap into new trade diversification opportunities.

This innovative approach of fostering partnership with non-profit organizations is at the heart of the agreement, ensuring that the benefits of these opportunities are shared with the communities that need them the most.

Meanwhile, the society has its own unique goal. It aims to expand its reach and increase its impact with plans for new projects and strategic to enhance its work in the community itself. Some of its future plans include purchasing lumber milling equipment to produce lumber for the construction of homes in Africa, in Canada, especially in Manitoba; shipping computers supplied by Computers for Schools Manitoba every year to support its computer literacy program; and providing stable housing for vulnerable people in Manitoba—group homes with comprehensive support services to participants.

While the enterprise is currently focused on supporting the society, our model has the potential to support other non-profit organizations in the future. Our goal is to create a sustainable funding model that can help non-profit organizations drive to continue their important work.

We believe this approach is key to achieve healthy, sustainable, just and vibrant communities with equity, diversity and inclusion. At the core of our value, we are committed to ensure that the enterprises operate as a business of fairness and opportunity, free for discrimination.

In conclusion, 'beform', the enterprises and the society are not just businesses, they are movements towards a more equitable and sustainable world. We invite you to join how Canada-Africa Relation Enterprises—in operation called CARE Inc.—is a registered business company in Canada, Europe and Africa—Sierra Leone, West Africa, to be specific—in ethical development and trade pilot partnership.

A brief context of the business company: the Canada-Europe-Sierra Leone ethical development and trade pilot bundle, gender-responsive programming, ethical investment, standard clean technology transfer and export facilitation to create measurable community-led economic outcomes in agri-food, fisheries, value chains.

It will initiate an inclusive bilateral partnership between the Province of Manitoba, government of all Canada and the government of Sierra Leone. Focus on

ethical investments, climate resilience, infrastructure and inclusive education with governance and implementation lead jointly by design, representative of both governments.

The pilot test practical tools: finance, procurement, corporate social responsibility standard and public reporting that can be scaled across Africa. Partners who—while demonstrating Canada's leadership in ethical inclusive development and trade, engagements with registered business trade partner including of business institutions in Manitoba.

Talking points: Why Africa, Sierra Leone? With Canadian citizen book, between page 515, the Black loyalists from Nova Scotia to Sierra Leone, where my parents came from in Nova Scotia. And there is a democratic partner purchasing sustainable development and ethical trade with other countries. Why not Canada?

Canada's feminist international assistance policy aligns with Sierra Leone's priorities in clean technology, education and gender equality. A bilateral pilot allows Canada to test ethical trade and development model before scale-under. Ethical resources development and technology transfer can expand inclusive economic opportunity.

Diaspora engagements including the Canada Sierra Leone Friendship Society Inc., strengthen legislative and community alignment, support Canadian NGOs and business in Sierra Leone, promoting transparency, gender equality and environmental responsibility. Stronger Indigenous style, co-development principles can guide ethical partnership abroad.

High standards of corporate social responsibility ensure environmental protection and human rights compliance.

Annual public reporting strengthens accountability and demonstrates measurable outcomes. A successful pilot positions Canada as a global leader in the international world—ethical, inclusive, development partnership.

\* (19:40)

The standing committee on finance studies physical policies, budgets and financial accountability in international—

**The Chairperson:** Ms. Mansaray, I'm so sorry, but your time has run out. *[interjection]* Good job.

Thank you. Thank you, Ms. Mansaray.

Are there any questions from the committee?

**MLA Sandhu:** Well, thank you very much, Ms. Mansaray, for coming down and sharing about your organizations. Thank you very much.

**The Chairperson:** Any other questions?

**Mr. Nesbitt:** Well, thank you, Ms. Mansaray. Again, I echo the minister's comment. Thank you very much in coming and speaking to us tonight. You can certainly hear the passion in your voice as you speak about what the Canada-African relation committee is doing.

Congratulations on what you've done so far, and all the best on fulfilling your goals as you move forward.

**The Chairperson:** Ms. Mansaray, do you have anything to add?

**Z. Mansaray:** Yes, as a—the little thing I want to add. As the Prime Minister said, if you are not on the table, you are on the menu. I'm sorry. That's me. I work with homelessness. Any time when they are fat I say, you are on the menu, don't worry.

So—and this, I hope bills 29, 49 and 15 will come together and put something that is really—we are ready to work with Canada, we are ready to work in Sierra Leone.

Thank you so much. Thank you for having me again.

**The Chairperson:** Thank you so much. Thank you Ms. Mansaray, for your time.

### **Bill 15—The Consumer Protection Amendment Act (Continued)**

**The Chairperson:** Next up we will revert back to Bill 15.

Is Mr. Grant here? *[interjection]*

Bill 15, and you are Mr. Grant? *[interjection]*

Pardon me, I can't hear you.

**Floor Comment:** Could you remind me of the topic of Bill 15?

**The Chairperson:** We are dealing right now with Bill 15, The Consumer Protection Amendment Act; Loi modifiant la Loi sur la protection du consommateur.

Yes, Mr. Grant, you have the floor for 10 minutes when you're ready.

**David Grant (Private Citizen):** Yes. I don't have prepared notes, but I strongly support this. I've been fixing my own stuff for a long time, and I very seldom counted on the manufacturer or the retailer to help in any way.

Even when my car was new and under new-car warranty—only ever bought one—they weren't really very helpful. And so I would support this bill and all that it intends to do. I think that it does need regulations that would say: What's a reasonable time?

One of my favourite vintage cars, a Hyundai, one of the first ones they made, within 10 years they stopped selling parts. They don't even have a parts listing when you go into the dealership. So the reasonable time is something that maybe regulations could deal with. And so that's one of the—and then a reasonable price. And again, the—if everybody else is selling a wiring diagram for 20 bucks at Ford and Chrysler and this dealer wants \$700, then that's not reasonable.

As I say, it'd be more comforting if the regulations that support this bill specified time limits and what's reasonable, and I think going for what's the average selling price for a diagram or for a special tool for adjusting something on the engine or how to fix a electronic device, you know, that sort of thing. If everybody else is doing it, then that manufacturer should be required to as well.

And, obviously, time frame that it's covered. If it's a—an electronic toy and it's lasted through its one-year warranty and you're into year 4 and it dies, eh. But if it's a car, maybe you want it to last longer.

So, anyway, I support the bill, and I think the regulations do need some tweaking and our—the assurance that there's going to be regulations to make it workable.

So, thank you.

**The Chairperson:** Thank you, Mr. Grant.

Any questions from the committee?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Well, thank you very much, Mr. Grant, coming down and presenting to the committee, and I know I have seen you so many times—I think you were busy in the other room and especially giving your thoughts pretty much what happens in the Leg. It's so nice to see you once again.

Thank you very much.

**The Chairperson:** Thank you.

Any questions? Any other questions?

Mr. Guenter? Mr. Nesbitt?

**Mr. Greg Nesbitt (Riding Mountain):** Mr. Grant, so nice to see you again. It's great to see a private citizen out here tonight speaking to the legislation. I commend you for showing up here tonight.

Again, thank you.

**The Chairperson:** Thank you. Mr. Grant, anything to add?

**D. Grant:** Yes. I thank you for that and it's—it's these are feelings that I've had and I think there's other—there's people in Winnipeg trying to organize household goods repair centres. You know, that's something that if not everybody knows how, if you go to the place on Ellice they'll show you how to fix it.

So I think the idea of people having time on their hands and being able to look at YouTube or go down to the Ellice shop, there's going to be more need for parts and service tools to be available.

So I think this is a good bill that way, and thank you, Mr. Nesbitt, for your comment.

**The Chairperson:** All right, thank you, Mr. Grant. Don't go too far.

#### **Bill 48—The Real Property Amendment and Planning Amendment Act (Land Conveyed for Public Purposes)**

**The Chairperson:** Up next on Bill 48, Mr. Grant, The Real Property Amendment and Planning Amendment Act.

When you're ready, 10 minutes.

**David Grant (Private Citizen):** Chair, I won't need nearly that much. This one was regarding government setting aside and using lands for their own purposes. This seems like a logical thing, it seems like a bill—that it seems like it shouldn't be needed if there's an easement to run a power line through the property and it hasn't been used yet; it's there on record.

