

# The EU Batteries Regulation

August 1, 2023

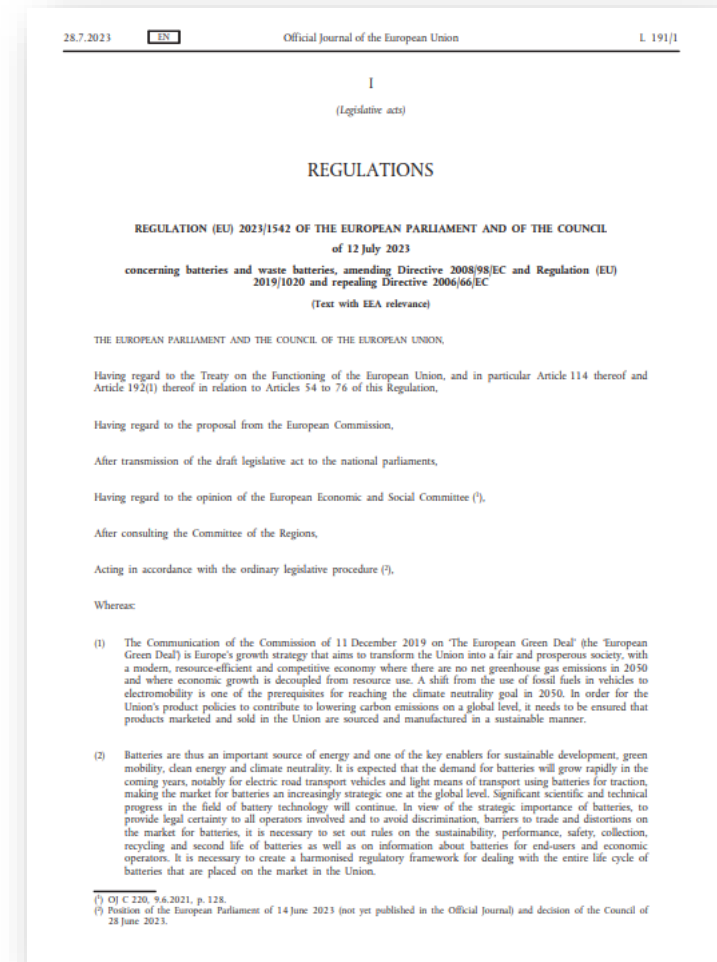
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# 01 | Overview and Scope

# Overview

- The Batteries Regulation **repeals the Batteries Directive 2006/66/EC with effect from 18 August 2025** (while article 95 lists few exceptions)
- The **Batteries Regulation enters into force on the twentieth day following that of its publication in the Official Journal (28.7.2023) and applies from 18 February 2024**
- The provisions with regard to the **management of waste batteries (Chapter VIII) shall apply from 18 August 2025**
- The new Regulation aims to **tackle three groups of problems:**
  - lack of framework conditions providing incentives to invest
  - sub-optimal functioning of recycling markets and insufficient closed material loops
  - social and environmental risks
- Other relevant legislation that the Battery Regulation builds upon **Battery Directive 2006, Corporate Sustainability Due Diligence Directive, Critical Raw Materials Act**

The text of the Regulation can be found in multiple languages [here](#).



## Dual Legal Base

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,  
Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof *and Article 192(1) thereof in relation to Articles 45g to 62 of this Regulation,*

- **Shift from a Directive to a Regulation**, creating one legal instrument with uniform application across the EU Member States as well as **harmonising the internal market** and levelling the playing field
- As a Regulation, the framework has an **immediate impact without the need for a national transposition**
- However, the **legal basis for the Regulation is dual** being based on Articles 114 and 192(1) of the Treaty on the Functioning of the European Union (TFEU) in relation to Articles 45(g) to 62 of the Battery Regulation (management of waste batteries). Article 114 TFEU **allows Member States to introduce:**

*“national provisions based on new scientific evidence relating to the protection of the environment [...] on grounds of a problem specific to that Member State arising after the adoption of the harmonisation measure”*

- **Member States can divert** by means of national provisions, which the European Commission has to accept or reject within 6 months. The legal base thus allows exceptions to the harmonisation, **but only for Chapter VIII “Management of waste batteries”**

# Subject Matter and Scope (Articles 1-3)

The Regulation applies to **all categories of batteries regardless of their shape, volume, weight, design, material composition, chemistry, use or purpose** (including **batteries designed to be or incorporated into or added to products**). Battery cells and modules (without further incorporation or assembly into larger batteries) are also considered batteries

