

## **Batteries – New Regulations in Force**

The Batteries and Accumulators (Placing on the Market) Regulations 2008 came into force on 26 September 2008. The Regulations implement the placing on the market obligations of EC Directive 2006/66/EC which:

- bans the placing on the EU market of new batteries containing more than agreed levels of cadmium and mercury;
- controls the marking of batteries; and
- sets design requirements on producers of electrical and electronic equipment that contains batteries.

The Waste Batteries and Accumulators Regulations 2009, which complement the existing Regulations, came into force on 5 May 2009.

The Regulations establish a new producer responsibility system for the collection, treatment and recycling of waste portable, industrial and automotive batteries.

### **For All Batteries**

The Regulations introduce:

- requirements for any persons placing batteries on the market to register as a producer of batteries and report on waste batteries collected and sent for recycling; and
- requirements for the treatment and recycling of waste batteries.

### **For Portable Batteries Only**

The Regulations establish interim collection targets to assess progress towards the Directive's targets of collecting waste portable batteries equivalent to 25 per cent of sales by 2012 and 45 per cent by 2016. To fulfil their responsibilities for collection and recycling, producers must belong to a Battery Compliance Scheme (BCS) approved by the relevant UK Environment Agency. BCSs will also carry out publicity aimed at consumers, informing them how they can return their waste household batteries for recycling.

Producers who put less than 1 tonne of portable batteries on the market must register, but will not have to fund collection, treatment and recycling.

Guidance on the Waste Batteries and Accumulators Regulations can be found at <http://www.berr.gov.uk/files/file51268.pdf>.

From February 2010, certain retailers of household batteries will have to collect them in-store when they become waste.

*For more information contact PCB Solicitors on 01743 248148  
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