The lesson might be that having people surprised, you know, the easement was granted 20 years ago and nobody ever built anything and now you find there's going to be something horrible in your beautiful backyard. So the surprise aspect that you can't really deal with that with legislation—I would just remind you, in the US there have been horror stories with regard to eminent domain and government-type entities taking land and wanting land.

And we certainly heard some bad stories when the bus rapid transit people wanted to take properties and they'd been in them a long time. The worst travesties were a town in the U.S. where—a small town—and the town decided to take a bunch of properties.

The resident—the commercial district of their town, they took ownership of all the properties and then gave them to a developer. And that's sort of an abuse, but just, you know, something to keep in mind. If government's going to be taking over something, it really should just be for their customary and normal practice, as opposed to giving it to a friend.

But thank you very much for that.

**The Chairperson:** Thank you, Mr. Grant.

Any questions?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Well, thank you very much once again, Mr. Grant, for coming down and presenting to the committee.

**The Chairperson:** Any other questions?

**Mr. Greg Nesbitt (Riding Mountain):** Again, thank you, Mr. Grant. Again, it's great to have your opinion on this bill.

Thank you.

**The Chairperson:** Anything to add, Mr. Grant?

All right. Once again, don't go too far. You're going for a hat trick tonight.

**Bill 49—The Business Practices Amendment Act**  
(Continued)

**The Chairperson:** Bill 49, The Business Practices Amendment Act.

When you're ready, you have 10 minutes.

**David Grant (Private Citizen):** Sure, thanks. At the service centre at my local Superstore this morning for a rain cheque and I mentioned the idea of electronic shelf pricing. And the person there thought, well, she has shelf-pricing devices, little card thing and it's printed on it in ink, on paper, what the price is.

What she's referring to is a device that you can use, you can interrogate it. So as you go into that store with your phone, and the phone will tell you all sorts of—it's like a QR code for a shelf price—as opposed to what I think the bill is referring to, which is a price that's instantly adjustable.

As you walk down the aisle, it says, oh, here's a sucker coming, I'll charge him this much. And if that's what the bill is to deal with, then this is something to watch out for because I'm very much price-driven. I grew up quite poor; 75 cents an hour says it was a while ago and barely able to make rent and so on.

So I still, unfortunately, stuck with that habit of buying things when they're on sale, and so I'm driven by price. When I read the bill, I was initially concerned that it was going to say that the normal price is the only price you could charge and I think it only refers to bumping up the price, not down, because if you're part of their marketing and data system and you tell them what you buy and they give you this many cents off—you know, those kinds of discounts in exchange for your data—you sell them everything you know in exchange for five bucks a week.

\* (19:50)

If it's—the bill is not going to be used against, what are we going to call it, discounted or reward marketing, if it's only to keep—to help people avoid price bumps, then I see it as entirely positive.

On CBC News this morning, they told us that Sobeys in the Maritimes is going to be using electronic shelf pricing. So, initially, when this bill was first waved around it was just, gee, that's silly. That's never going to happen. That's Jetsons. But here we are, Sobeys. Depending on if Sobeys is talking about the same stuff you are, but maybe it's a very topical subject, and I know very much that I would say—we'll say half the people going to grocery shop right now or in a Canadian Tire to buy an appliance walk up and see what's there and decide to buy it. They aren't like me that don't buy that item until it's on sale, you know, until it's substantially reduced.

So the people who just walk up and buy lettuce because they want some lettuce, they aren't going to care whether it's three or four or five dollars. And so this may be marketed to them. And I'm not sure quite how that works versus having just a fixed crazy high price.

But anyway, as I say, I'm sort of in favour of it if I've interpreted it correctly, that it is to present—prevent bumping up, because here's somebody that always pays full price. Here's somebody who's never used a dollar-off coupon and therefore we'll charge them \$6 for their lettuce because they won't notice. If that's what it's intended for, I guess it's a good idea.

On the other hand, if the store can pay their people because of that \$6 lettuce and I'm waiting until it goes

to three, then that's, you know, maybe it isn't needed, and certainly I would hope that all the people who can barely afford their food now are also watching for bargains and stop buying oranges when they're a crazy price, et cetera.

And so if the people who really need this bill are already being careful, then it's not as needed to protect the person who just walks up and grabs something without looking at the price. But anyway, that's my interpretation. If I'm correct that it's just to prevent bump-ups, then it's probably a good idea. And I would ask you, as minister, is that purely your intention?

Thank you.

**The Chairperson:** Thank you, Mr. Grant.

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Thank you, Mr. Grant, again. This bill is about everyone paying the same price, but the companies can still offer you a discount.

**D. Grant:** Thank you, Minister, and yes, that's what I wanted to be sure of. And I thought the topical thing that a company is doing that in New Brunswick is—makes this relevant.

Thank you.

**The Chairperson:** Any other questions from the committee?

**Mr. Greg Nesbitt (Riding Mountain):** Well, thank you, Mr. Grant. I just—you kind of reinforced what we asked at the bill briefing with the minister. We want to ensure that there's no unintended consequences on this bill in terms of retailers offering lower prices to consumers. I think that's the goal, I think—should be the goal of any government, ensuring that consumers get the lowest price possible and not interfering in that.

So, again, details will be in the regulations here, I guess, as we move forward. So I appreciate your comments tonight.

Thank you.

**The Chairperson:** Yes, Mr. Grant.

**D. Grant:** The one thing I would add to that is that, right now, it takes a lot of labour every day to put packages on a grocery store, put packages on the shelves. And the amount of labour that's involved in printing up a piece of paper and sticking it on the shelf is a tiny fraction of that. So the idea of an addressable LED display on the shelf that can be changed in a second's notice, I'd be very much

in favour of that. And if instead of just preventing bump-ups, you were to, if the legislation or the regulations following, say, paper shelf labels are the preferred method, I think that's something that retailers would accommodate.

And I think consumers would find that very reassuring. Because the electronic, you don't know if it—you know what you saw when you picked it up if it's still there, whereas the paper, they're not going to change during the day, so that's the other side. Maybe that should be in the bill of no instantly addressable prices.

But, thank you, Mr. Nesbitt.

**The Chairperson:** All right. Thank you, Mr. Grant. Thank you, everyone.

That concludes the list of presenters I have before me.

\* \* \*

**The Chairperson:** In what order does the committee wish to proceed with clause-by-clause considerations of these bills? By number?

**Mr. Nesbitt:** Numerical.

**The Chairperson:** Numerical, all right. Is that agreed upon? *[Agreed]*

Then we will go clause by clause numerically.

### **Bill 15—The Consumer Protection Amendment Act** *(Continued)*

**The Chairperson:** Starting with Bill 15, does the minister responsible for Bill 15 have an opening statement?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Yes, I do.

I'm pleased to present Bill 15 this evening and to move forward a proposed amendment to The Consumer Protection Act that would establish a right to repair for designated consumer goods.

The proposed amendment would require that sellers and manufacturers provide buyers with reasonable access to the parts, tools, software and manuals necessary to diagnose, maintain and repair their purchase; and that such means of repair be made available for the reasonable period of—after sale, at a reasonable price and within a reasonable time.

If seller and manufacturer are unable to provide these materials, that must be clearly disclosed to buyer before the point of sale. These amendments would strengthen consumer protection, support affordability for Manitobans and reduce unnecessary waste by making repair a practical option.

The amendment creates regulation-making authority to designate classes of goods and define required repair input and remedies. If enacted, my department will begin developing regulation with household appliances as the first designated consumer goods.

This bill—if this bill passed, position Manitoba alongside Quebec as a leader on right to repair. In closing, I am asking the committee to approve this draft bill.

**The Chairperson:** Okay, thank the minister.

Does the critic from the official opposition have an opening statement? All right, moving on.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Clause 1—pass; clause 2—pass; clause 3—pass; enacting clause—pass; title—pass.

Shall the title be reported—sorry, I will state that again—shall the bill be reported?

Bill be reported.

**Bill 48—The Real Property Amendment  
and Planning Amendment Act  
(Land Conveyed for Public Purposes)**  
*(Continued)*

**The Chairperson:** In regards to Bill 48, does the minister responsible for Bill 48 have an opening statement?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Yes, I do.

I'm pleased to present Bill 48 to the committee this evening and to move forward a proposed amendment to the real property act and planning act that addressed a long-standing issue involving public reserve land and statutory easement.

