



How to comply with the Batteries Regulations

Guidance for Battery Producers

This document is for guidance only. It does not purport to be and should not be considered a legal interpretation of the legislation referred to herein. Producers are advised to refer to the relevant legislation for comprehensive information on requirements.

Table of Contents

Table of Contents.....	1
1. Introduction	2
2. What is a Battery Producer?.....	3
3. Battery Types	4
4. Battery Producer Obligations	6
4.1 Register with the Producer Register Limited.....	6
4.2 Report to the WEEE Blackbox	6
4.3 Finance the Management of Waste Batteries.....	7
4.3.1 Joining a Compliance Scheme.....	7
4.3.2 Self-complying with the Batteries Regulations.....	7
4.4 Battery Specifications and Information Requirements.....	9
5. What is Battery Distributor?	11
Appendix 1 Examples of Battery Producers	12
Appendix 2 - Battery Scoping Decision Tree.....	13
Appendix 3 - Summary of Main Obligations for Battery Producers.....	14

1. Introduction

This guidance aims to assist battery producers in achieving compliance with the European Union (Batteries and Accumulators) Regulations 2014 (SI No. 283 of 2014) amended by the European Union (Batteries and Accumulators) (Amendment) Regulations 2014 (SI No. 349 of 2014), (hereinafter referred to as ‘the Batteries Regulations’).

The Batteries Regulations govern the collection, transport, recycling and disposal of waste batteries and accumulators and forms part of a Producer Responsibility Initiative (similar to WEEE and tyres) whereby the person or company who places the product on the Irish market has responsibility for financing the collection, storage, recycling and treatment of the product when it becomes waste.

Batteries are an essential energy source in our society, but they contain many hazardous substances, such as heavy metals and acids. Therefore, it is important that waste batteries are properly collected and recycled to prevent the release of hazardous substances and to recover the recyclable components in them.

Any reference to the term “batteries” in this guidance document refers to both batteries and accumulators (i.e. rechargeable batteries) whether sold on their own or incorporated into a product, vehicle or electrical and electronic equipment.

Further information on obligations under the WEEE and Battery Regulations is provided on the EPA website.

2. What is a Battery Producer?

Answer the questions in Figure 1 below.

If the answer is **Yes** to any of the questions in Figure 1, then you are a battery producer and you have producer obligations under the Batteries Regulations. Additional help on determining if you are a battery producer is provided in Appendix 1 of this document.

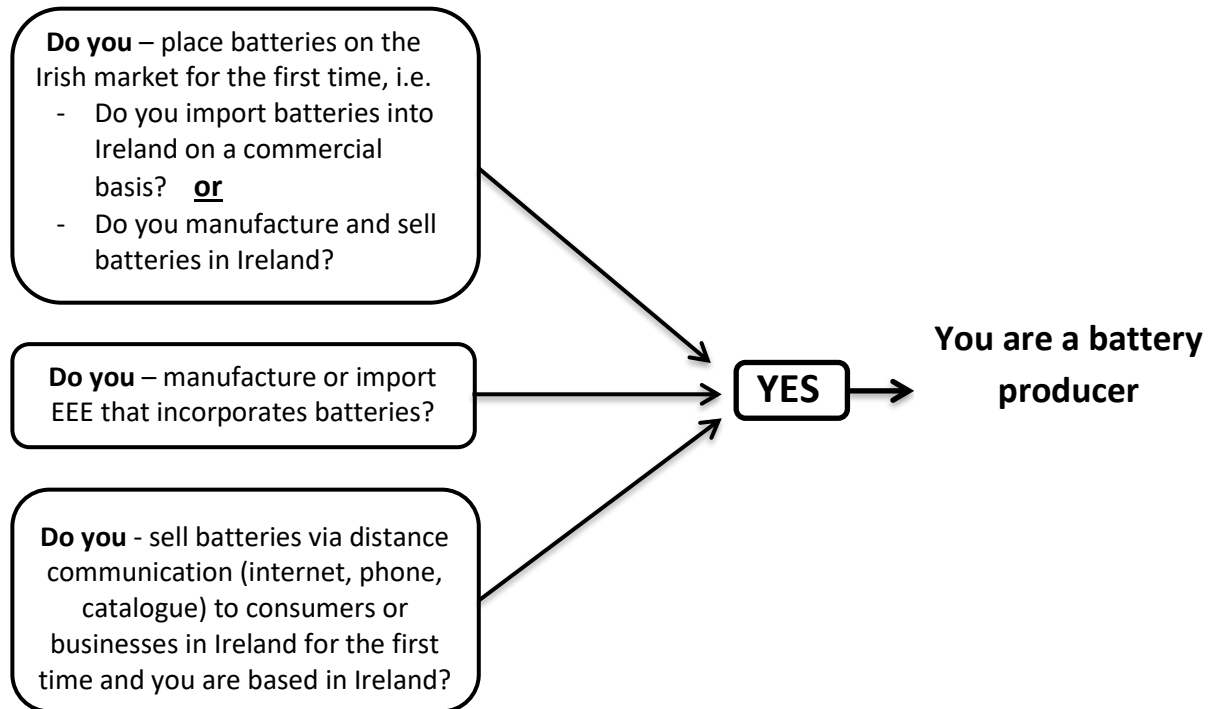



Figure 1: Are you a Battery Producer?

