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WASTE BATTERIES STREAM

SUMMARY OF THE NEW EUROPEAN BATTERY REGULATION FOR PRODUCERS.

Progressively applicable as from 18 February 2024
(subject to subsequent changes)

January 2024

1. INTRODUCTION

THE NEW EUROPEAN BATTERY REGULATION

The new EU regulation No. 2023-1542 of 12 July 2023 concerning all batteries[1] and waste batteries was published in the French Official Bulletin L 191 of 28 July 2023.

This regulation is a comprehensive legal framework covering the entire life cycle of batteries, from the manufacturing through to the management of the resulting waste and their possible second life.

The new framework will be phased in gradually from the date of its entry into force on **18 August 2023**.

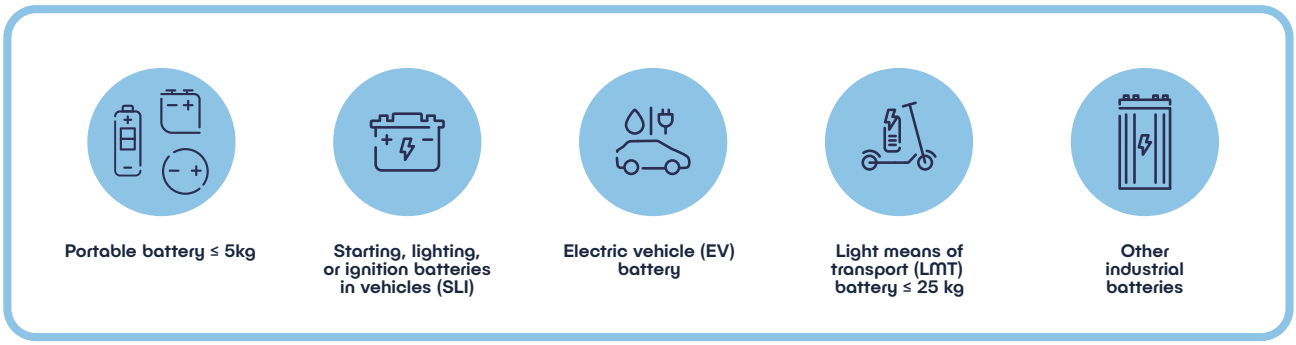
The regulation empowers the Commission to adopt delegated acts for a period of five years (with the possibility of automatic renewal) to supplement, amend, or modify the regulation **(Article 89)**.

Click here to download the full text in English.

GENERAL APPROACH TO THE CONTENT OF THE NEW REGULATION

Battery categories:

The regulation now defines five categories of batteries **(Chapter I)**.



NB : If batteries placed on the market can be considered as belonging to more than one category, they are considered to belong to the category to which the most stringent requirements apply.

1 - Only batteries incorporated or designed to be incorporated into equipment used in space or to ensure by the security of member states are excluded from the regulation, along with weapons, war munitions and machines.

2 - "Battery" means any device delivering electrical energy generated by direct conversion of chemical energy, having internal or external storage, and consisting of one or more non-rechargeable or rechargeable battery cells, modules or of packs of them.

New standards:

The regulation then sets requirements for batteries (product standards) in terms of **sustainability**, **safety**, **labelling**, and **information** to authorise their placement on the market or use of these batteries within the EU **(Chapters II and III)**. This includes an obligation to **disclose** and indicate the **carbon footprint** of the battery, as well as a **digital passport** **(Chapter IX)**.

Furthermore, the **replacement** of portable batteries by consumers should be **facilitated** by making batteries accessible.

The regulation also lays down minimum requirements for extended producer responsibility **(Chapters VI and VIII)**, new collection and treatment targets for waste batteries, as well as information and reporting requirements **(Chapter VIII)**.

NB : All five categories of batteries must be collected from end-users at no cost, irrespective of their nature, chemical composition, condition, brand, or origin (Article 62.1).

It also sets out a framework for **second life (Repurposing and re-use)** by defining the operations required to offer batteries a second life **(Chapter I)** as well as the conditions for considering batteries not as waste **(Chapter VIII).**

Following the example of the WEEE Directive (2012/19/EU of 04/07/2012), It also introduces the obligation for distance sellers to appoint an agent in each EU country where they sell their products **(Article 56).**

The regulation also imposes on economic operators who place batteries on the market or put them into service, **due diligence**[3] with regard to these batteries **(Chapter VII).** This due diligence is embodied in the creation of a process by which companies can identify, prevent, mitigate, and report on how they manage the actual and potential negative impacts of the battery life cycle.