Once land is dedicated as a public reserve through the subdivision process, the municipality cannot currently grant new easement over their land. This limitation creates challenges when communities and developers need to place easement infrastructure, such

as utility lines, in the most logical and cost-effective occasions.

Utilities are often forced to reroute around public reserve parcels such as buffer strips, parks, retention ponds and pathways, adding unnecessary design complexity and increasing capital cost. Stakeholders including municipalities, the City of Winnipeg and the utility and development interest have consistently indicated that allowing utility-related statutory easement on public reserve land would support orderly development, lower cost and still preserve the public purpose that public reserve is intended to serve.

\* (20:00)

Officials have consulted with the Department of Justice, Municipal and Northern Relations and Natural Resources and Indigenous Futures, including land-conveying staff. And there are no concerns with the proposed approach.

The City of Winnipeg, the Association of Manitoba Municipalities, and the Manitoba Home Builders' Association were also consulted. The proposed amendment will create certainty on the ground, reduce the risk of accidental damage to infrastructure, assign maintenance responsibility clearly without any new program or operational funding impact.

I'm, therefore, asking this committee to approve this proposed bill.

Thank you.

**The Chairperson:** Thank you, Minister Sandhu.

Does the critic from the official opposition have an opening statement?

**Mr. Greg Nesbitt (Riding Mountain):** At its core, this bill makes targeted amendments to The Real Property Act and The Planning Act. It clarifies how land reserved for public purposes may be used and introduces provisions for statutory easements over those lands. It also expands permitted uses to include works of municipalities, with the stated aim of supporting infrastructure development and providing greater clarity to municipal governments.

Bill 48 is an administrative and technical bill with practical implications. It aims to improve clarity and support infrastructure development, and those are objectives that can be broadly supportive in principle.

However, the details matter. The protection of public reserve lands, the transparency of decision making and the consistency of application across

municipalities are all issues that will require careful attention moving forward.

Thank you.

**The Chairperson:** Thank you, Mr. Nesbitt.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Clause 1—pass; clause 2—pass; clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

**Bill 49—The Business Practices Amendment Act**  
(Continued)

**The Chairperson:** Moving on to Bill 49.

Does the minister responsible for Bill 49 have an opening statement?

**Hon. Mintu Sandhu (Minister of Public Service Delivery):** Yes, I do.

I'm pleased to present Bill 49 to the committee this evening and to move forward with the proposed amendment to The Business Practices Amendment Act.

These amendments will deem it an unfair business practice to use a consumer's personal data to deem—demand a higher price for the same goods or services, as offered to other consumers.

Affordability has emerged as a growing challenge for Manitobans, driven by factors including rising food prices, which have resulted in an increased reliance on food banks across the province.

At the same time, evolving pricing practices, particularly differential pricing and pricing based on personal data in the retail sector, have raised concern about fairness, transparency and competitiveness. While The Business Practices Act already prohibits unfair or misleading conduct, it does not currently directly address emerging pricing practices such as pricing based on personal data.

The amendment also includes definitions that reflect the current and evolving changes to Manitoba's retail landscape by adding definitions for online platforms, online retailers, online distributors, pricing based on personal data and electronic self-labelling system.

The department is preparing an engagement and consultation plan to support the development of regulation required for this bill to come into force.

Thank you.

**The Chairperson:** Thank you, Minister Sandhu.

Does the critic from the official opposition have an opening statement?

**Mr. Greg Nesbitt (Riding Mountain):** It's my pleasure to put a few comments on the record on Bill 49, The Business Practices Amendment Act.

This bill proposes to address what is referred to as personalized algorithmic pricing, where businesses may use data, automated systems or artificial intelligence to unjust prices for individual consumers. The stated goal is to strengthen consumer protection by expanding the definition of unfair business practices and introducing new disclosure and consent requirements.

At a high level, I don't think anyone in this room disputes the importance of fairness in the marketplace. Manitobans expect that the prices they see are transparent, and that they are not being treated unfairly or without their knowledge. Ensuring that consumer protection laws keep pace with technological change is, in principle, a reasonable objective.

However, at present, there is no evidence that personalized algorithmic pricing is an issue in Manitoba or in Canada in the day-to-day retail environment. We are not seeing clear indications that consumers are routinely being charged different prices for essential goods like groceries or fuel based on personal data or online behaviour. This raises the question of whether this bill is addressing a current problem or a potential future one.

There is also the issue of timing and priority. Manitobans are currently facing significantly—significant affordability challenges. The cost of living continues to place pressure on families across the province. In that context, we must ask what measurable benefit this legislation provides today. While it establishes a framework for the future, it does not lower prices or directly ease financial strain for households right now.

We also need to consider the impact on businesses. Manitoba's economy relies on a mix of small and medium-sized enterprises, as well as larger online platforms.

These businesses already operate within a complex regulatory environment. Introducing new compliance obligations around data use, algorithmic transparency and pricing disclosure may create additional burdens, particularly for smaller businesses that may lack the resources to implement sophisticated compliance systems.

It is also important that we do not unintentionally capture legitimate and widely accepted practices such as loyalty rewards, seasonal discounts and promotional pricing. These tools are part of healthy competition and consumer choice, and any ambiguity in this legislation risks creating confusion or overreach.

In addition, enforcement raises practical questions. Regulators would require significant technical expertise to assess algorithmic systems and determine when pricing practices cross the line into unfairness. That capacity does not currently exist at scale, and building it will take time and resources.

Finally, clarity will be essential if consumers are to benefit from disclosure requirements. Those disclosures must be meaningful, accessible and understandable, not buried in technical language that is difficult to interpret.

Bill 49 is well intentioned and forward-looking but it remains largely preventative in nature. As we proceed debating this bill on third reading, it is appropriate to continue asking whether the bill is sufficiently targeted, whether its definitions are precise and whether it is proportionate to the issue it seeks to address.

Thank you.

**The Chairperson:** Thank you, Mr. Nesbitt.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their proper order.

Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions or amendments to propose.

Is that agreed? [*Agreed*]

Clause 1 and 2—pass; clause 3—pass; clause 4—pass; clause 5—pass; clauses 6 through 9—pass; enacting clause—pass; title—pass. Bill be reported.

The hour being 8:08, what is the will of the committee?

**Some Honourable Members:** Committee rise.

**The Chairperson:** Committee rise.

**COMMITTEE ROSE AT:** 8:08 p.m.

## WRITTEN SUBMISSIONS

Re: Bill 15

Overview

AIA Canada supports Bill 15 as an important step toward establishing a right to repair framework in Manitoba. The bill appropriately recognizes that modern repair depends not only on physical parts, but also on software, diagnostic tools, and digital systems.

We welcome the introduction of Part XXII.1, including the definition of "means of repair" in section 211.1 and the obligation under section 211.3 to make those means available.

However, key elements of the framework rely heavily on future regulations, particularly under sections 211.2 and 211.6. Without targeted legislative clarification, this creates uncertainty and risks limiting the practical impact of the bill, especially in the automotive sector.

Our principal recommendation is clear: Bill 15 must explicitly ensure that motor vehicles are included among designated consumer goods in the regulatory framework, with robust protections guaranteeing access to vehicle data, software, diagnostics, and repair information for independent repairers. For that to happen, Bill 15 must avoid loopholes, exclusions and other means that would shield industry and operators from full compliance.

AIA Canada represents Canada's \$43.9 billion auto care sector, advancing innovation through research, training, and advocacy across the collision and mechanical industries. In Manitoba, the sector is worth \$1.3 billion and supports over 18,000 full-time jobs. Our members help keep vehicles safe, efficient, and on the road by providing essential products and services throughout a vehicle's lifecycle. The industry spans manufacturing, distribution, and repair, and includes companies such as Piston Ring, The Boyd Group, CARSTAR, Napa Auto Parts, Canadian Tire, and Mr. Lube + Tires.

Why right to repair matters

As cost of living challenges remain for many Manitobans and geopolitical uncertainty causes skyrocketing fuel prices, right to repair legislation that is inclusive of vehicles is critically needed.

Modern vehicles are computers on wheels, and auto-makers control access to the data required for their repair and maintenance. Many independent shops cannot access this information in a timely manner,

forcing drivers to rely on dealerships. This leads to higher costs & delays, particularly in rural Manitoba, where the nearest dealership may be hours away. To draw attention to these challenges, MNP Canada released a new report entitled *Unlocking access: Why Right to Repair matters for every vehicle owner*. The study highlights the cost to drivers and businesses that are created by inadequate data access, which could be mitigated through right to repair legislation.