**Two new categories** → 5 battery categories:

Portable	Industrial	<b>NEW</b> Light means of transport (LMT)	<b>NEW</b> Electric vehicle (EV)	Starting, lighting and ignition (SLI)
<ul style="list-style-type: none"><li>- is sealed;</li><li>- weighs <b>5 kg or less</b>;</li><li>- is not designed specifically for industrial use and</li><li>- is neither an electric vehicle battery, an LMT battery, nor an SLI battery</li></ul>	<ul style="list-style-type: none"><li>- <b>specifically designed for industrial uses</b>;</li><li>- intended for <b>industrial uses</b> after having been subject to preparation for repurposing or repurposing, or</li><li>- any other battery that weighs <b>more than 5 kg</b> and that is neither an electric vehicle battery, an LMT, or an SLI battery</li></ul>	<ul style="list-style-type: none"><li>- sealed and weights <b>25 kg or less</b>;</li><li>- specifically designed to <b>provide electric power for the traction</b> of wheeled vehicles that can be powered by an electric motor alone or by a combination of motor and human power;</li><li>- is not an electric vehicle battery</li></ul>	<ul style="list-style-type: none"><li>- specifically designed to <b>provide electric power for the traction in hybrid or electric vehicles</b> of category L as provided for in Regulation (EU) No 168/2013, and that <b>weights more than 25 kg</b>;</li><li>- specifically designed to provide electric power for traction in hybrid or electric vehicles of categories M, N or O as provided for in Regulation (EU) 2018/858</li></ul>	<ul style="list-style-type: none"><li>- specifically designed to <b>supply electric power for starter, lighting, or ignition</b>;</li><li>- can also be used for auxiliary or backup purposes in vehicles, other means of transport or machinery</li></ul>

# 02 | Sustainability Requirements

# Substance Restrictions (Article 6, Annex I)

Restrictions set out in **Annex XVII of REACH Regulation** and in **Article 4(2), point (a) of EoL Vehicles Directive**



Substance	Scope / Restriction
Mercury	<b>Batteries</b> , whether or not incorporated into appliances, light means of transport or vehicles: <b>≤ 0,0005 %</b>
Cadmium	<b>Portable batteries</b> , whether or not incorporated into appliances, light means of transport or vehicles: <b>≤ 0,002%</b>
Lead	<b>Portable batteries:</b> <b>≤ 0,01 %*</b>

\* The restriction shall apply from **18 August 2024**. **Portable zinc-air button cells** shall be excluded from the restriction until **18 August 2028**.

# Carbon Footprint Declaration (Article 7)

By 31 December 2030, the Commission shall assess the feasibility of extending the carbon footprint requirements also to **portable batteries**.

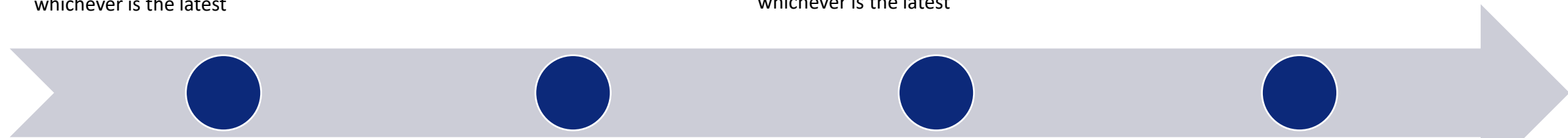
Scope: Rechargeable industrial batteries with a capacity greater than 2 kWh, LMT and EV batteries

Requirement: A **carbon footprint declaration** shall be drawn up for each battery model per manufacturing plant. The declaration shall **accompany the battery** (until it becomes accessible via **QR code**)

## Timeline:

**EV batteries: 18 February 2025** or 12 months after the date of entry into force of the delegated act/the implementing act\*, whichever is the latest

**LMT batteries: 18 August 2028** or 18 months after the date of entry into force of the delegated act/the implementing act, whichever is the latest



**Rechargeable industrial batteries:**  
**18 February 2026** or 18 months after the date of entry into force of the delegated act/the implementing act, whichever is the latest

**Rechargeable industrial batteries with external storage: 18 August 2030** or 18 months after the date of entry into force of the delegated act/the implementing act, whichever is the latest

\*Delegated act shall establish the **methodology for the calculation and verification of the carbon footprint**. Implementing act will establish the **format for the carbon footprint declaration**.



# Carbon Footprint Labelling (Article 7)

By 31 December 2030, the Commission shall assess the feasibility of extending the carbon footprint requirements also to **portable batteries**.

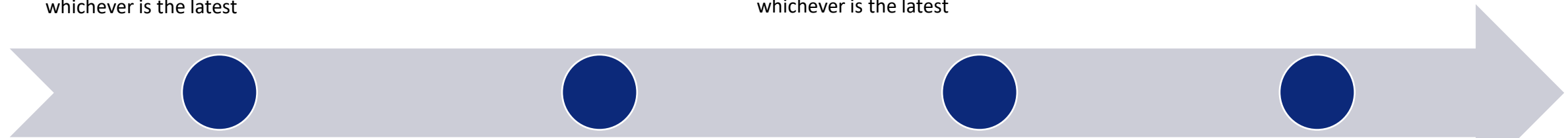
Scope: Rechargeable industrial batteries with a capacity greater than 2 kWh, LMT and EV batteries

Requirement: Batteries to bear a conspicuous, clearly legible and indelible **label indicating the carbon footprint + the carbon footprint performance class**. **Number of performance classes + thresholds** between them shall be reviewed every **3 years**.

## Timeline:

**EV batteries: 18 August 2026** or 18 months after the date of entry into force of the delegated act/the implementing act\*, whichever is the latest

**LMT batteries: 18 February 2030** or 18 months after the date of entry into force of the delegated act/the implementing act, whichever is the latest



**Rechargeable industrial batteries:**  
**18 August 2027** or 18 months after the date of entry into force of the delegated act/the implementing act, whichever is the latest

**Rechargeable industrial batteries with external storage: 18 February 2032** or 18 months after the date of entry into force of the delegated act/the implementing act, whichever is the latest

\*Delegated act shall establish **the carbon footprint performance classes**. Implementing act will establish **the formats for the labelling** and the **format for the declaration on the carbon footprint performance class**.

