

# Power up for batteries regulations

## What you need to do to comply with the Batteries Directive

On 5 May 2009, new regulations came into force about the way batteries and accumulators are collected, treated and recycled in the UK. The Batteries Directive will improve the environmental performance of batteries and accumulators and those involved in their life cycle. The regulations aim to move the UK from its 2007 rate of recycling 3% of portable batteries to 25% (approx. 7,500 tonnes) by 2012, raising to at least 45% in 2016.

### Who do the regulations affect?

If you fall into any of the categories below, you need to take action **now**.

- Anyone who puts portable batteries/accumulators - or products containing portable batteries/accumulators - onto the UK market for the first time.
- Anyone who puts industrial and/or automotive batteries - or products containing industrial and/or automotive batteries - onto the UK market for the first time.
- Anyone who sells portable batteries/accumulators (yes, this is different to the other two categories - read on to find out why!)

### Definitions of battery types

#### Automotive batteries are:

- used for starting, or the ignition of, a vehicle engine, or for powering the lights of a vehicle.

#### Industrial batteries are:

- designed entirely for industrial or professional uses;
- used for powering electric vehicles;
- unsealed but not automotive; *or*
- sealed but not portable.

#### Portable batteries are:

- sealed;
- capable of being hand-carried by the average person without difficulty; *and*
- not automotive or industrial.

Portable batteries include AAA cells, through mobile phone batteries, to button cells used in hearing aids and watches. If a battery is available for purchase by all end-users (the general public), then it is likely to be portable unless it is too big to be hand-carried or has one of the specific uses listed as automotive or industrial.

### What you need to do

- *Anyone who puts portable batteries/accumulators - or products containing portable batteries/accumulators - onto the UK market for the first time.*

This generally means that you have not bought them from another UK supplier. You must have a physical presence in the UK, such as a UK office, trading arm, or Post Office box. (The types of product include, but is not restricted to, those regarded as electrical and electronic equipment under the Waste Electrical and Electronic Equipment (WEEE) Directive).

Under the regulations, you are classed as a **producer**. There are two types of producer – large and small.

#### Large producers

If you place more than 1 tonne of portable batteries/accumulators on the UK market, you are a large producer and you must:

- Join a Battery Compliance Scheme to pay for the collection, treatment and recycling of waste batteries in proportion to your market share. They will also register you with the Environment Agency. You must do this before 15 October 2009.
- Record data on the weight of batteries you have placed on the market from 5 May 2009. You will need to provide this information to your Battery Compliance Scheme (who will pass this information to the Environment Agency) from

January 2010. You need to record the weight of nickel cadmium, lead acid and 'other' batteries as three separate groups. If you place batteries inside products on the market, you should only record the weight of the batteries.

The Battery Compliance Scheme you join will help you comply with the Batteries Regulations by carrying out registration, collection, treatment and recycling obligations on your behalf. We are currently assessing the applications from prospective battery compliance schemes, so you are not able to join a compliance scheme just yet **but...**

#### **...act now to ensure you comply!**

All large producers of portable batteries should investigate their options between now and when the final list of schemes is released at the end of September, so that you are ready to join the scheme of your choice by 15 October. It is important that you identify more than one scheme, as your first choice may not get approved. You can download a list of all UK applicants from [www.environment-agency.gov.uk/batteries](http://www.environment-agency.gov.uk/batteries)

#### **Small producers**

If you place 1 tonne or less of portable batteries/accumulators on the UK market, you are a small producer and you must:

- Register with the Environment Agency\* within 28 days of the first date on or after 15 October 2009 on which you place any batteries onto the UK market.
- Act now by recording data on the weight of batteries you have placed on the market since 5 May 2009. You will need to provide this information to the Environment Agency\* from January 2010. You need to record the weight of nickel cadmium, lead acid and 'other' batteries as three separate groups. If you place batteries inside products on the market, you should only record the weight of the batteries.
- ***Anyone who puts industrial and/or automotive batteries - or products containing industrial and/or automotive batteries - onto the UK market for the first time.***

If you are a producer of industrial and/or automotive batteries, you need to register

with the new Department for Business, Innovation and Skills (BIS) (previously the Department for Business Enterprise and Regulatory Reform). You should contact them for information on how to do this (their website is [www.berr.gov.uk](http://www.berr.gov.uk)). You will also need to record the amount of batteries you place on the market.

However, if you produce portable *and* industrial and/or automotive batteries, you need to join a Battery Compliance Scheme or register with the Environment Agency\*, depending on whether the amount of portable batteries you place on the market makes you a large or a small producer.

Please note that your role under the End of Life Vehicle (ELV) regulations will not change and you will need to ensure you comply with both the Batteries and ELV regulations.

#### **• Anyone who sells portable batteries/accumulators**

If you are based in the UK and sell batteries on a professional basis to an end-user, you are classed under the regulations as a distributor.

From 1 February 2010, distributors of portable batteries/accumulators will have to provide an in-store 'battery take-back' facility (for example, a battery bin) for any member of the public who has some batteries to dispose of. (Distributors who sell less than 32 kg of portable batteries each year are exempt from this requirement.) The Department of Environment, Food and Rural Affairs (Defra) will appoint an authority to regulate distributors. For more information, please visit their website [www.defra.gov.uk](http://www.defra.gov.uk) or email them at [portable.batteries@defra.gsi.gov.uk](mailto:portable.batteries@defra.gsi.gov.uk).

#### **Further information**

Visit [www.environment-agency.gov.uk/batteries](http://www.environment-agency.gov.uk/batteries). If you can't find the information that you need there, please call us on 08708 506 506.

Sign-up for our e-alerts – just email us at [batteries@environment-agency.gov.uk](mailto:batteries@environment-agency.gov.uk) with 'subscribe me' in the subject header.

*\*Producers in Scotland should register with the Scottish Environment Protection Agency (SEPA); in Northern Ireland with the Northern Ireland Environment Agency (NIEA).*