Of particular note:

Drivers save up to 30% or \$500 on common repairs and up to 80% for labour-heavy or complex repairs (when aftermarket parts are used) when services are performed at independent shops.

Access to vehicle repair data significantly impacts independent shops' ability to provide timely services. If every shop lost just one repair per week due to an inability to access vehicle repair data, the total annual profit loss could reach \$336M nationally;

Drivers in rural areas, including operators of emergency fleet vehicles - face disproportionately higher costs. Repair shops play a vital role in servicing vehicles, where the closest dealership may be several hours away.

Additionally, the current voluntary agreement (CASIS) between automakers and the auto care sector was not built for a wireless world and does not include the new technology found in modern vehicles. Even under the existing framework, repairers continue to face barriers accessing critical diagnostic and repair information, demonstrating that a voluntary system cannot reliably ensure fair access and because auto manufacturers are not required to join the agreement, its effectiveness has been undermined.

Right to Repair in Canada and internationally:

Right to Repair is not a trend or a fashion, it is good policy that is progressively adopted all around the world.

Quebec was the first province to formally establish broad consumer right to repair protections. Their law, passed in 2023, amends the Consumer Protection Act to require manufacturers to make replacement parts, repair services, diagnostic tools, software, and maintenance information available for a reasonable period and at a reasonable price, while also prohibiting techniques that make repairs difficult, including restrictions on access to auto data needed for diagnostics and maintenance.

For the auto sector, its significance is especially strong because it explicitly targets barriers to data access, ensuring that repairers can compete more fairly with dealerships in servicing modern vehicles.

The bill's unanimous passage highlights the potential of the issue to transcend partisan divides. Manitoba has a similar opportunity to build multi-party support as the bill represents consumer-focused, pro-small business.

The movement in Australia offers a strong comparative roadmap of how effective such legislation can be. Since coming into effect in 2022, the government's right to repair legislation has required vehicle manufacturers to share service and repair data with independent repair shops at fair market value. If manufacturers fail to comply, such as by restricting access to data or imposing unfair conditions, the ACCC can investigate and take enforcement action, including issuing infringement notices and civil penalties. There have been enforcement actions (against Honda for limiting access options), showing the law is working.

According to a review of the legislation released February 2026, it is associated with a \$2.4 billion increase in annual automotive industry turnover with higher productivity and profitability for independent shops. The review also found that the legislation strengthens competition, expands consumer choice, and reduces barriers to servicing modern vehicles. Its success has led the government to explore extending it to agricultural, with estimated GDP gains of \$97 million annually from reduced equipment downtime.

Bill 15's success will depend entirely on how the framework is strengthened and implemented.

Assessment of Bill 15:

Bill 15 contains several strong foundational elements such as recognition that software is part of repair access, inclusion of diagnostic devices and specialized tools, free digital repair manuals, broad regulatory authority to designate products and a flexible sector framework. These are important advances; however, major gaps remain. Section 211.5 provides that remedies may be required by regulation, but the bill does not establish a clear enforcement authority, complaint process, or compliance timelines.

Section 211.2(1) limits application to "designated consumer goods" defined by regulation. As a result, vehicles are not automatically included and may be

excluded depending on regulatory decisions. This overreliance on future regulations leaves uncertainty.

#### Recommendations

1: Make sure the regulations clearly and explicitly include motor vehicles and do not contain language that could unintentionally exclude them.

Vehicles must be designated as covered consumer goods in the first phase of regulations. Without explicit designation the auto aftermarket remains excluded, and consumers lose the practical benefits of the law which therefore means repair competition remains restricted.

2: Guarantee access to vehicle data, software, and diagnostics

Regulations must require manufacturers to provide repair software, diagnostic systems, tools, calibration systems and electronic service records.

Section 211.1 does not explicitly reference vehicle-generated data, telematics, or calibration systems, which are essential for modern automotive repair. This applies to other goods as well and should be added to Bill 15.

3: Protect consumer choice through delegated repair authorization

Section 211.3 requires suppliers to provide repair tools and information to the "buyer," but does not clarify whether consumers can authorize third-party repair providers to access these systems on their behalf. We'd recommend to specifically include third party delegation.

4: Establish strong enforcement

Section 211.5 provides that remedies may be required by regulation, but Bill 15 should include clear compliance timelines, named oversight authority, a complaint filing process, administrative penalties for non-compliance and appeals and dispute resolution procedures. Rights without enforcement are not effective rights.

5: Prevent anti-repair restrictions through regulatory safeguards

Although section 211.3 requires access to repair tools and information, it does not address practices that may render such access ineffective.

Regulations under section 211.6(1)(i) should prohibit practices such as: software locks that prevent lawful repairs, parts pairing systems that restrict the use of

compatible components and unreasonable limitations on access to diagnostic systems.

For example, certain systems prevent replacement parts from functioning unless digitally authorized by the manufacturer, even when technically compatible.

6: Trade secrets and intellectual property

Bill 15 appropriately recognizes, in sections 211.3(3) and 211.6(1)(f), the need to protect trade secrets, proprietary information, and system security. We support a balanced approach in which access to repair information is provided in a secure and controlled manner, limited to what is necessary for repair and maintenance, and subject to appropriate safeguards to protect system integrity. With clear regulatory guidance, it is possible to ensure that both repair access and cybersecurity are effectively maintained.

#### Conclusion

Bill 15 marks progress toward repair rights in Manitoba, but its impact hinges on the regulations that follow, particularly coverage scope, software/diagnostic access, vehicle data inclusion, and enforcement.

Emily Holtby

Automotive Industries Association of Canada

Re: Bill 15

#### Executive Summary

The Canadian Repair Coalition (CanRepair) is Canada's leading national advocacy group on the issue of the right to repair. We work to raise awareness about the benefits of repairability and consumer rights, and advocate to break down the barriers to repair across industries and product markets.

CanRepair's Policy Committee is writing to you today to express our strong support for Bill 15. We applaud Minister Sandhu and the Government of Manitoba for introducing this bill and for their commitment to the right to repair. The passage of this legislation will demonstrate Manitoba's leadership in Canada, along with Quebec and Saskatchewan (both have passed repair-related legislation), and Ontario, where a bill was recently tabled. However, Canada is only just catching up to other countries. Several US states, such as New York, California and Minnesota have already passed right to repair legislation.

Why Right to Repair is Important and What Bill 15 will do for Manitoba

### 1. Improving Affordability

- Lower Repair Costs and Wait Times: Access to third-party repair options increases competition, driving down costs. More businesses being able to repair items also reduces wait-times, reliance on one business or supply chain and makes it more likely that there is a nearby repair option.
- Extended Product Lifespan: Affordable repairs allow consumers to maximize the value of their purchases, reducing the financial burden of replacing broken items prematurely, particularly for low-income households.
- The choice to repair rather than replace also minimizes opportunities for price gouging by global enterprises in markets lacking competition.

Data from U.S.'s Public Interest Research Group reports that restrictive repair practices, imposed by manufacturers, due to a lack of right to repair protections, is costing the average household \$524 CDN per year.

### 2. Enhancing Sustainability

- Reducing Waste: The amount of per capita e-waste Canadians produce has almost tripled from 8.3 kilograms in 2000 to 25.3 in 2020. Extending the lifespan of products through repair can significantly reduce the environmental impact of discarded devices and appliances.
- Support for repair aligns with provincial goals for waste diversion and the circular economy, helping to achieve sustainability targets.
- Resource Conservation: Repair reduces the need for new production, which can rely on intensive extraction of raw materials, such as rare earth metals.

### 3. Supporting Small Businesses and Job Creation

- By removing barriers to repair, new independent repair shops are able to open and existing repair shops are able to expand, innovate and grow, especially in sectors like electronics, appliances, and machinery.
- Repair jobs are local jobs. Removing barriers to repair is also removing barriers to economic activity and job creation.