3. Battery Types

Batteries are categorized into three main types, portable, industrial and automotive, as detailed below in Table 1. Additional help on categorising your batteries is provided in Appendix 2 of this document.

Table 1: Types of Batteries

Battery Type	Criteria	Codes /Applications	Common Uses
<p>Portable</p>	<ul style="list-style-type: none"> Sealed; Can be hand-carried; or Is neither an industrial battery or accumulator nor an automotive battery or accumulator. 	<p>AA, AAA, D cell, C cell and button cells.</p>	<ul style="list-style-type: none"> Mobile phones Cameras Remote controls Torches Laptops
			
<p>Industrial</p>	<ul style="list-style-type: none"> Designed exclusively for industrial or professional uses; Used as a source of power in an electric vehicle; Unsealed but is not an automotive battery or accumulator; or Sealed but is <u>not classified as a portable battery</u>. 	<p>Deep cycle, marine or traction (e.g. golf cart & T-105-6V battery)</p>	<ul style="list-style-type: none"> Forklift Golf buggy Batteries for emergency back-up power supply Farm fence Automatic transport vehicles (e.g. motorised wheelchairs)
			

Battery Type	Criteria	Codes /Applications	Common Uses
Automotive	Any battery or accumulator used for automotive starter, lighting or ignition power.	Wet/dry charged (e.g. SLI - 12V battery)	<ul style="list-style-type: none">• Car• Truck• Bus• Motorcycle• Tractor and machinery



4. Battery Producer Obligations

The main battery producer obligations are outlined in this Section. For a comprehensive list of obligations please refer to [Appendix 3](#).

Battery producers are required to:

1. **Register** with the Producer Register Limited - note that you cannot complete registration until steps 2 & 3 below have been completed;
2. **Report** on a monthly basis using the WEEE Blackbox the type, quantity and chemistry of batteries placed on the Irish market by your organisation;
3. **Finance** the environmentally sound management of waste arising from batteries placed on the Irish market and otherwise comply with the Batteries Regulations by either:
 - a. Joining a **compliance scheme**
or
 - b. **Self-complying** with the Batteries Regulations and self-finance the environmentally sound management of batteries yourself. This involves submitting waste battery management plans and reports to the EPA.
4. **Ensure** that batteries placed on the Irish market:
 - a. Comply with the requirements regarding specified hazardous substances and labelling;
 - b. Are marked with the crossed out wheeled bin symbol (please see Section 4.4 below)

More detail on each requirement is provided below.

4.1 Register with the Producer Register Limited

An application form is available to download from the [Producer Register Limited](#) website. When satisfied with your application details, the Producer Register Limited will issue you with a unique registration number¹. This number must be shown on all invoices, credit notes, dispatch and delivery dockets to demonstrate to customers that they are obtaining their batteries from a registered producer.

The annual registration fee will be determined by the Producer Register Limited. The fee depends on your organisation's financial turnover which is related to the amount of batteries that you place on the Irish market.

4.2 Report to the WEEE Blackbox

As a producer you are required to report the total weight (in kg) and chemistry of any battery placed on the Irish market during the applicable calendar month. This is done via WEEE [Blackbox](#)² to ensure that any sensitive commercial information related to your business is confidentially maintained.

A Batcon application is available to producers to assist in standardising the information relating to battery codes and chemistries of batteries. Batcon converts battery volumes into average weights and chemistries. The link to the Batcon application can be accessed from the WEEE Blackbox, once logged in. Logon details for the WEEE Blackbox are usually obtained as part of the registration process with the Producer Register Limited.

¹ This number will be followed by the letter B for battery only Producers and WB for Producers of Electrical and Electronic Equipment (EEE) and Batteries. WBT will be used if you are a battery, EEE and tyre producer.

² A web-based reporting system that is managed by the Producer Register Limited.

4.3 Finance the Management of Waste Batteries

The Batteries Regulations aim to ensure that waste batteries are managed in an environmentally sound manner, and to promote the safe recovery and recycling of waste batteries. It places the responsibility for this on battery producers. Battery producers must contribute to the associated costs by either:

- Joining a compliance scheme; or
- Self-complying

4.3.1 *Joining a Compliance Scheme*

There are two approved compliance schemes in Ireland:

1. [ERP Ireland](#)
2. [WEEE Ireland](#)

Compliance schemes provide a compliance service to producer members. Producers who join a compliance scheme are exempt from certain obligations under the Batteries Regulations, including:

- Organisation of transport and management of waste batteries;
- Meeting collection, recovery and recycling targets;
- Record keeping;
- Reporting quantities of waste batteries to the EPA.