# Carbon Footprint Technical Documentation (Article 7)

By 31 December 2030, the Commission shall assess the feasibility of extending the carbon footprint requirements also to **portable batteries**.

Scope: Rechargeable industrial batteries with a capacity greater than 2 kWh, LMT and EV batteries

Requirement: **Technical documentation** that demonstrates that the declared **life cycle carbon footprint value is below the maximum threshold**

Timeline:

**EV batteries: 18 February 2028** or 18 months after the date of entry into force of the delegated act\*, whichever is the latest

**LMT batteries: 18 August 2031** or 18 months after the date of entry into force of the delegated act, whichever is the latest



**Rechargeable industrial batteries:**  
**18 February 2029** or 18 months after the date of entry into force of the delegated act, whichever is the latest

**Rechargeable industrial batteries with external storage: 18 August 2033** or 18 months after the date of entry into force of the delegated act, whichever is the latest

\*Delegated act shall determine the **maximum life cycle carbon footprint threshold**

# Recycled Content Documentation (Article 8)


Scope: **Industrial batteries, with a capacity greater than 2 kWh, EV, SLI and LMT batteries that contain cobalt, lead, lithium or nickel in active materials**

Requirement: Shall be accompanied by **documentation containing information about the percentage share of recovered content from these metals**

Timeline:

**Industrial, EV, SLI batteries:**

**18 August 2028** or 24 months after the date of entry into force of the delegated act\*, whichever is the latest

A large, light gray arrow pointing to the right, serving as a timeline. Two dark blue circles are positioned on the arrow, one corresponding to the 2028 deadline and the other to the 2033 deadline.

**LMT batteries that contain cobalt, lead, lithium or nickel in active materials: 18 August 2033**

\*Delegated act shall establish the **methodology for the calculation and verification of the percentage share** of metals recovered from waste present in active materials and the **format for the documentation**

# Recycled Content Targets (Article 8)

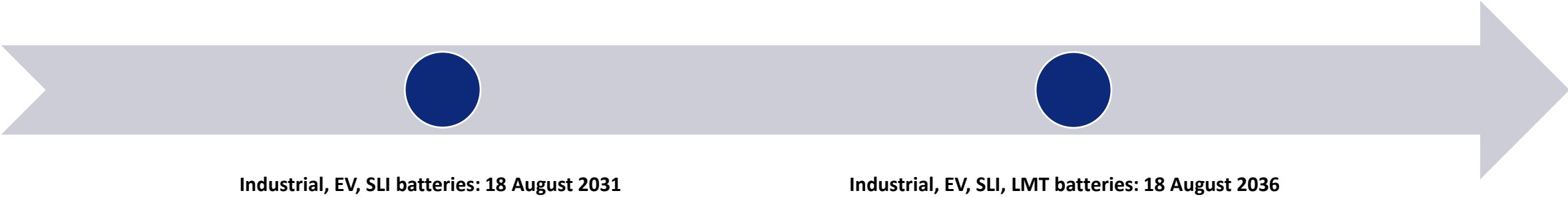
Scope: **Industrial batteries, with a capacity greater than 2 kWh, EV, SLI and LMT batteries that contain cobalt, lead, lithium or nickel in active materials**

Requirement: The documentation shall demonstrate the following **minimum recycled content targets**:

Cobalt	16%
Lead	85%
Lithium	6%
Nickel	6%

Cobalt	26%
Lead	85%
Lithium	12%
Nickel	15%

Timeline:



# Performance and Durability Requirements (Articles 9-10)

## Scope: Portable, LMT, EV and rechargeable industrial batteries

Except batteries that has been subject to preparation for re-use, preparation for repurposing, repurposing or remanufacturing (if originally POM before below dates)

Requirement: Compliance with the minimum values for the electrochemical performance and durability/batteries shall be accompanied by a document containing values for the electrochemical performance and durability parameters

## Timeline (Scope vs. Requirement):

**LMT batteries, rechargeable industrial batteries with a capacity greater than 2 kWh and electric vehicle batteries: 18 August 2024**

**Rechargeable industrial batteries with a capacity above 2 kWh: 18 August 2027** or 18 months after the date of entry into force of the delegated act\*, whichever is the latest

**Portable batteries of general use (excluding button cells): 18 August 2028** or 24 months after the date of entry into force of the delegated act\*, whichever is the latest  
**LMT batteries: 18 August 2028** or 18 months after the date of entry into force of the delegated act\*, whichever is the latest



**Accompanied by a document** containing values for the electrochemical performance and durability parameters laid down in **Part A of Annex IV**

**Meet the minimum values laid down in the delegated act adopted** by the Commission for the electrochemical performance and durability parameters set out in **Part A of Annex IV**

**Meet the minimum values** for the electrochemical performance and durability parameters set out in:  
**Portable: Annex III** as laid down in the delegated act\* adopted by the Commission  
**LMT: the delegated act\*** adopted by the Commission **set out in Part A of Annex IV**