### 4. Leadership within Canada

- Leadership and Competitiveness: By implementing a right to repair, Manitoba will be a leader within Canada, as only Quebec has passed such legislation.
- Manitoba will also join many US states, like New York and Minnesota, in creating more competition, lowering consumer costs and creating business and job opportunities and thus will become more competitive in the North American economy.
- Filling the Federal Void: The federal government, with Bill C-244, recently amended the Copyright Act to help pave the way for a right to repair. However, they've not taken action since then on the matter. This creates an opening for Manitoba to act in order to secure this important right for its people and businesses.

### CanRepair's Recommendations

1. That the provincial Farm Machinery and Equipment Act and the provincial Sale of Goods Act also be amended, similar to how the Consumer Protection Act is being amended here.
  - Doing this will extend the right to repair to farm businesses, as well as other businesses. Bill 15 does not extend these protections,
  - This is because the definition of "sale" used in this bill uses the term "retail sale", which, as set out in section 1(1) of the Consumer Protection Act, excludes "farm machinery and equipment to which the farm machinery and equipment act applies" and "any contract of sale to a corporation."
2. We would prefer an approach that places responsibility solely on the manufacturer, as opposed to the approach of this bill, which is to place the onus on "the seller or manufacturer." This could be done by amending the bill or exempting retailers via regulation
  - Quebec has taken the same approach as this bill on this matter and has received some criticism from the small businesses community, as it places responsibility on them for products that they do not manufacture and do not control supplies of tools, parts and equipment for.
3. Regulations made under this proposed legislation must ensure broad coverage and applicability, as well as limited "carve outs", modifications or limitations
4. There are also additional features included in CanRepair's model provincial right to repair bill

that we would like to see included in this bill - namely,

- Prohibiting the voiding of warranties solely because repairs were not conducted by the manufacturer
- An explicit ban on "parts pairing." This refers to a practice whereby if a part is replaced without running manufacturer-authorized software to "pair" it, the device may lose functionality, or the repair may not be possible.
- Giving government the power to levy fines when violations occur, in addition to any remedy that would be provided to the consumer. Further, the proposed "Remedies" section (211.5), should be more specific regarding what remedy a consumer would be entitled to, should their rights under this bill be violated.

John Pearce  
Canadian Repair Coalition

Re: Bill 15

On behalf of the 16 members of the Global Automakers of Canada (GAC), we appreciate the opportunity to share with the Committee our reflections on the proposed measures under Bill 15, The Consumer Protection Amendment Act.

GAC recognizes the Government of Manitoba's aim to ensure consumers have access to quality reliable products and are proud to see their products' reliability steadily increasing over the years, with the average age of vehicles on the road in Canada today being over 11 years old. These products are supported not only by the 125+ new automobile dealers in the province, but close to a 1,000 more independent automotive repair shops. Our industry is based on this strong ecosystem of providing drivers with a wealth of options when it comes to maintaining and repairing their vehicles.

The Canadian Automotive Service Information Standard (CASIS) is an established Canadian framework that supports the core objective of right-to-repair: ensuring that independent aftermarket repairers can access the information, training, and tools needed to diagnose, service, and repair vehicles. For governments considering right-to-repair policy, CASIS provides a practical, functioning Canadian model that already provides repair access to all.

CASIS is a negotiated agreement between the Global Automakers of Canada, the Canadian Vehicle

Manufacturers' Association, and the National Automotive Trades Association, with the Automotive Industries Association subsequently joining the agreement. It was signed on September 29, 2009, in Ottawa.

The agreement provides the automotive aftermarket with the same access to automotive service and repair information, and equipment as original equipment manufacturers provide to their authorized dealers. In practical terms, CASIS helps ensure that vehicle owners have repair options beyond the dealership network while supporting a workable framework for access to repair resources.

Through CASIS One Stop, users can access participating manufacturers' technical information and repair websites through a centralized portal.

If a repairer cannot find the information they need, CASIS also provides a Service Information Request (SIR) process. CASIS administrators commit to responding to these requests within 48 hours.

This means CASIS is not only a statement of principle. It is an operational system designed to help independent repairers obtain the information they need with agreed-upon exclusions to protect consumer privacy, safety, and minimize theft risks for automobiles.

We support Bill 15's recognition under 211.6(1)(f) that there may be instances in which limits may be placed under this legislation and potential regulation to avoid compromising the safety or security of a designated consumer good. The Committee should consider amending Bill 15 to explicitly exempt its application to safety or security systems of a designated good, rather than deferring such considerations to Regulations.

At the very least, we respectfully submit that 211.6(1)(f)(i) of the proposed Act should be amended to include the emissions performance of a designated good, in addition to safety and security. In the case of passenger vehicles, critical emissions systems, many of them mandated by law, must be maintained in good working order and not bypassed to ensure vehicles are operating as intended to protect our air, water, and soil.

Manufacturers face potential liability if repairs are performed improperly outside authorized channels. Vehicles contain complex and safety-critical systems, and improper repairs could have serious consequences. Including a liability shield, similar to models in other jurisdictions, protects manufacturers while

allowing consumers to access authorized maintenance. This approach ensures safety, preserves manufacturer accountability and supports a sustainable repair ecosystem.

CASIS is significant because it reflects a negotiated Canadian approach involving manufacturers and aftermarket stakeholders. Members of the manufacturer associations signed Letters of Commitment agreeing to be bound by the agreement's terms.

Tesla committed in 2023 to abide by CASIS, and manufacturer associations continue to encourage new market entrants to follow its provisions.

CASIS is a practical Canadian right-to-repair framework that supports independent repair access, promotes competition in the aftermarket, and helps preserve consumer choice. In its consideration of regulations should Bill 15 pass, we encourage the Government of Manitoba to engage with the automotive industry to ensure it builds on the CASIS model and considers its applicability to other consumer goods.

Thank you again for the opportunity to share our views on Bill 15 and we look forward to working with the Government of Manitoba and all parties of the Legislature to support consumer choice and affordability for Manitoba drivers.

Best regards,

Lucas Malinowski  
Vice President  
Global Automakers of Canada

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Re: Bill 15

Dear Committee Branch,

The Association of Home Appliance Manufacturers Canada (AHAM) respectfully submits the following comments on Bill 15, the Consumer Protection Amendment Act (the Act). AHAM appreciates the Government of Manitoba's engagement with stakeholders and supports efforts to ensure consumers have access to safe, reliable, and affordable repair options, while avoiding unnecessary uncertainty, cost, and waste.

AHAM members design and manufacture appliances intended to perform safely and effectively throughout their useful life. Accordingly, manufacturers have a strong interest in accessible, reliable repair ecosystems that protect consumers, installers, and service

technicians. Our comments address the following key points:

- Manufacturers support safe consumer self-repair and typically provide troubleshooting materials and access to approximately 75% of replacement parts, while restricting safety-critical components to trained professionals.
- Manitoba already has a robust appliance repair ecosystem supported by hundreds of service providers.
- Safety, security, and intellectual-property protections are essential to any right-to-repair framework involving complex, regulated products.
- Targeted clarifications to Bill 15 would reduce uncertainty, disputes, and unnecessary cost or waste while preserving consumer protection objectives.
- Blanket, indefinite obligations to provide all parts, tools, and information would impose significant cost and environmental burdens.

#### I. Manufacturer Support for Safe Repair

AHAM members broadly support consumer repair when it is safe to do so. An AHAM survey found that members provide consumers with instructional materials, troubleshooting guides, and FAQs, and make available approximately 75% of replacement parts. Parts not made available generally involve complex procedures or present safety risks without proper training.

#### II. Manitoba's Established Repair Ecosystem

Manitoba has a strong and accessible repair market. According to 2024 Statistics Canada data, the province is home to:

- 85 personal and household repair businesses (NAICS 8114)
- 171 commercial and industrial equipment repair businesses (NAICS 8113)
- 32 electronic and precision equipment repair businesses (NAICS 8112)

An AHAM member survey further identified nearly 100 home appliance servicers, many of which are small or family-owned businesses. Authorized and unaffiliated servicers are widely available across Manitoba communities. For major appliances requiring in-home service, over 90% of service requests

result in successful repair; approximately 10% are replaced as unrepairable.

Policy decisions should preserve this ecosystem of trained and authorized technicians, which is critical to safe, timely, and effective appliance repair.

### III. Safety, Security, and Regulatory Compliance

AHAM strongly supports Bill 15's recognition of safety, security, and intellectual-property considerations. Appliances involve high-voltage electricity, gas, flammable refrigerants, sealed systems, motors, water connections, and embedded electronics. Improper repairs can result in fire, explosion, electric shock, data compromise, or property damage.