A registration/administration fee will apply to members. These are set by the individual compliance scheme. For example, a charge per kilo gram of batteries placed on the market normally applies. The fees finance the environmentally sound management of waste batteries after they have been collected and sent for recycling and treatment on behalf of the members.

In practice, most battery producers join a compliance scheme, as this reduces the administrative burden and cost of compliance.

4.3.2 *Self-complying with the Batteries Regulations*

If you decide to self-comply with the Batteries Regulations, you are choosing *to not to join a compliance scheme*. Instead you will have to demonstrate how you are complying directly to the EPA. The following requirements will apply:

a. Submit a Waste Battery Management Plan to the EPA

A Waste Battery Management Plan must be submitted to the EPA. The plan estimates the quantity of waste batteries that will be generated from the batteries which you place on the Irish market over the next 3 years. Your first 3-year plan must be submitted before the Producer Register Limited will complete your registration as detailed in steps 4.1 and 4.2 above. The plan must be accompanied by the appropriate fee (and back fees if you have obligations from previous years) as specified by the EPA. A [template for a waste battery management plan](#) can be downloaded from the EPA website which can be used to prepare your plan. Instructions for its use are set out in the template.

Note: An administration fee payable to the EPA must accompany a Waste Management Plan³. If you have outstanding obligations for previous years (going back to 2011) then the fees for those years will also be payable.

³ Fee for submission of a plan is currently €6,000 for the 3-year period of the plan.

b. Submit a Waste Battery Management Report to the EPA

Self-complying battery producers must report to the EPA on an annual basis, the amount of waste batteries that they took back from users during the reporting year. The report must also describe how these waste batteries were recycled. A [template for a waste battery management report](#) can be downloaded from the EPA website which can be used to prepare your plan. Instructions for its use are set out in the template.

c. Display the statutory notice

The requirement regarding the statutory notice does not apply to battery producers who have joined a compliance scheme.

Self-complying battery producers must display a statutory notice at, or within one metre of each, entrance to their premises. A notice in accordance with Schedule 6, Part 3 (plan notice) of the Batteries Regulations must be displayed until the first Waste Battery Management Report is submitted to the EPA. After this, a notice in accordance with Schedule 6, Part 2 (report notice) of the Batteries Regulation, must be displayed as described above.

The notice must comply with the requirements specified in Part 1 or Part 2 of Schedule 3 of the Batteries Regulation, as follows:

- Minimum dimensions of 42 centimetres in height and 29.7 centimetres in length;
- Printed in black indelible ink with a times new roman font size of at least 32 or equivalent and line space of at least 1.5 lines on a white background;
- Affixed, on a durable material, so as to be easily visible and legible; and
- Not be obscured or concealed at any time.

The following is the required wording for the Statutory Plan Notice:

WASTE MANAGEMENT ACT 1996

A plan specifying the steps taken by [name of producer] for the purpose of recycling waste batteries is available at these premises and, if so requested, will be sent by post, fax or electronic mail.

Once the first waste battery management report has been submitted to the EPA **only the Statutory Report Notice must be displayed**. The following is the required wording for the Statutory Report Notice:

WASTE MANAGEMENT ACT 1996

A report specifying the steps taken by [name of producer] for the purpose of recycling waste batteries is available at these premises and, if so requested, will be sent by post, fax or electronic mail.

Copies of the [plan notice](#) and of the [report notice](#) can be downloaded from the EPA website.

d. Record keeping

Self-complying battery producers must record the quantities, by weight or by number of units, and the categories of batteries that are being placed on the market.

Records must also be kept of the quantities of waste batteries, by weight (or as appropriate by number of units), and categories of batteries entering and leaving a recycling facility that is carrying out the treatment or recycling of your waste batteries.

These records must be kept for **6 years** and must be made available to the EPA or a local authority on request.

e. Collection Targets

Producers of portable batteries are responsible for meeting the collection target for portable batteries as set out in the Batteries Regulations. Since September 2016, the target is 45%.

f. Treatment/Recycling

Self-complying battery producers must ensure that waste batteries are treated and recycled at a facility appropriately authorised/permitted by the relevant competent authority. Producers must be able to demonstrate, to the satisfaction of the EPA, that waste batteries are treated/recycled at an appropriate facility.

Treatment must be carried out using Best Available Techniques (BAT) and shall include, as a minimum, removal of all fluids and acids. Treatment and any storage, including temporary storage, at treatment facilities must take place at sites with impermeable surfaces and suitable weatherproof covering or in suitable containers.

If the producer sends waste batteries outside Ireland for treatment then the producer must ensure that the shipment of batteries is in accordance with all relevant legislation for the collection, transport and export of waste.

Recycling processes must achieve specified recycling efficiencies as set out in Annex III of [Directive 2006/66/EC](#) (on batteries and accumulators and waste batteries and accumulators). These are as follows:

- 65 % by average weight of lead-acid batteries and accumulators;
- 75 % by average weight of nickel-cadmium batteries and accumulators; and
- 50 % by average weight of other waste batteries and accumulators.