\*Delegated act shall establish mandatory **minimum values for the electrochemical performance and durability parameters**

# Removability and Replaceability from Products (Article 11)

Scope: **Portable batteries** (entire batteries and not individual cells or other parts included in such batteries) and **LMT batteries** (including individual battery cells included in the battery pack)

## Requirements:

- Replacement batteries shall be **available as spare parts of the equipment they power for a minimum of 5 years\***
- Products incorporating **portable batteries**:
  - those shall be **readily removable and replaceable by the end-user** at any time during the lifetime of the product
  - accompanied with **instructions and safety information on the use, removal and replacement of the batteries** (made available permanently online, on a publicly available website)
- Products incorporating **LMT batteries**:
  - those shall be **readily removable and replaceable by an independent professional** at any time during the lifetime of the product

## Definitions:

• A **portable battery** shall be considered **readily removable by the end-user** where it can be removed from a product **with the use of commercially available tools, without requiring the use of specialised tools, unless provided free of charge with the product, proprietary tools, thermal energy, or solvents to disassemble the product.**

Exemption: Following products incorporating portable batteries may be designed in such a way as to make the battery removable and replaceable only **by independent professionals**: specifically **designed to operate primarily in an environment that is regularly subject to splashing water, water streams or water immersion, and that are intended to be washable or rinseable + professional medical imaging and radiotherapy devices.**

• A **portable or LMT battery** shall be **readily replaceable** where, after its removal from an appliance or light means of transport, it can be substituted by another compatible battery, **without affecting the functioning, the performance or the safety** of that appliance or light means of transport.

\* after placing the last unit of the model on the market, with a reasonable and non-discriminatory price for independent professionals and end users

# 03 | Labelling and Information Requirements

# Labelling (Article 13)

From 18 August 2025, all batteries shall be marked with the [wheely bin marking](#)  
All batteries containing more than 0,002 % cadmium or more than 0,004 % lead, shall be marked with the chemical symbol for the metal concerned: **Cd or Pb**



From 18 August 2026 or 18 months after the date of entry into force of the implementing act\*, whichever is the latest, the following labels shall be applied:

- **batteries:** a label containing the [general information](#) (Part A of Annex VI)
- **rechargeable portable batteries, LMT and SLI batteries:** a label containing information on their [capacity](#)
- **non-rechargeable portable batteries:** a label containing information on their [minimum average duration](#) when used in specific applications and a label indicating '[non-rechargeable](#)'

From 18 February 2027, all batteries shall be marked with a [QR code](#) providing access to:

- **LMT, EV, industrial batteries with a capacity greater than 2kWh:** the battery passport (see separate slide)
- **other batteries:** general information, capacity, wheely bin and chemistry marking, the **declaration of conformity**, the report on due diligence and the information regarding the prevention and management of waste batteries
- **SLI batteries:** the recovered content (cobalt, lead, lithium or nickel)

\*Implementing act shall establish **harmonised specifications for the labelling**.



# Battery Management System (Article 14)

**Scope:** Stationary battery energy storage systems, LMT, EV batteries using a battery management system

**Requirement:** Shall contain in their battery management system **up-to-date data for the parameters for determining the state of health and expected lifetime of batteries** as laid down in Annex VII

*(respecting intellectual property rights of battery manufacturer, on a non-discriminatory basis to the legal or natural person who has legally purchased the battery, including independent operators or waste management operators)*

**Timeline: 18 August 2024**

## Part A

Parameters for determining the state of health of electric vehicle batteries, stationary battery energy storage systems and LMT batteries:

For electric vehicle batteries:

state of certified energy (SOCE).

For stationary battery energy storage systems and LMT batteries:

1. the remaining capacity;
2. where possible, the remaining power capability;
3. where possible, the remaining round trip efficiency;
4. the evolution of self-discharging rates;
5. where possible, the ohmic resistance.

## Part B

Parameters for determining the expected lifetime of stationary battery energy storage systems and LMT batteries:

1. the date of manufacture of the battery and, where appropriate, the date of putting into service;
2. the energy throughput;
3. the capacity throughput;
4. the tracking of harmful events, such as the number of deep discharge events, time spent in extreme temperatures, time spent charging in extreme temperatures;
5. the number of full equivalent charge-discharge cycles.

# Information on Prevention and Management of Waste Batteries (Article 74)

Producers/PROs shall provide the following information to

- **End-users and distributors:**

- Role of end-users in contributing to **waste prevention**
- Role of end-users in contributing to the **separate collection** of waste batteries
- **Separate collection, take-back and collection points, preparation for re-use, preparation for repurposing and treatment available** for waste batteries
- Necessary **safety instructions** to handle waste batteries
- Meaning of **the labels and symbols** on batteries, their packaging or in the accompanying documents
- **Impact of substances**, in particular hazardous ones, present in batteries on the environment and on human health or the safety of persons

The information shall be available as a minimum **at the point of sale and through online platforms** and in the **language(s) easily understood in the Member State.**

- **Distributors and waste management operators:**

- Information regarding the **safety and protective measures**
- Processes for the **dismantling** of LMT, vehicles and appliances in a way that allows the removal of incorporated batteries