It should be emphasised that compliance with the regulation's sustainability, safety, labelling, information and due diligence requirements must be assessed by an external body (notified by the authorities) **(Chapters IV and V).**

Lastly, the regulation sets out the requirements for green public procurement of batteries or products containing batteries **(Chapter XI).**

End-of-life batteries:

With regard to end-of-life batteries, economic operators who place batteries on the market for a second life are subject to EPR in the same way as producers and importers **(Article 56)**. Individual or collective organisation is possible (depending on the Member States), but implies the introduction of an eco-tax which must be adjusted according to the category of battery, its chemical nature and where applicable, its rechargeability, its recycled content, its carbon footprint, and whether it is a new or second-life battery.

3 -"battery due diligence" means the obligations of an economic operator in relation to its management system, risk management, third-party verifications and surveillance by notified bodies and disclosure of information, for the purpose of identifying, preventing and addressing actual and potential social and environmental risks linked to the sourcing, processing and trading of the raw materials and secondary raw materials required for battery manufacturing, including by suppliers in the chain and their subsidiaries or subcontractors.

2. DETAILED CONTENT

This table aims to summarise the obligations incumbent on producers. Please refer to the text using the article number indicated in the first column.
Application dates are specified for each battery category.

NB : Some of the new regulation's obligations already exist in the AGEC law, or have been adopted from the previous battery directive (e.g. modulation of eco-tax).

PRODUCERS(*)

Standards in terms of performance, sustainability and safety								
Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
Hazardous substances								
CHAP II - Art 6 & ANNEX I	Restrictions applicable to substances (Mercury, Cadmium, Lead)	18/02/2024						See Annex 1. This obligation also applies to industrial batteries ≤ 2 kWh
Carbon footprint								
CHAP II - Art 7 & APPENDIX II	Provide a carbon footprint declaration for the entire life cycle of the battery.	Not concerned	18/08/2028	18/08/2030	18/02/2026	18/02/2025	Not concerned	The Commission will subsequently adopt a delegated act to determine the method for calculating and verifying the carbon footprint.
	Batteries are classified according to their carbon footprint performance.	Not concerned	18/02/2030	18/02/2032	18/08/2027	18/08/2026	Not concerned	
	A maximum threshold is set for the carbon footprint.	Not concerned	18/08/2031	18/08/2033	18/02/2029	18/02/2028	Not concerned	
Recycled content								
CHAP II - Art 8	Document the percentage of recycled content of lead, lithium, nickel and cobalt.	Not concerned	18/08/2033	Not concerned	18/08/2028			• Does not concern second life batteries • The Commission has adopted a delegated act to determine the method of calculation, verification, and associated documentation concerning the proportion of recycled metals present in the active material of batteries placed on the market - This concerns lead, lithium, nickel and cobalt
	Demonstrate that batteries placed on the market contain the following minimum percentages of active materials recovered from manufacturing waste or post-consumer waste below: PHASE 1 a) 16 % cobalt; b) 85 % lead; c) 6 % lithium; d) 6 % nickel.	Not concerned			18/08/2031			• Does not concern second life batteries • Depending on the availability of metals and scientific and technical progress, the commission may adopt delegated acts to modify the percentages and/or include others metals.
	Demonstrate that batteries placed on the market contain the following minimum percentages of active materials recovered from manufacturing waste or post-consumer waste below: PHASE 2 a) 26 % cobalt; b) 85 % lead; c) 12 % lithium; d) 15 % nickel	Not concerned			18/08/2036			• Ne concerne pas les batteries en seconde vie • En fonction de la disponibilité des métaux et des progrès scientifiques et techniques, la commission pourra adopter des actes délégués pour modifier les pourcentages et/ou inclure d'autres métaux

Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
Performance and durability								
CHAP II - Art 9 (portable batteries) Art 10 (EV, LMT and industrial) & ANNEX III (portable batteries) & ANNEX IV (EV, LMT, industrial)	Batteries must be accompanied by a document specifying the values of durability and electrochemical performance parameters.	Not concerned			18/08/2024			• These parameters are given in ANNEX IV - Part A.
	Batteries placed on the market must meet the minimum criteria for durability and electrochemical performance parameters set out in the Commission's delegated act.	18/08/2028 These include portable batteries for everyday use, with the exception of button cells (4.5 V (3R12), D, C, AA, AAA, AAAA, A23, 9 V (PP3))	18/08/2028	Not concerned	18/08/2027	Not concerned		- Does not apply to second-life batteries placed on the market after these dates when the date of first placement on the market (or first entry into service) is prior to these dates. - Subsequent adoption by the Commission through a delegated act, of mandatory minimum values for the electrochemical performance and durability parameters defined in Annexes III and IV, which must be achieved by batteries placed on the market.
	Commission study on phasing out commonly used non-rechargeable portable batteries on the market.	31/12/2030 Non-rechargeable portable batteries for everyday use only	Not concerned					
Removability and replacement of portable and LMT batteries								
CHAP II - Art 11	Batteries must be removable from the equipment and replaceable by consumers. In addition, instructions and safety information concerning the use, removability and replacement of batteries must be permanently posted on a publicly accessible website, so as to be easily understood by end-users	18/02/2027	Not concerned					• Derogation applied to: - Appliances specially 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; - Les dispositifs professionnels d'imagerie médicale et de radiothérapie, et les dispositifs médicaux de diagnostic in vitro
Safety of stationary battery energy storage systems								
CHAP II - Art 12 & ANNEXES V & VIII	Batteries used in energy storage systems (ESS) must meet certain safety parameters	Not concerned		18/08/2024	Not concerned			