Annexes I, II and III of [Commission Regulation \(EU\) No. 493/2012](#) set out the method for calculating the recycling efficiency of the recycling process for waste batteries and accumulators.

Batteries **cannot** be disposed of in general waste. They must undergo appropriate treatment after which the treated residues can be disposed of in landfill or by incineration.

4.4 Battery Specifications and Information Requirements

All producers placing batteries on the Irish market must ensure that:

- The crossed-out wheeled bin symbol is prominently displayed on each battery⁴ (see Figure 2). This symbol indicates to the end-user that batteries must not be disposed of with municipal waste.; and

⁴ 'Prominently' means not less than the following dimensions - 3% of the area of the largest side of any battery or 1.5% of the surface area of any cylindrical cell, up to a maximum of 5 x 5 cm.

- Batteries do not contain more than⁵:
 - a) 0.0005% mercury by weight; and
 - b) 0.002% cadmium by weight.



Figure 2: Crossed-Out Wheeled Bin Symbol

Additionally, producers must provide information to users of batteries on:

- The potential effects on the environment and human health of the substances used in the batteries;
- The preference of not disposing waste batteries with unsorted municipal waste;
- The role of users in recycling of batteries;
- The meaning of the wheeled bin symbol;
- How to safely remove a battery from an appliance where it is incorporated into the appliance concerned; and
- The type of battery that is or will be incorporated into the appliance concerned.

Producers should ensure that any Electrical and Electronic Equipment (EEE) incorporating batteries is sourced from a manufacturer (where applicable), whose EEE is designed to allow waste batteries to be easily and readily removed, except where a permanent connection between the appliance and battery is required.

Producers can meet this obligation by providing this information as follows:

- a) In the instruction manual for use; or
- b) Leaflets issued at the point of sale; or
- c) Through any ongoing information campaign which is approved by the Minister.

⁵ Exemptions for emergency and alarm systems, medical equipment and cordless power tools.

5. What is Battery Distributor?

A battery distributor is any person, company, or organisation that sells directly to an end-user. Battery distributors have obligations as a 'distributor' under the Batteries Regulations.

Guidance on the obligations that apply to battery distributors are available on the EPA website at: www.epa.ie/our-services/compliance--enforcement/waste/weee/information-for-distributors-of-eee-and-batteries/

Figure 3 illustrates the difference between a producer and a distributor of batteries.

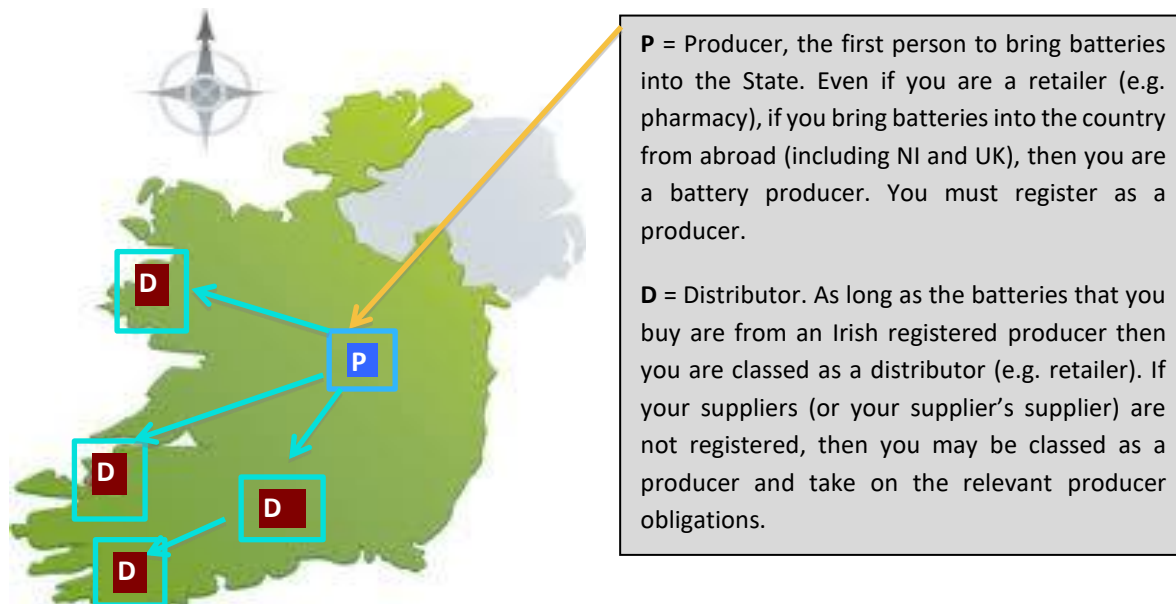


Figure 3: Diagram showing difference between a producer and a distributor of batteries

Note: It is possible to be a battery distributor *and* a battery producer at the same time. If you are, then you will have to meet the legal obligations that apply to a battery distributor *and* a battery producer.