# 04 | Conformity & Manufacturer Obligations

# Conformity of Batteries (Articles 15-17)



Presumption of conformity shall apply following the EU Conformity Assessment procedure:

- **Conformity assessment of batteries** with the requirements set out in Articles 6, 7, 8, 9, 10 and 12 to 14 **shall be carried out in accordance with dedicated procedures** set in Annex VIII (differentiating batteries manufactured in series, batteries not manufactured in series and batteries that have been subject to preparation for re-use, preparation for repurposing, repurposing or remanufacturing)
- In exceptional cases, the **Commission may adopt implementing acts** laying down common specifications for the requirements set out in Articles 9, 10, 12, 13, 14 and 78 or tests referred to in Article 15(1)
- **Harmonised standards** shall aim to simulate real-life usage as far as possible while maintaining standard tests
- When reference of a **harmonised standard** is published in the Official Journal of the European Union, the Commission **shall repeal the implementing acts** or parts thereof which cover the same requirements or tests
- **Batteries which are in conformity with harmonised standards** or parts thereof for which the references have been published in the Official Journal of the European Union **shall be presumed to be in conformity** with the requirements set out in Articles 9, 10, 12, 13, 14 and 78

# Manufacturer Obligations (Articles 18-20, 38, 44)



**Manufactures** shall ensure that:

- Batteries are designed and manufactured in accordance with Articles 6 to 10 and Articles 12 and 14 and are accompanied by **clear, understandable and readable instructions and safety information in a language(s)**, which can be easily understood by end-users, as determined by the **Member State**
- Batteries are properly **marked and labelled**
- All batteries undergo the **procedure of assessment of conformity** with requirements laid down in the Regulation. After the procedure, the **Declaration of Conformity** shall be drawn up in an **electronic format** and **translated into the language(s)** required by the **Member State**
- Before the battery is placed on the market or put into service, **CE marking** shall be affixed visibly, legibly and indelibly to the battery (when not possible: to the packaging and to the documents accompanying the battery)
- An **EU declaration of conformity** shall state that the fulfilment of the requirements set out in Articles 6 to 10 and 12 to 14 has been demonstrated
- **Technical documentation and EU declaration of conformity** is kept for **10 years** after the battery has been placed on the market/put into service
- Batteries contain **contact details of the manufacturer**
- **Battery management system contains** values for parameters for determining the state of health of batteries and their expected lifetime

**! In case the battery is placed on the market under importer's/distributor's name or modified by them so that the compliance is affected, they shall be considered a manufacturer.**

# Digital Battery Passport (Article 77)

- Scope: LMT, electric vehicle and industrial battery with a capacity greater than 2 kWh
- Requirements:
  - Batteries placed on the market or put into service shall have an electronic record ("**battery passport**") containing **information relating to the battery model and information specific to the individual battery**
  - The battery passport shall:
    - contain **information relating to the battery model and information specific to the individual battery as set out in Annex XIII** (such as\* material composition, carbon footprint information, information on responsible sourcing, dismantling of the battery including safety measures, recycled content information, rated capacity, expected battery lifetime, the EU declaration of conformity, regarding the prevention and management of waste batteries)
    - be accessible through the **QR code, which links to a unique identifier** that the economic operator placing the battery on the market shall attribute to it.
  - The passport of **battery that has been subject to preparation for re-use, preparation for repurposing, repurposing or remanufacturing** shall have a **new battery passport linked to the battery passport of the original battery**
  - The battery passport shall **cease to exist** after the **battery has been recycled**

Timeline: **18 February 2027**

\* *non-exhaustive list, only examples*

# 05 | Management of Waste Batteries

## Extended Producer Responsibility (Article 56)

**Producers shall have extended producer responsibility** for batteries that they make available on the market for the first time within the territory of a Member State

A producer established in another Member State or in a third country shall appoint **(by written mandate)** an **authorised representative** for the EPR in each Member State it sells batteries

The **financial contributions paid** by the producer shall cover the following costs:

- Costs of separate collection of waste batteries and their subsequent transport and treatment
- Costs of carrying out a compositional survey of collected mixed municipal waste
- Costs of providing information on prevention and management of waste batteries
- Costs of data gathering and reporting

In the case of making available **batteries that have been subject to preparation for re-use, preparation for repurposing, repurposing or remanufacturing**, both the producers of the original batteries and the producers of the batteries that are placed on the market as a result of those operations, **may establish and adjust a cost sharing mechanism**

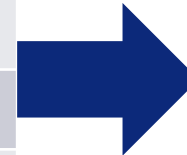


# Battery Collection (Article 59 - Portable Batteries, Article 60 - LMT Batteries)

Producers/PROs shall ensure a separate **collection of all categories of waste batteries**, regardless of their nature, **chemical composition, condition, brand or origin**, and free of charge to the end-user

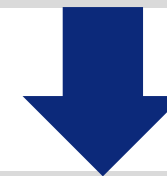
The following **collection targets** shall apply:

Battery type	Collection target
Portable batteries	45 % by 31 December 2023
	63 % by 31 December 2027
	73% by 31 December 2030
LMT batteries	51% by 31 December 2028
	61% by 31 December 2031