Appliance design, manufacture, installation, and repair are governed by extensive provincial and federal regulations and standards, including CSA standards, the Canadian Electrical Code, fuel gas codes, plumbing codes, and environmental regulations. Manufacturer-authorized technicians receive training and often require licensing or coordination with licensed electricians, plumbers, or gas fitters.

Improper access to firmware or control systems can disable safety functions, interfere with shutdown mechanisms, lock appliances into unsafe states, or expose consumer data to cybersecurity threats. Improper handling of lithium-ion batteries, refrigerants, or sealed components can similarly create serious hazards. AHAM members have observed incidents where improper repairs resulted in accidents, liability exposure, and property damage.

### IV. Proposed Amendments to Improve Clarity

While Bill 15's objectives are constructive, targeted amendments would reduce uncertainty and avoid unnecessary cost:

- Section 211.1 ("sale") – Add "to a consumer in Manitoba" to clarify jurisdictional scope.
- Section 211.2(2)(a) – Clarify that only goods whose first sale occurs after the Act comes into force are captured.
- New 211.2(2)(b) – Exempt goods intended for commercial use.
- Section 211.3(1) – Add protection against compelled disclosure of tools or documentation that bypass anti-theft or data-security measures without written consumer acknowledgment.
- Section 211.3(2) – Clarify that suppliers are not responsible for delays caused by force-majeure events.
- Section 211.3(3) – Clarify that nothing requires licensing IP, patents, or disclosure of source code.
- Section 211.3(4) – Explicitly permit recovery of reasonable transportation and delivery costs.
- New 211.6(1) – Limit supplier liability for damage caused by third-party repairs, absent a pre-existing design or manufacturing defect.
- New 211.6(2) – Require repair providers to disclose authorization status and use of non-supplier or used parts.
- Renumber old 211.6 as 211.7 – Clarify that safety and security protections extend to users and the environment.
- Section 3 – Establish an effective date one year after Royal Assent.

### V. Avoiding Unnecessary Cost and Waste

Blanket obligations to provide all parts, tools, and information indefinitely would significantly increase costs and environmental waste. Appliances contain hundreds of serviceable components sourced from numerous third-party suppliers. Predicting long-term part demand is difficult, especially given global supply-chain risks. Maintaining indefinite inventories would increase product prices and result in unused parts disposal.

For smaller or lower-cost products, repair beyond their average useful life may be impractical and environmentally inefficient. AHAM therefore recommends:

- Revising "means of repair" to include only items a supplier uses or provides and that are reasonably necessary.
- Removing overly broad authority to prescribe additional items or services.
- Limiting coverage to goods with a retail price above \$100.
- Exempting proprietary tools used solely for no-cost diagnostic or support services.
- Clarifying that suppliers are not required to sell items below cost or at prices disadvantaging authorized repairers.

- Allowing disclosure-based exemptions where certain means of repair cannot reasonably be provided.

AHAM looks forward to continuing to work with the Government of Manitoba to ensure Bill 15 supports safe, reliable, and accessible repair, while avoiding unnecessary burden and complexity for both industry and consumers.

Respectfully submitted,

Rémi Moreau

Association of Home Appliance Manufacturers Canada

Re: Bill 15

On behalf of the Manitoba Motor Dealers Association (MMDA) and the Canadian Automobile Dealers Association (CADA), we appreciate the opportunity to provide our perspectives to the Committee on the proposed measures under Bill 15, The Consumer Protection Amendment Act.

The MMDA represents more than 125 franchised new motor vehicle dealers across Manitoba, while CADA represents approximately 3,400 franchised automotive dealers nationwide. Together, our members are locally owned businesses that employ tens of thousands of Canadians, including several thousand workers in Manitoba alone. Nationally, Canada's franchised auto dealers support over 178,000 jobs, contribute approximately \$28 billion to GDP, and generate more than \$6 billion in tax revenues annually. In Manitoba, dealers play a critical role in both urban and rural communities, serving as primary hubs for vehicle sales, maintenance, and repair. Their operations employ more than 6000 people and have generated more than \$100 million in economic impact during the last few years.

Our members fully support the objective of ensuring that consumers have access to timely, affordable, and high-quality vehicle repairs. This principle is fundamental to the automotive retail sector and is already embedded in how the industry operates today.

As noted in existing industry submissions, including those from manufacturers, Canada already benefits from a well-established, functional, and nationally consistent framework that supports repair access: the Canadian Automotive Service Information Standard (CASIS).

CASIS is a voluntary but comprehensive agreement between automakers and aftermarket stakeholders that

ensures independent repair facilities have access to the same service and repair information, tools, and training as authorized dealerships. It includes a centralized portal (CASIS One Stop) and a Service Information Request process with defined response timelines.

From a dealer perspective, CASIS is not theoretical. It is operational and effective. It enables a competitive repair marketplace where consumers already have meaningful choice between dealerships and independent repair facilities. There is no evidence of systemic barriers to repair access in the automotive sector in Manitoba or elsewhere in Canada that would justify additional legislative intervention.

Introducing a new right to repair regime for motor vehicles risks duplicating an existing system that is already functioning well, while introducing unintended consequences.

Modern vehicles are highly complex, software-driven products that integrate safety systems, emissions controls, cybersecurity features, and data management systems. These elements are subject to extensive, complicated and well thought out federal and provincial regulation. Providing broad, legislated access to vehicle systems without appropriate safeguards creates real risks in terms of safety, cybersecurity, data protection, regulatory alignment and environmental integrity. The valid intent of the law should not, in any way, overshadow these provable, quantifiable risks – especially when there is already a framework in place.

First, safety. Vehicle systems such as braking, steering, advanced driver assistance systems, and airbag deployment rely on precise calibration and controlled access. Improper repairs or modifications could compromise not only the driver's safety but also that of passengers and other road users.

Second, cybersecurity and data protection. Vehicles today generate and store sensitive operational and personal data. Dealers and authorized repair networks operate within secure environments, with trained technicians and established protocols. Opening access to vehicle software ecosystems without clear limitations could expose vehicles to cybersecurity vulnerabilities and unauthorized data access.

Third, environmental integrity. As recognized in Bill 15 under section 211.6(1)(f), there may be valid reasons to limit access to certain systems to avoid compromising safety or security. We strongly support this principle and recommend that the Committee

explicitly include emissions performance within these protections. Vehicle emissions systems are tightly regulated and essential to achieving environmental objectives. Allowing unrestricted modification of these systems risks undermining those goals.

Fourth, regulatory alignment. The automotive sector operates within a national and North American regulatory framework. Provincial measures that diverge from established systems risk creating fragmentation, compliance challenges, and unintended conflicts with federal standards.

Manitoba consumers already benefit from a robust repair ecosystem. In addition to work and service offered by auto dealerships, there are hundreds of independent repair facilities across the province. This reflects a functioning and competitive market supported by CASIS.

For these reasons, we respectfully submit that motor vehicles should be treated as a distinct category under Bill 15.

We recommend that the Committee should:

- Explicitly exempt safety-critical, security-related, and emissions systems from the scope of the legislation
- Ensure that any regulatory framework builds on, rather than duplicates or conflicts with, CASIS
- Consider the liability implications for manufacturers and service providers where repairs are performed outside authorized environments
- Engage directly with automotive industry stakeholders, particularly automotive dealers from urban and rural parts of Manitoba, before finalizing any regulatory approach

We thank the Committee for its attention to this important issue and remain committed to continued collaboration to ensure that consumer interests are protected while maintaining the integrity of Canada's automotive sector.

Best Regards,

Charles Bernard  
Manitoba Motor Dealers Association  
Canadian Automobile Dealers Association

Re: Bill 15

Electronic Product Stewardship Canada (EPSC) welcomes the opportunity to provide feedback on Bill 15: The Consumer Protection Amendment Act (Repair). EPSC represents the interests of electronic manufacturers across Canada and is committed to promoting policies that balance consumer protection with manufacturing realities, product safety, and sustainability objectives.

Our members manage product repair, refurbishment, and remanufacturing as part of their everyday business practices. Authorized repair facilities promote sustainable consumption and deliver meaningful benefits to consumers. Electronic product manufacturers have developed robust policies and programs to continuously improve sustainability across the full product lifecycle, including design, material sourcing, performance, reuse, and responsible end-of-life management. Manufacturers also design products to meet a range of price points to serve diverse consumer budgets and needs.