Appendix 1 Examples of Battery Producers

Who is the "battery Producer"? - Examples

1. *A battery manufacturer or a domestic importer sells batteries to a retailer who in turn sells them to end-users in the same Member State.*

In this case, the battery manufacturer or the domestic importer is the producer in that Member State, as they are the ones placing the batteries on the market for the first time.

2. *A retailer sells batteries in a Member State. The batteries were bought outside that Member State.*

A retailer sells batteries to end-users in a given Member State which he bought in another country. In this case, as the retailer is placing these batteries on the market for the first time in the given Member State, so the retailer is the producer.

3. *An equipment/car manufacturer buys batteries within a Member State. These batteries are then sold together with the equipment/car in the same Member State.*

The battery manufacturer or domestic importer in the Member State is selling batteries to the equipment/car manufacturer in the same Member State who, in turn, puts the battery into equipment or a car and sells it on the market of the Member State. In this case, the battery manufacturer or domestic importer is the producer in the member State as they are placing the batteries on the market for the first time to be bought by others like the equipment/car manufacturer.

4. *A car/equipment manufacturer buys batteries outside a Member State, then incorporates them into equipment/a car and sells this in the Member State*

The car/equipment manufacturer or domestic importer sells cars/equipment in a given Member State with batteries incorporated. The batteries for the car/equipment were bought outside this Member State. Since in this case it is the equipment or car manufacturer or domestic importer who places these batteries on the Market of the Member State for the first time, they are the battery Producers in this Member State.

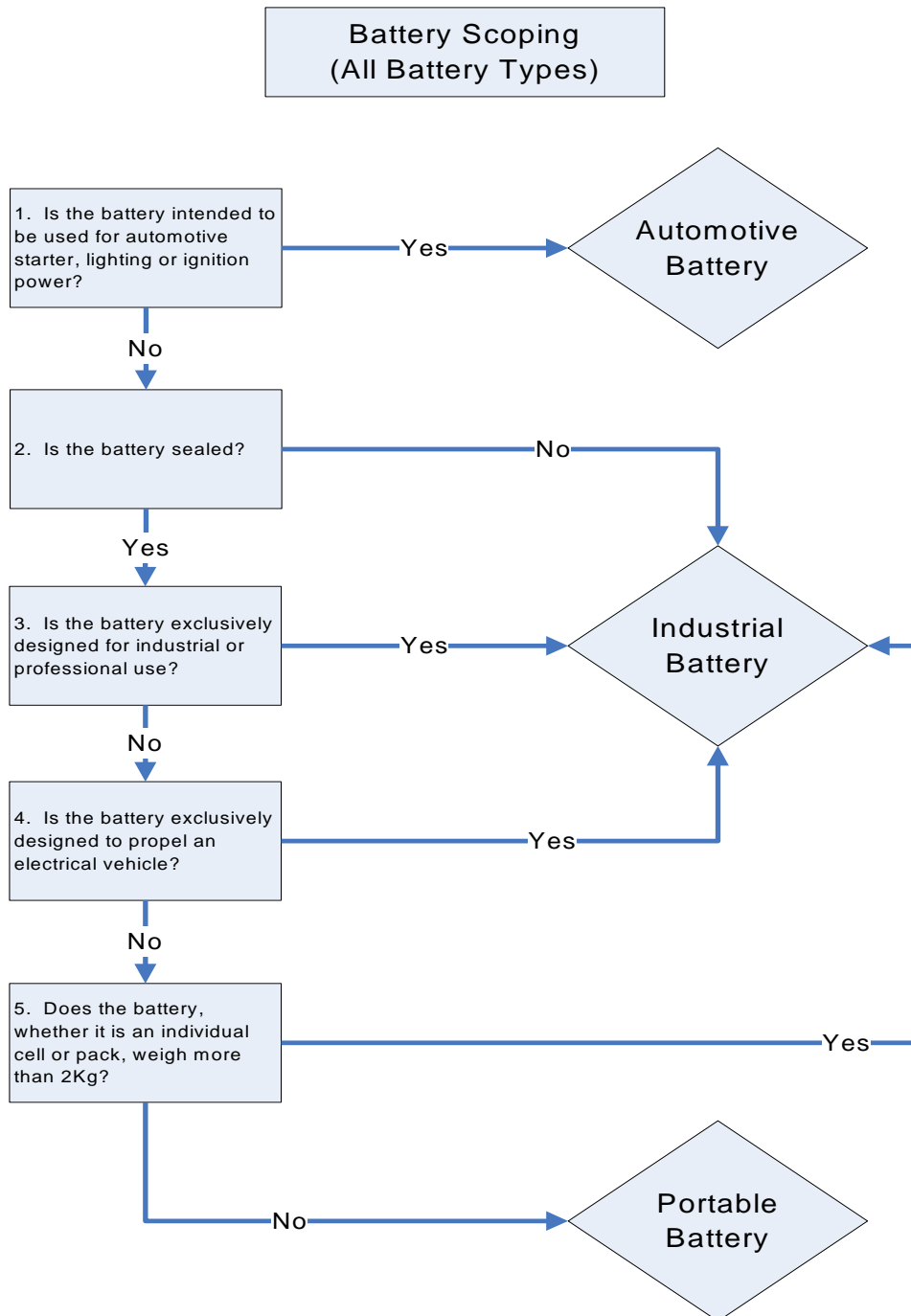
5. *A company imports batteries from a non-EU parent company for its independent subsidiary located in a Member State.*

In this case the independent European subsidiary is the producer, as it is the subsidiary which places the batteries on the market in that Member State.