**Calculation of collection rates of waste portable batteries and waste LMT batteries (Annex XI)**

Member States shall calculate the collection rate as the **percentage** obtained by **dividing** the weight of waste batteries collected in a given calendar year by the **average weight of such batteries** that producers either make available on the market ... during the **3 preceding calendar years**



**Batteries waste available for collection approach**

The Commission is empowered to adopt, **by 18 August 2027**, delegated acts to amend the methodology to calculate the **collection rate** (considering the development of the market and increase of the expected lifetime of batteries)

# Battery Collection: SLI, Industrial and Electric Vehicle Batteries (Article 61)

- Producers/PROs shall:
  - ensure the separate **collection of all categories of waste batteries, regardless of their nature, chemical composition, condition, brand or origin, and free of charge to the end-user**
  - provide **takeback and collection systems** with suitable collection infrastructure for the separate collection **covering the whole territory of a Member State** not being limited to areas where the collection is profitable
  - collect with a **frequency that is proportionate** to the storage capacity of the separate collection infrastructure and the volume and hazardous nature of waste batteries
  - **accept** waste SLI batteries, industrial batteries and electric vehicle batteries from end-users or from takeback and collection systems which include collection points (distributors, remanufacturing or repurposing operators, WEEE /ELV treatment facilities, public authorities)
- Where waste **industrial batteries** require prior **dismantling** at the premises of private, non-commercial users, the obligation of the producer to take back those waste batteries **shall not result in any costs to those users.**
- **No collection targets** set for those batteries

# Recovery and Recycling (Article 71, Annex XII)

Scope: All batteries

Requirements:

**Targets for recycling efficiency (% by average weight):**

Battery material	31 December 2025	31 December 2030
lead-acid	75 %	80 %
lithium-based	65 %	70 %
nickel-cadmium	80 %	
other	50 %	

**Targets for recovery of materials:**

Material	31 December 2027	31 December 2031
Cobalt	90 %	95 %
Copper	90 %	95 %
Lead	90 %	95 %
Lithium	50 %	80 %
Nickel	90 %	95 %

Timeline: **By 18 February 2025,**

the Commission shall adopt the **methodology for the calculation and verification of rates for recycling efficiency and recovery of materials** and the format for the documentation. The **Commission shall regularly assess whether it is appropriate to revise the targets for recycling efficiency and the recovery of materials** (by 18 August 2026 and at least every five years thereafter) and is **empowered** to adopt delegated acts **adding further materials** with specific targets for recovery of material per specific material and **further battery chemistries** with specific targets for recycling efficiency.

# Distributor Obligations: Collection and Information Requirements (Articles 62, 74)

- **Distributors** shall take back waste batteries from the end-user **free of charge and without imposing an obligation on the end-user to buy or to have bought a new battery, regardless of their chemical composition, brand or origin:**
  - **Portable batteries:** at or in the **immediate** vicinity of the retail outlet
  - **LMT, SLI, industrial and electric vehicle batteries:** at or in the vicinity of the retail outlet
- Distributors shall permanently provide **in their retail premises in an easily accessible and clearly visible manner** for the end-users:
  - **General information** (applies also to distributors selling through online platforms)
  - Information on how the end users may **return waste batteries free of charge** to the respective collection points established at retail outlets or on behalf of an online platform
- **Distance sellers** shall provide for a sufficient number of collection points covering the whole territory of a Member State and taking into account population size and density, expected volume of waste batteries, accessibility for and proximity to end-users allowing end-users to return batteries
- **Sales with delivery:** take back of waste batteries shall be offered **free of charge at the point of delivery or at a local collection point.** The end-user shall **be informed when ordering a battery of the takeback arrangements** for a waste battery
- **Online platforms:** shall obtain the following information from producers:
  - information on the register and registration number(s)
  - a self-certification by the producer committing to only offer batteries which are in compliance with the legislation

# Deposit Return Systems (Article 63)

No deposits are required, but...

The Commission shall assess the **feasibility and potential benefits of the establishment of deposit return** systems for batteries, in particular for **portable batteries of general use** by **31 December 2027**

Commission shall:

- submit a **report** to the European Parliament and to the Council and
- consider taking appropriate measures, including the **adoption of legislative proposals**

# 06 | Registration and Reporting

## Registration (Article 55)

- Producers (their PRO or AR) are **obliged to register electronically** in the registers established by the Member States (free access) - registration **in each Member State** where they make a battery available on the market
- Producers (their PRO(s) or AR) shall not make **available batteries, including those incorporated in appliances, light means of transport or vehicles**, on the market of a Member State, if not being registered
- The **application for registration** shall include:
  - Name and brand names (if available), contact details of the producer
  - National identification code and European/national tax number
  - Category(ies) of batteries to be made available on the market
  - Mode of compliance (individually or via PRO)
- Member State may request **additional information** or documents and may charge the **registration fee**
- Registration (and assignment of registration number) shall be granted **within 12 weeks** after receipt of the application
- In case of permanent cessation of activities, producers shall inform the competent authority, which shall **exclude them from the register**

# Reporting (Article 75)

**Producers/PROs shall report electronically on an annual basis** (within 6 months of the end of the reporting year for which the data are collected) to the competent authority the following:

## Portable and LMT batteries

1. Amount of **portable and LMT batteries made available** on the market (exports excluded)
2. Amount of **portable batteries of general use made available** on the market (exports excluded)
3. Amount of waste portable and LMT batteries **collected**
4. **Collection rate** reached for waste portable batteries or waste LMT
5. Amount of collected waste portable and LMT batteries delivered for **treatment**
6. Amount of collected waste portable batteries **exported to third countries** for treatment, preparation for reuse, repurposing or recycling
7. Amount of waste portable and LMT batteries collected and delivered to **preparing for re-use or repurposing**

## SLI, industrial and electric vehicle batteries

1. Amount of SLI, industrial and electric vehicle batteries **made available** on the market (exports excluded)
2. Amount of waste industrial or electric vehicle batteries collected and **delivered to permitted facilities for preparation for re-use or repurposing**
3. Amount of waste SLI, industrial or electric vehicle batteries collected and delivered for **treatment**
4. Amount of collected waste SLI, industrial and electric vehicle batteries **exported to third countries** for treatment, preparation for re-use or repurposing

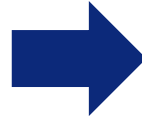
**The first reporting period:** the **first full calendar year** after the entry into force of the implementing act establishing the format for reporting to the Commission



# 07 | Enforcement

# Marker Surveillance & Non-Compliances (Articles 79, 83, 93)

- Member States to carry out **compliance checks and enforcement actions**
- In case of noticed **non-compliances**, Member States shall **immediately inform the Commission and the other Member States**
- **By 18 August 2025, Member States shall lay down the rules on penalties** applicable to infringements of the Regulation and shall take all measures necessary to ensure that they are implemented
- The penalties provided shall be **effective, proportionate and dissuasive**



## Article 83

### Formal non-compliance

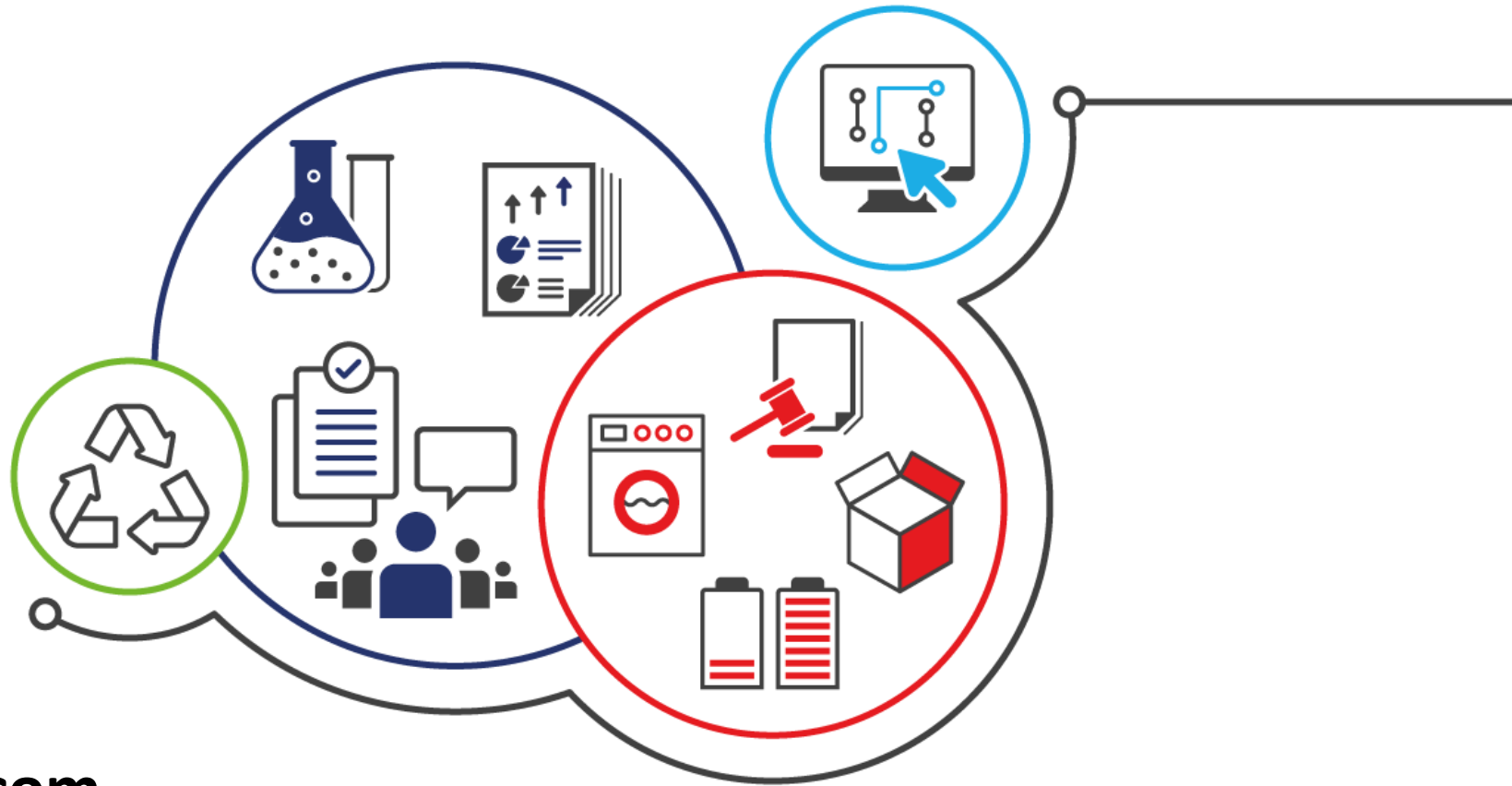
1. Without prejudice to Article 79, where a Member State makes one of the following findings, it shall require the relevant economic operator to put an end to the non-compliance concerned:
  - (a) the CE marking has been affixed in violation of Article 30 of Regulation (EC) No 765/2008 or of Article 20 of this Regulation;
  - (b) the CE marking has not been affixed;
  - (c) the identification number of the notified body, where required under Annex VIII, has been affixed in violation of Article 20 or has not been affixed;
  - (d) the EU declaration of conformity has not been drawn up or has not been drawn up correctly;
  - (e) the technical documentation referred to in Annex VIII is either not available, or not complete;
  - (f) the information referred to in Article 38(7) or Article 41(3) is absent, false or incomplete;
  - (g) any other administrative requirement provided for in Article 38 or 41 has not been met;
2. Where the non-compliance referred to in paragraph 1 persists, the Member State concerned shall take all appropriate measures to restrict or prohibit the battery being made available on the market or ensure that it is withdrawn from the market or recalled.