Before passing this legislation, EPSC strongly recommends that the Government of Manitoba undertake a comprehensive Regulatory Impact Analysis and provide opportunities for further dialogue with impacted stakeholders. This analysis should include economic data, an assessment of existing repair options available to consumers in Manitoba, and an evaluation of potential impacts on price, product availability, privacy and safety.

EPSC members carry out repairs across Canada through established networks of authorized repair facilities and service organizations. These networks support sustainable consumption, provide warranties, and create employment opportunities, including for many small businesses in rural and remote areas.

EPSC members also make spare parts available to users and repair shops to best serve the customer based on need and likelihood of a successful repair. However, parts and tools should only be provided to the extent that they do not result in divulging manufacturer's trade secret or cause safety concerns to end users.

The most effective remedy for a product failure depends on the specific circumstances and product type. Repair is not always the most appropriate solution. In some cases, replacement with a new or refurbished product may be preferable in terms of speed, logistics, cost, customer experience, and even environmental outcomes. Manufacturers and sellers

should retain the flexibility to determine whether repair or replacement is the most suitable remedy. This flexibility should include the option to provide refurbished replacement products.

Where repair is not possible, manufacturers ensure proper end-of-life treatment in accordance with applicable provincial waste regulations. Components and secondary raw materials are often recovered and reused, advancing environmental objectives and reducing unnecessary waste generation.

#### Safety, Privacy and Cybersecurity

Modern electronic devices are highly complex. Repairs may at times require specialized tools, technical training, and access to genuine parts. Improper handling of internal components can result in electrical shock, fire, injury, or property damage.

Privacy and cybersecurity considerations are also critical with electronic products. Connected devices may contain sensitive personal, financial, or professional information. Unauthorized access during repair can introduce cybersecurity vulnerabilities and increase the risk of fraud or data loss.

Repairs performed by professionally trained technicians using genuine OEM parts represent the safest and most reliable option for consumers. Where independent repair providers operate, appropriate safeguards should be required. Independent technicians should carry adequate insurance and demonstrate compliance with applicable electrical and safety standards. At the same time, manufacturers should not be required to disclose trade secrets or proprietary information.

Consumers should also be clearly informed that damage resulting from failed or improper repairs may affect manufacturer-provided warranties. In such cases, manufacturers cannot reasonably be held liable for subsequent issues.

Certain products and circumstances should be excluded from the scope of the framework. For example, products sold exclusively in business-to-business transactions should be excluded, as commercial purchasers typically negotiate warranty, service, and repair terms contractually.

In addition, enterprise, industrial-grade, and government networking equipment supplied through government-to-government or business-to-government transactions should also be excluded from the scope of right-to-repair legislation. These systems often support critical infrastructure and other sensitive public sector operations. Mandating disclosure of

sensitive technical information, including source code, encryption keys, security schematics, or network architecture details, could create significant cybersecurity and national security risks.

Privacy and cybersecurity considerations are critical with electronic products. Some connected devices contain sensitive personal, financial, or professional information. Unauthorized access during repair can introduce cybersecurity vulnerabilities and increase the risk of fraud or data loss."

Security-sensitive and closed platform devices warrant tailored treatment. Some electronics are designed as integrated systems that combine proprietary hardware, operating systems, and network-connected services. These platforms rely on encrypted firmware and authentication mechanisms to protect users, preserve platform integrity, and prevent unauthorized access, cheating, and piracy.

Providing unrestricted access to diagnostic software, firmware tools, or security-related components could compromise these safeguards, exposing consumers and online communities to cybersecurity risks. A careful technical and legal analysis of these risks must be taken into consideration to ensure that repair frameworks maintain strong cybersecurity protections while enabling legitimate and safe repair activities.

And finally, regulation stating specific requirements must be issued before compliance date, and it is essential that manufacturers are given sufficient time to prepare to be compliant with all the requirements.

EPSC therefore recommends the following amendments below in red. Please do not hesitate to contact me about proposals. EPSC looks forward to working with you.

Sincerely,

Meagan Hatch  
Electronic Product Stewardship Canada

Re: Bill 15

Background: The last twenty-five years have witnessed an alarming decline in product reparability, durability, and interoperability. Consumer goods and services are particularly impacted. Across the board, personal electronics, home appliances, cars, mobility devices and every other conceivable consumer product category is less fixable and of lower quality than previous versions. The problems are not limited to consumer products. Barriers to repair cut across all

industries and sectors, all geographic locations, all socioeconomic statuses, and all political affiliations. For reasons of affordability, sustainability, and societal well-being, Canadians need policies and legal reforms that enable us to extend the useful life of the things we already have and fix things that are broken. Bill 15 takes an important step toward those aims for all Manitobans.

I submit these brief comments in my individual capacity, as a researcher and scholar with expertise in the Right to Repair and emerging issues related to technology policy, law, and ethics in Canada and globally. I am an Associate Professor in the Faculty of Information and Media Studies at Western University and hold both a PhD in Information and a JD specializing in intellectual property and technology law. I have received several research grants to study repair and related concerns from Canada's tri-council agencies. I've provided expert testimony before the federal government on repair-related reforms to the Copyright Act, and I regularly advise policymakers across Canada on repair and emerging sociotechnical issues. I am a founding director of the Canadian Repair Coalition, Canada's premier repair advocacy non-profit, and a founding director of the Starling Centre for Just Technologies and Just Societies at Western University.

**On Affordability:** When unnecessary and inequitable barriers are removed, repair promotes affordability. All things being equal, fixing what we already have rather than replacing it with something new costs less. Repairable products last longer and cost less over their life cycle than cheaply made throw-away goods. Repair also supports local economies because the vast majority of repair work occurs in close proximity to where the breakdowns occur. When repair markets are healthy, local jobs for skilled repair technicians become more sustainable. When products are fixable, secondary markets for used goods flourish, opening opportunities for budget-minded consumers to make the purchases they need. Healthy resale markets apply downward pressure on the cost of new items, as consumers are able to exercise more agency and choice over their habits of consumption.

**On Sustainability:** Reparability tempers the environmental harms of our (over)consumption. Extending the useful life of the things we already have reduces the negative environmental impacts that arise across all stages of a product's lifecycle, from resource extraction, to manufacturing, to distribution, to use, to disposal. New products may look like they come from

the future, but they actually come from the earth. The environmental consequences of modern consumption are not felt evenly and often manifest as negative externalities impacting vulnerable and marginalized groups and populations here in Canada and elsewhere around the globe. By extending the useful life of the things we already have, we can temper some of these negative impacts.

**On Societal Well-Being:** Reparability is good for us, as people and as communities. Repair fosters productivist values including innovation, learning, skill-development, problem-solving, autonomy, resilience, and self-determination. Repair also fosters networks of mutual support and values of care, continuity, and social investment in ways that ripple through communities. Repair is critical to our ability to co-create more hospitable, habitable, humane shared futures. As international tensions grow, repair is also a core component of a meaningful provincial and national resilience strategy.

**Right to Repair Reforms in Canada & Elsewhere:** Right to Repair is a global issue that impacts people in Canada and around the world. Through recent reforms to the Canadian Copyright Act (Bills C-244 and C-294), some technological barriers embedded in computerized products have been partially ameliorated. Additional work is being done at the federal level with some reforms to the Competition Act and a bill recently introduced at the Senate. At the provincial level, Quebec successfully passed reforms to its consumer protection laws, Ontario has a related bill tabled, and other provinces are engaging in consultation processes. The Canadian Repair Coalition drafted model legislation for provinces to consult, and this has proven helpful as governments navigate the issues. Manitoba's bill aligns with existing reforms and would make an important contribution toward improving repair for Manitobans. It would also encourage others to pick up the pace on their own efforts!

**Considerations for Bill 15:**

While I support Bill 15 and encourage its passage, there are several points I'd like to raise for the Committee's consideration.