6. *Batteries or battery cells are sold in a Member State to a battery pack assembler and are then sold within the same Member State*

In this case the battery pack assembler is the producer, as it makes the battery pack available on the market for the first time on a professional basis within the territory of the Member State.

Appendix 2 - Battery Scoping Decision Tree



Appendix 3 - Summary of Main Obligations for Battery Producers

Relevant Regulations	Responsibilities	Do I have this obligation if I am a member of a compliance scheme?	Do I have this obligation as a self-complying battery producer?
Regulations 5, 6 & 7	A producer must: <ul style="list-style-type: none"> Ensure batteries are marked. (there are exemptions for cadmium levels in cordless power tools, emergency alarms or lighting systems and medical equipment). Duty to inform the EPA, if non-compliant in relation to breaches of specified hazardous substances. 	Yes	Yes
Regulations 17	A producer must: <ul style="list-style-type: none"> Register with the Producer Register Limited. Pay the appropriate fees. Display registration number on any invoice, credit note, dispatch/delivery docket issued to a distributor. 	Yes	Yes
Regulation 20	A producer supplying batteries by means of distance communication (e.g. online, catalogue or telesales) must: <ul style="list-style-type: none"> Register with the Producer Register Limited (as per Reg 17). Notify them at the time of registration that they supply batteries by means of distance communication. Confirm that all batteries supplied meet the requirements of the Battery Regulations. 	Yes	Yes
Regulation 21 (4)	A producer supplying batteries by means of distance communication must: <ul style="list-style-type: none"> Place a visible and legible notice on their website, catalogues, brochures, mail-shots - where batteries are being advertised for sell/distribution – which states that they will take back waste batteries of equivalent type to the ones being supplied, free of charge. Provide in the notice the details of an address in the State where they will take back waste batteries. 	Yes	Yes
Regulation 23 (1)	Producers are responsible for net costs of: <ul style="list-style-type: none"> The environmentally sound management of waste batteries relating to the producer’s own products. The take back of waste batteries from end-users. 	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes

Relevant Regulations	Responsibilities	Do I have this obligation if I am a member of a compliance scheme?	Do I have this obligation as a self-complying battery producer?
	<ul style="list-style-type: none"> ▪ Any public information campaign on the collection, treatment and recycling of waste portable batteries in proportion to the quantity of portable batteries placed on the Irish market. 		
Regulation 23 (2)	Producers are prohibited from displaying the costs of the environmentally sound management of waste batteries.	Yes	Yes
Regulation 23 (3)	Producers must collect waste batteries of a type and brand they supply from a collection point: <ul style="list-style-type: none"> ▪ Within 20 working days of a request made by the collection point operator for waste portable batteries, including waste button cells. ▪ Within 30 working days of a request made by the collection point operator for waste automotive or industrial batteries. 	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 23 (4)	If the producer fails to comply with a collection request in the appropriate time, then the operator of the collection point may make alternative arrangements for the environmentally sound management of the waste batteries and may then bill the producer for the appropriate costs as well as charging an administrative fee of up to 10% of the total costs incurred during the process.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 23 (5)	Where a business is transferred in whole or in part to another person or persons, the producer remains responsible for the full costs of financing the environmentally sound management of the waste batteries that the producer placed on the market until such time as the producer has demonstrated to the EPA that the new owners of the business are competent, and in agreement to meet all obligations of the producer in respect of the batteries. These obligations include: <ul style="list-style-type: none"> ▪ Financing of the environmentally sound management of the waste batteries under Regulation 23(1). ▪ Meeting collection and recycling targets in accordance with the provisions of Regulation 23 (7) and Regulation 28. 	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 23 (6)	Economic operator (i.e. producer, distributor, collector, recycler or other treatment operator) may: <ul style="list-style-type: none"> ▪ Collect waste industrial batteries from end users provided the waste industrial batteries are collected by an authorised waste collector and are managed in an environmentally sound manner in accordance with the provisions of Regulations 26, 27 & 28. 	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes

Relevant Regulations	Responsibilities	Do I have this obligation if I am a member of a compliance scheme?	Do I have this obligation as a self-complying battery producer?
	<p>Where waste industrial batteries are collected as per Regulation 23(6), the economic operator must:</p> <ul style="list-style-type: none"> ▪ Submit a report to the EPA by the 28th February each year, in respect of the previous calendar year, to include the information set out in Part 2 of the Second Schedule. 		
Regulation 23 (7)	Producers of portable batteries are responsible for meeting the collection target for portable batteries. The target is 45% of the quantity by weight of portable batteries placed on the market in the State excluding any portable batteries that left the State prior to being sold to end-users.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 23 (8)	Producers in Ireland have no obligation to finance the environmentally sound management of waste batteries that arise and are collected under any scheme set up in accordance with the Batteries Directive or the Waste Electrical and Electronic Equipment Directive in another member state or third country.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 23 (9)	The quantity of portable batteries placed on the market in the State by a producer (excluding any portable batteries that left the State prior to being sold to end-users) includes the batteries incorporated into appliances.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 25 (b)	<p>Producers of:</p> <ul style="list-style-type: none"> ▪ Portable batteries must ensure that adequate arrangements are in place for the collection of waste portable batteries from collection points and civic amenity facilities situated in the functional area of each local authority. ▪ Automotive batteries must ensure that adequate arrangements are in place for the collection of waste automotive batteries arising from private or, as appropriate non-commercial vehicles, from collection points and civic amenity sites situated in the functional area of each local authority. 	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 26	<ul style="list-style-type: none"> ▪ It is prohibited to dispose of waste industrial and automotive batteries in landfill or by incineration. ▪ Residues of any battery may be disposed of in a landfill or by incineration provided it has already undergone both treatment and recycling in accordance with the provisions of Regulations 27 and 28. 	Yes	Yes
Regulation 27 (1)	Producers responsible for financing the environmentally sound management of any waste battery, end-user of industrial or automotive batteries (other than an automotive battery from a private or non-commercial vehicle who avails of alternative financing methods), authorised waste collector acting	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes

Relevant Regulations	Responsibilities	Do I have this obligation if I am a member of a compliance scheme?	Do I have this obligation as a self-complying battery producer?
	<p>independently of any obligated producer or approved body engaged in the collection and transport of any waste industrial batteries and persons obligated under the provisions of Regulation 17 (5) or 22 (3) shall ensure:</p> <ul style="list-style-type: none"> ▪ Waste batteries are transported in accordance with the provisions of the Council Regulations as indicated under Regulation 27 (2) including the shipment of waste, the shipment of certain types of waste to certain non-OECD countries, export for recovery of certain waste to certain countries. ▪ Waste batteries are treated and recycled at a facility authorised by the relevant competent authority or authorities in the member state or third country concerned and when treated and recycled shall furnish documentary evidence that the requirements of 27 (1) and 28 (1) are complied with. 		
Regulation 27 (3)	Any holder of a waste facility permit, a waste registration certificate or waste collection permit must provide to the EPA information in relation to waste batteries collected, accepted, sorted, transferred, recycled, disposed of, brokered, or otherwise managed or treated within a specified period in such form or frequency as may be specified by the EPA.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 27 (4)	<p>Persons exporting waste batteries to any third country shall ensure:</p> <ul style="list-style-type: none"> ▪ That waste batteries are treated in accordance with Regulation 15 of the Batteries Directive. ▪ Demonstrate to the satisfaction of the EPA that waste batteries are treated at an appropriate facility and in accordance with Regulation 27 (1). ▪ Demonstrate to the satisfaction of the EPA that waste batteries are recycled at an appropriate facility and in accordance with Regulation 28 (1). 	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 27 (5)	Any battery that is collected with waste electrical and electronic equipment (WEEE) in accordance with the WEEE Regulations shall be removed from WEEE prior to its environmentally sound management.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Regulation 28 (1)	Producers responsible for financing the environmentally sound management of any waste battery; End-users of industrial or automotive batteries (other than an automotive battery from a private or non-commercial vehicle who avails of alternative financing methods);	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes

Relevant Regulations	Responsibilities	Do I have this obligation if I am a member of a compliance scheme?	Do I have this obligation as a self-complying battery producer?
	<p>Authorised waste collectors acting independently of any obligated producer or approved body engaged in the collection and transport of any waste industrial batteries; and,</p> <p>Persons obligated under the provisions of Regulation 17 (5) or 22 (3) shall:</p> <ul style="list-style-type: none"> ▪ Ensure that recycling processes meet the recycling efficiencies set out in Part B of Annex III of the Batteries Directive. 		
Regulation 29	<ul style="list-style-type: none"> ▪ Each producer must ensure that he/she or a third party acting on their behalf, records the quantities by weight, or as appropriate by number of units, and the categories of batteries that are being placed on the market in each member state of the European Union and in third countries. ▪ Each producer that is responsible for financing the environmentally sound management of any waste battery in accordance with the provisions of Regulation 23 (or a third party acting on their behalf) shall record the quantities by weight, or as appropriate by number of units, and the categories of batteries that are entering and leaving a recycling facility which is carrying out the treatment and/or of waste batteries. ▪ Records must be retained at an address in the State for a period of at least six years. ▪ Records must be made available to the EPA, the Producer Register Limited, a local authority when requested. 	<p>Yes. This is a requirement for all battery producers, irrespective of whether they are self-complying or are a member of a compliance scheme.</p>	<p>Yes</p>
Regulation 30 (1, 2 & 5)	<p>A producer must:</p> <ul style="list-style-type: none"> ▪ Prepare a Waste Battery Management Plan. ▪ Fix and maintain a notice in a conspicuous position within one metre of each entrance, other than the premises used for the distribution of batteries, that complies with requirements specified in Part 1 of the Third Schedule. ▪ Every three years prepare a new Plan detailing the steps as outlined under (1.1) above. 	<p>No. Producers who are members of a compliance scheme for batteries are exempt from this requirement</p>	<p>Yes</p>
Regulation 30 (3 & 4)	<p>A producer must:</p> <ul style="list-style-type: none"> ▪ Prepare a Waste Battery Management Report. The report shall contain the information set out in Part 2 of the Fourth Schedule. ▪ Not later than the date of application for renewal of registration, fix and maintain a notice in a conspicuous position within one metre of each entrance, other than the premises used for the distribution of batteries, that complies with requirements specified in Part 2 of the Third Schedule. 	<p>No. Producers who are members of a compliance scheme for batteries are exempt from this requirement</p>	<p>Yes</p>