# 08 | Summary of Obligations

Article	Requirement	Battery category					Timeline (first obligation)							Comment	
		Portable	Industrial	LMT	EV	SLI	2023	2024	2025	2026	2027	2028	2031		
<b>6</b>	<b>Substance Restrictions</b>	18. Feb 24													
<b>7</b>	<b>Carbon Footprint</b>														
7.1	Declaration	-	18. Feb 26 / 18. Aug 30	18. Aug 28	18. Feb 25	-								Rechargeable Industrial batteries >2 kWh: earlier date: except those with exclusively external storage / later date: with external storage  By 31 December 2030, the Commission shall assess the feasibility of extending the requirements to portable batteries and rechargeable industrial batteries with a capacity of 2 kWh or less.	
7.2	Labelling	-	18. Aug 27 / 18. Feb 32	18. Feb 30	18. Aug 26	-									
7.3	Technical Documentation	-	18. Feb 29 / 18. Aug 33	18. Aug 31	18. Feb 28	-									
<b>8</b>	<b>Recycled Content Documentation</b>														
8.1	Recycled Content Documentation	-	18. Aug 28	18. Aug 33	18. Aug 28									Only industrial batteries > 2 kWh except those with exclusively external storage / only EV / SLI / LMT batteries that contain cobalt, lead, lithium or nickel in active materials.	
8.2-8.3	Recycled Content Targets	-	18. Aug 31/ 18. Aug 36	18. Aug 36	18. Aug 31/ 18. Aug 36										
<b>9/10</b>	<b>Performance and Durability</b>														
9/10	Requirements	18. Aug 28	18. Aug 27	18. Aug 28	-	-								Portable batteries of general use, excluding button cells, rechargeable industrial batteries with a capacity greater than 2 kWh, except those with exclusively external storage  Rechargeable industrial batteries with a capacity greater than 2 kWh	
10.1	Documentation	-	18. Aug 24			-									
<b>11</b>	<b>Removability</b>	18. Feb 27	-	18. Feb 27	-	-								Portable: removable and replaceable by the end-user LMT: removable and replaceable by an independent professional	
<b>13</b>	<b>Labelling</b>														
13.1	General information	18. Aug 26													
13.2	Capacity	18. Aug 26	-	18. Aug 26	-	18. Aug 26								Rechargeable portable batteries	
13.3.	Minimum average duration	18. Aug 26	-	-	-	-								Non-rechargeable batteries	
13.4	"Wheelie bin"	18. Aug 25													
13.5	Chemicals	18. Aug 25													
13.6	QR code	18. Feb 27													
<b>14</b>	<b>Management System</b> (information on state of health and expected lifetime of batteries)	-	18. Aug 24			-								Industrial: stationary battery energy storage systems	
<b>56</b>	<b>Extended Producer Responsibility</b>	18. Aug 25												Details are subject to national transposition	
<b>59/60</b>	<b>Battery Collection Targets</b>	45 % (31. Dec 23) 63 % (31. Dec 27) 73 % (31. Dec 30)	18. Aug 25	51 % (31. Dec 28) 61 % (31. Dec 31)	18. Aug 25									Details are subject to national transposition, For SLI batteries, industrial batteries and electric vehicle batteries: no target but collection obligation	
<b>71</b>	<b>Recycling Efficiency</b>	31 Dec 25 / 31 Dec 2030												Targets and related timelines set in Annex XII	
	<b>Recovery Rates</b>	31 Dec 27 / 31 Dec 2031													
<b>77</b>	<b>Digital Battery Passport</b>	-	18. Feb 27			-								Industrial battery with a capacity greater than 2 kWh	

For some requirements timeline will be set by publication fo a delagated act e.g. "or x months after the date of entry into force of the delegated act"

Please check details in the respective slides or the regulation.



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