

17th February 2025

Why Reforming Canada's Right to Repair Law Could Be a Smarter Response to Trump's Tariffs Than Retaliation

Brandon Vigliarolo, specialist in government and IT journalism, encourages us to “think of the current state of right to repair in Canada like owning a house and having permission to be inside, but not having a legal way to acquire a key.”

The 2012 Copyright Modernization Act [\[Bill C-11\]](#) was introduced to address online piracy and unauthorized use of digital content. While it was effective in establishing legal protections for technological measures [TPMs], it has become more of a restriction, as citizens are unable to legally bypass digital locks on their products – even for repairs and modifications.

Today, most devices with embedded software such as phones, cars, and home appliances, are equipped with security measures. These measures prevent unauthorized access but can also be used to ensure maximum profit for the manufacturers.

In response, Right to Repair [\[Bill C-244\]](#) and Interoperability [\[Bill C-294\]](#) were added to the Copyright Act in 2023.

Vigliarolo sees the passage of Bills C-244 and C-294 as a “great step in the right direction” because they give “device owners the freedom to bypass software locks to diagnose and repair their devices, as well as connect them to third-party accessories.”

However, companies can still lock consumers into high-priced subscriptions and prevent independent repair because they are not legally obligated to provide the necessary materials for a consumer to bypass the digital locks in place. This includes restricting mechanics from fixing cars without expensive authorization or slowing down old iPhones to push upgrades.

As a result, Canadians are still often forced to rely on expensive, U.S.-based repair services and app stores, such as Apple and Tesla, sending billions of dollars out of the country’s economy each year.

Emily Holtby, vice president of government relations for the Automotive Industries Association of Canada, highlights this challenge for the automotive aftercare industry. She mentions that if a Tesla breaks down in Thunder Bay, the owner may have to pay to tow it the 1400 kilometres to Toronto, as local repair shops cannot access the necessary repair data.

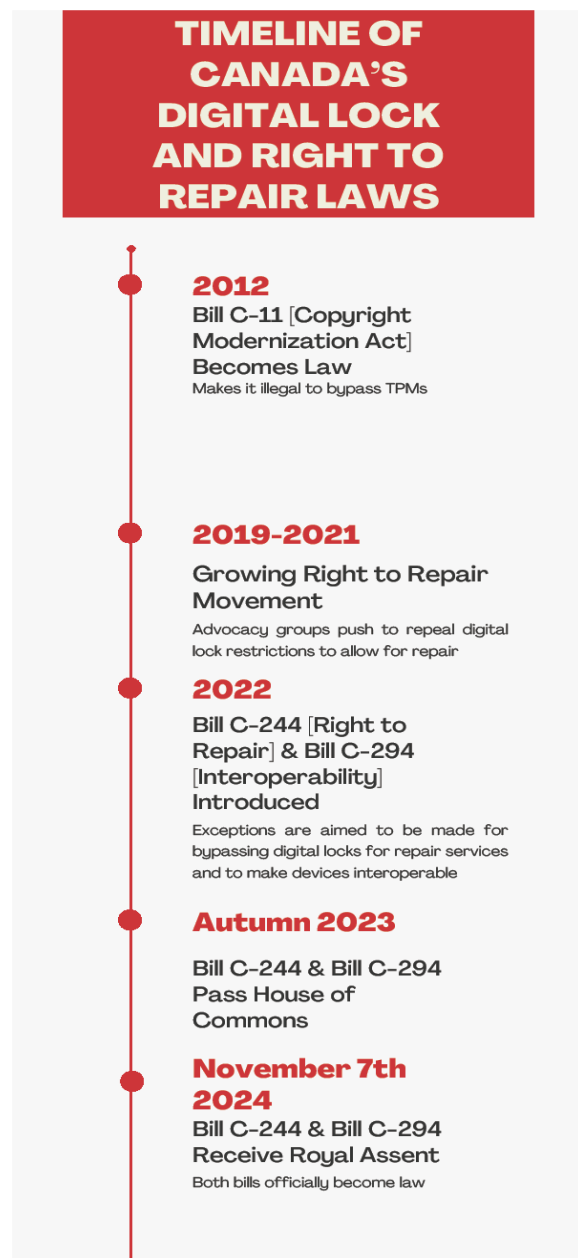
She notes that “mandatory compliance”, and “penalties” [for non-compliance], are still missing from the 2023 reforms.

It also remains illegal to bypass digital locks for purposes like modding or upgrading, such as unlocking extra Tesla features.

For instance, if a Canadian buys a Tesla and pays for all the upgrades, Tesla can strip those features when the car is sold. The next owner must then repurchase them.

Canada is in the eye of an economic storm. The current pause on the 25% tariffs imposed by U.S. President Donald Trump on Canadian goods is only set to last for two more weeks.

Similar tariffs on steel and aluminum, Canada's top metal exports to the U.S., are scheduled to take effect on March 12.



Timeline by Sophie Storey on Canva

This puts Canada in a precarious position, as it depends heavily on trade with the U.S. In 2023, nearly 77% of Canada's total exports went to the U.S.

Leveraging the threat of further right to repair reform could serve as a negotiating tactic for Canadian Prime Minister, Justin Trudeau. Instead of retaliatory tariffs, Trudeau could continue to amend Bill C-11 and foster an open repair and software marketplace.

This would help keep money in Canada, create local business opportunities, and challenge the profits of U.S. tech giants - companies that rely heavily on digital lock-based revenue streams.

Holtby explains that right to repair reforms are beneficial to these tariff debates from an automotive perspective because they encourage vehicles to stay on the road for longer, are better for the environment, support the domestic sector, and help local business.

Right to repair reforms could also allow Canadians to retain the Tesla modifications they paid for, preserving the car's resale value. A win for Canadians - a loss for Elon Musk.

This may seem straightforward, but it is far more complex than diverting money from the U.S. tech industry and expecting Trump to back down.

Vigliarolo's "inclination is to say that it might not make a huge difference."

He adds, "the tech industry definitely has the ear of the new U.S. President, but I don't know how much he would care if their bottom lines were affected by the passage of more robust right to repair rules in Canada".

“But would it be a way to spin tariffs into a net benefit for Canadians? Absolutely.”

The path to comprehensive right to repair reform in Canada may not completely resolve the chaos caused by Trump’s imposed tariffs, but it holds potential to benefit both consumers and the domestic economy.

It could make Canada less dependent on the U.S. by encouraging it to diversify its trade partners. At the same time, it would also offer some protection for Canadian industries by promoting local practices.

This shift could help strengthen Canada's economic position and reduce its vulnerability to changes in U.S. trade policies.