Relevant Regulations	Responsibilities	Do I have this obligation if I am a member of a compliance scheme?	Do I have this obligation as a self-complying battery producer?
Regulation 30 (7)	An administration fee determined by the Agency shall accompany a copy of the Plan or Report.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	The fee may be in the region of €6,000 and back fees as appropriate.
Regulation 30 (8 & 9)	A copy of a Plan or Report shall be made available free of charge by the producer to any person who so requests it within 10 working days of the date of the receipt of the request. This includes sending the report by post, fax or electronic mail.	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes
Application of Conditions as directed by the Minister under Regulation 30 (10)	<ul style="list-style-type: none"> ▪ Producers shall engage with all other legal entities who have financial obligations in accordance with the provisions of Regulation 23 of the Regulations and, where appropriate, with all approved bodies granted approval in accordance with Regulation 36 of the Regulations to agree adequate arrangements to ensure that waste batteries are collected from all collection points in the State. ▪ Where, no agreement is reached, producers will be required to (i) contribute to the financing of adequate clearing arrangements to enable each entity who has financial obligations in accordance with the provisions of Regulation 23 of the Regulations and, where appropriate, with all approved bodies granted approval in accordance with Regulation 36 of the Regulations to collect waste batteries in proportion to the market share attributable to each legal entity concerned to enable collection points to contact the clearing mechanism that is established to arrange for collections of waste batteries. ▪ The costs in financing such clearing arrangements will have to be borne equally by each legal entity concerned regardless of market share attributable to each. Such clearing mechanisms shall also be used in determining the financial obligation, in proportion to market share, of each legal entity with financial obligations in accordance with the provisions of Regulation 23 of the Regulations and where appropriate with all approved bodies granted approval in accordance with Regulation 36 of the Regulations. ▪ Producers shall undertake to make arrangements with all other producers who have financial obligations in accordance with the provisions of Regulation 23 of the Regulations and, where appropriate, with all approved bodies granted approval in accordance with Regulation 36 to 	No. Producers who are members of a compliance scheme for batteries are exempt from this requirement	Yes, self-complying battery producers are required to demonstrate compliance with this regulation

Relevant Regulations	Responsibilities	Do I have this obligation if I am a member of a compliance scheme?	Do I have this obligation as a self-complying battery producer?
	<p>ensure that waste batteries are collected from all collection points in the State.</p> <ul style="list-style-type: none"> ▪ Producers shall further undertake that in the event no agreement is reached, it shall contribute, in equal amount to other obligated legal entities, to the financing of adequate clearing arrangements to enable each entity who has financial obligations in accordance with the provisions of Regulation 23 of the Regulations and, where appropriate, with all approved bodies granted approval in accordance with Regulation 36 to collect waste batteries in proportion to the market share attributable to each legal entity concerned to enable collection points to contact the clearing mechanism that is established to arrange for collections of waste batteries. 		
Regulation 32	<ul style="list-style-type: none"> ▪ Producers, or a third party acting on their behalf, shall declare the quantities by weight or, as appropriate by number of units, and categories of batteries being placed on the market in the State (excluding any batteries that left the State prior to being sold to end-users) to the registration body or, where any or all of the functions of the registration body have been devolved to a third party, to the third party concerned. 	Yes	Yes
Regulation 46	<ul style="list-style-type: none"> ▪ Each person in the State engaged in the manufacture of appliances into which batteries are incorporated shall be required to design the appliances concerned in such a way that waste batteries can be readily removed, except where, for safety, performance, medical or data integrity reasons, continuity of power supply is necessary and requires a permanent connection between the appliance and the battery. ▪ Any producer of appliances into which batteries have been incorporated shall ensure that each appliance concerned is accompanied by instructions showing how the batteries can be removed safely and, where appropriate, informing the end-user of the type of the incorporated batteries. 	Yes	Yes