First, there is lack of clarity surrounding the existing language of the bill which may unintentionally exclude important sectors, such as agriculture, from coverage. Specifically, under Manitoba's Consumer Protection Act, "retail sale" and "retail hire-purchase"

exclude "farm machinery and equipment to which the farm machinery and equipment act applies." Both also exclude contracts of sale to corporations and where the hirer purchaser is a corporation. Bill 15, which adds right to repair protections to that act, defines "sale" as the "retail sale or retail hire purchase of a designated consumer goods." So, Bill 15 adopts the definitions that exclude farm machinery and equipment under the Farm Machinery and Equipment Act. Bill 15 does allow Cabinet to define via regulation what a "designated consumer good" is, but if they designate farm machinery and equipment under the Farm Machinery and Equipment Act, then the regulations conflict with the definition of "sale" in the act and in that case, the act will have to prevail and farm machinery and equipment under the Farm Machinery and Equipment Act would not be protected. The agricultural sector is a critical sector that is facing enormous well-documented challenges from constraints on repair. A quick google of "John Deere" and "repair" will turn up a trove of reports and information about how farm equipment manufacturers restrict repair, lock farmers and technicians out of machines, and extract profits by controlling the downstream repair market through the (over)use of digital locks. Farmers have also been some of the most vocal and savvy critics of agricultural equipment manufacturers; I trust the committee is able to hear some of that expertise in its consideration of Bill 15. It is critical that the right to repair agricultural equipment in Manitoba is ensured. More broadly, it is important to clarify the definition of consumer products and whether this Bill is intended to cover, e.g. agriculture, automotive, medical equipment, home appliances, consumer electronics, and so forth.

Second, it is important to clarify that the responsibility for the provision of necessary parts and information should fall on product manufacturers (who are in the best position to provide access to these resources) and not on retailers. Quebec's recent reforms to its consumer protection laws did not clarify this responsibility and, as a result, some retailers have been faced with undue burden and have opted out of the repair scheme. In order to ensure the spirit of the reform is enacted, I ask the Committee to clarify that primary responsibility for providing material and informational resources necessary to complete repairs be assumed by product manufacturers.

Third, this Bill leaves too many details to future regulators which are, by contrast to legislators, less subject to democratic oversight and more prone to interference by lobbyists and special interests.

Clarifying important details and defining critical terms in the legislation would temper some of those risks.

Finally, the Bill does not adequately address warranties, leaving manufacturers able to essentially "contract out" of the Bill's requirements. I suggest, again, the committee considers the model bill prepared by the Canadian Repair Coalition for helpful language and guidance on this and other points.

Conclusion: In conclusion, I thank the Standing Committee for taking on this important task for the benefit of all Manitobans. We cannot afford to be broken people, with broken things, in a broken world. Bill 15 will make a significant contribution to improving affordability, sustainability, and societal well-being for the people of Manitoba, and step an important step toward ensuring all Canadians enjoy the right to repair.

Sincerely,

Alissa Centivany, JD, PhD  
Associate Professor  
Faculty of Information & Media Studies  
Western University

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Re: Bill 15

Dear Members of the Standing Committee on Legislative Affairs for Manitoba,

My name is Ted Rother, and I am the owner of Cutting Edge Automotive Technologies. We have proudly served the Winnipeg community for 31 years and currently employ 10 dedicated staff members. As an independent automotive service and repair facility under the NAPA AUTOPRO banner in North Kildonan, we provide vehicle owners with a trusted alternative to dealership service. Our shop services domestic, Asian, and European vehicles, ensuring that drivers in our community have access to comprehensive, high-quality automotive care.

I am writing on behalf of independent automotive repair shops to express support for the submission filed by AIA Canada regarding Bill 15, The Consumer Protection Amendment Act.

Independent repair facilities across Manitoba and Canada rely on access to accurate technical information from vehicle manufacturers. Ensuring that this information is available is essential for consumer choice, fair competition, and the long-term

health of our industry. Without this access, vehicle owners may be limited to dealership service models, which can restrict their ability to choose the repair provider that best meets their needs. Small, locally owned shops are the backbone of communities across Canada. Protecting these businesses by ensuring they can service and repair today's vehicles is vital for both consumers and the local economy. AIA Canada plays an important role in advocating for the automotive aftermarket, and their work helps ensure that the voices of independent service providers are heard by elected officials.

For these reasons, it is important that Bill 15 – the Right to Repair – be taken seriously and acted upon by our provincial government to support the continued viability of the automotive aftermarket industry, including the independent shops that so many Manitobans rely on.

Thank you for taking the time to review this letter. I am deeply committed to ensuring that independent repair facilities have the information they need to serve their clients effectively. I welcome any opportunity for further discussion or clarification.

Yours truly,

Ted Rother

Re: Bill 15

The members of the Canadian Vehicle Manufacturers' Association (CVMA), including Ford Motor Company of Canada, Limited, General Motors of Canada Company, and Stellantis (FCA Canada Inc.) have reviewed Bill 15, "The Consumer Protection Amendment Act" and would appreciate an opportunity to discuss important considerations related to motor vehicle repair.

Safe and effective repair of the customer's vehicle has always been a pillar of the automotive industry business model and as a result, the CVMA, the Global Automakers of Canada (GAC) and the National Automotive Trades Association (NATA) initiated the Canadian Automotive Service Information Standard (CASIS) in 2010 to ensure independent repair facilities would have access to repair information at an equivalent level as their respective original equipment manufacturer (OEM) authorized independent dealerships across Canada. The AIA added its signature in 2011. The agreement is reviewed at regular intervals to ensure it meets its stated objectives.

Unlike other consumer products, motor vehicles are significantly more complex with broader safety considerations for not only vehicle occupants but for the general public. The automotive industry also offers some of the most extensive and comprehensive warranties for consumer products.

To support the work of the committee in its' review of Bill-15, the CVMA submits the following as key considerations and rationale to exempt motor vehicles from this proposal:

1. Consumers already have significant choice when selecting where their vehicle can be serviced.

The CASIS ensures independent repair facilities have equivalent access to the OEM repair information, training, tools, real-time updates, and OEM technical support to service the customer's vehicle as is provided to independent OEM authorized dealers. This provides consumers' choice of where they take their vehicle for repair, i.e. to a dealership or an independent repair shop. Vehicle software updates and tools, for all vehicle types, including gas, electric, and diesel, are available to any service provider in Canada by creating an account on the respective manufacturer's technical information website.

2. OEMs provide a range of repair information subscription pricing to ensure the repair facility, including both independent authorized dealers and independent repair facilities, can select the subscription level that supports their business.

OEMs have invested in the development and ongoing maintenance of extensive repair information on their respective online platforms which permits both independent OEM authorized dealers and aftermarket repair and service shops to make their own business decisions about which subscription package to select. For example, subscriptions can be accessed for varying lengths of times such as a 72-hour period for a nominal fee versus a monthly or yearly package with a different price structure. This flexibility is provided to ensure there are affordable options, especially for those shops that choose to service a broad mix of makes and models. It is the repair operator's choice regarding which subscriptions to purchase.

3. OEMs already provide access to data required to complete proper repair.

There have been misleading claims that repair operators do not have access to all vehicle data. Under CASIS, OEMs provide equivalent access to repair information to independent repair facilities as is available to their respective OEM independent authorized

dealers through the above-mentioned subscriptions. Data access that goes beyond information required for repairs could be used for the development and sale of products that purposely tamper with vehicle core emissions and safety software systems – for example, dangerous modifications of acceleration rates and top speeds. Independent OEM authorized dealers do not have this type of access and have never requested this data because it is not needed for vehicle repair. In addition to unsafe vehicle modifications, access to data beyond that which is needed for repairs also invites other unintended consequences including increased risk of vehicle theft, the creation of cybersecurity risks, privacy violations, and additional environmental issues.

Any legislative approach that the province might consider should strongly prohibit the use of product data for purposes other than those established by the OEMs for safe and effective repair and intended use of the specified product.

4. Owner's manuals are provided with the vehicle.

OEMs already provide the repair industry with access to the information and tools required to carry out vehicle repair.

OEMs also provide customers with detailed maintenance requirements and schedules in owner's manuals, including access to the tools and information needed to perform common basic maintenance procedures and light repairs, such as replacing wiper blades, changing flat tires, changing an oil filter or topping up fluids.

The CVMA strongly recommends that motor vehicle repair be exempted from the proposed Bill-15 and would appreciate an opportunity to discuss further and address any questions.

Jennifer Steeves  
Canadian Vehicle Manufacturers' Association

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

**<http://www.manitoba.ca/legislature/hansard/hansard.html>**