

The Batteries and Accumulators (Placing on the market) Regulations 2008 and The Waste Batteries and Accumulators Regulations 2009 (Collectively referred to as the Battery Regulations in this note)

The Battery Regulations place requirements on Producers of batteries in terms of first placing batteries on the UK market and also for taking responsibility for arranging safe disposal at end-of-life. In effect they place requirements on Producers that are similar to those imposed by the WEEE Regulations.

A Producer in the context of the Battery Regulation is defined as:

“Producer” means any person in the United Kingdom that, irrespective of the selling technique used, including by means of distance communication as defined in Directive 97/7/EC of the European Parliament and of the Council on the protection of consumers in respect of distance contracts, places batteries, including those incorporated into appliances or vehicles, on the market for the first time in the United Kingdom on a professional basis.

There are 3 groups of batteries defined in the Regulations: **Portable** (mainly batteries for domestic use); **Automotive** and **Industrial**.

For lighting equipment manufacturers the main impact is in respect of batteries used in Emergency Lighting and these are defined as **Industrial**. The rest of this document relates to those batteries only.

When emergency lighting batteries reach their end-of-life the end-user (assuming they are a non-domestic end-user) has a duty of care to ensure such waste batteries are disposed of correctly. Under the Battery Regulations it is anticipated that end-users will continue to use their existing methods of replacing industrial batteries used in emergency lighting applications. In many cases end-users use professional maintenance/contracting companies to maintain their emergency lighting equipment and they should therefore ensure in their contracts that the suppliers undertake to dispose of the waste batteries correctly.

The end-user or his service provider should check the brand on the waste battery and contact the Producer (see definition above) of that battery for details of the options available to him to dispose of the waste batteries. If he cannot trace the Producer via the brand he should contact the company from whom he has purchased the new/replacement batteries for advice on who the brand-owner is.

Disclaimer:

This document provides general guidance on the regulations to which it refers but LIF & /ICEL disclaim any liability resulting from any action taken as a result, on which specific individual advice should be taken by the party concerned. A full copy of the Regulations and supporting Guidance can be found on the BIS website.