(*) "producer" means any manufacturer, importer or distributor or other natural or legal person that, irrespective of the selling technique used, including by means of distance contracts, either:

a) is established in a Member State and manufactures batteries under its own name or trademark, or has batteries designed or manufactured and supplies them for the first time under its own name or trademark, including those incorporated in appliances, light means of transport or other vehicles, within the territory of that Member State;

b) is established in a Member State and resells within the territory of that Member State, under its own name or trademark, batteries, including those incorporated in appliances, light means of transport or other vehicles, manufactured by others, on which the name or trademark of those other manufacturers does not appear;

c) is established in a Member State and supplies for the first time in that Member State on a professional basis, batteries, including those incorporated in appliances, light means of transport or other vehicles, from another Member State or from a third country; or

d) sells batteries, including those incorporated in appliances, light means of transport or other vehicles, by means of distance contracts directly to end-users, whether or not they are private households, in a Member State, and is established in another Member State or in a third country;

(**) Batteries for energy storage systems (ESS), referred to as industrial rechargeable batteries > 2 kWh with external storage in the Regulation, are differentiated here although they do not represent a specific battery category. They are in fact a sub-group of industrial rechargeable batteries > 2 kWh

Labelling, marking and information standards

Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
Performance and durability								
CHAP III – Art 13 & ANNEX VI	Labelling requirements (General information detailed in Annex VI – Part A).	18/08/2026						Labelling and marking obligations also apply to second-life batteries.
	Capacity labelling requirement.	18/08/2026 non rechargeable only	18/08/2026	Not concerned			18/08/2026	
	Two labels required: One to inform about their minimum average life when used in specific applications and another with the wording «non-rechargeable».	18/08/2026 non rechargeable only	Not concerned					
	Marking with symbol for separate collection of batteries (see Annex VI, Part B).	18/08/2025						
	Cadmium (if > 0.002%) and Lead (if > 0.004%) marking.	18/02/2024						
	All batteries must carry a QR code (See Annex VI – Part C) and a physical label with a certain amount of mandatory information that varies according to the battery category.	18/02/2027						The requirement also applies to second-life batteries.
Information on the state of health and expected lifetime of batteries								
CHAP III – Art 14 & ANNEX VII	The battery management system (BMS) must provide access to up-to-date data on parameters to determine battery state of health and lifetime (see Appendix VII). It must be possible for second-life operators to reset the system if necessary.	Not concerned	18/08/2024	Not concerned	18/08/2024		Not concerned	Information requirements also apply to second-life batteries.

Battery conformity with standards

Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
EU Declaration of Conformity								
CHAP IV - Art 15 to 18 ANNEXES VIII & IX	Manufacturers must draw up a declaration of conformity in accordance with Annex IX.	18/08/2026						The requirement also applies to second-life batteries.
CE marking								
CHAP IV - Art 19 and 20	Manufacturers must affix a CE mark to batteries (or, if this is not possible, on the packaging/documentation).	18/08/2024						The requirement also applies to second-life batteries.
Digital passport								
CHAP IX - Art 77 and 78 ANNEX XIII	Batteries must be accompanied by a passport that can be consulted via an access code and contains technical information, the percentage of recycled materials, and the carbon footprint (see details in Annex XIII).	Not concerned	18/02/2027				Not concerned	In the case of a second life, the passport must also be created and remain linked to the battery passport(s) of the original battery(ies). Access to passport information is determined according to the operators involved (the criteria - who has access to which information - will be specified in an implementing act before 18/08/2026).

Due diligence

This obligation only applies to economic operators with a net turnover in excess of €40 million in the last financial year. - Art 47 details

Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
CHAP VII - Art 47 to 53	Due diligence is required for: • suppliers of cobalt, natural graphite, lithium, nickel; • respect for human rights, environmental considerations, health and safety. Battery due diligence policies must be audited by a notified body. The associated documentation attesting to compliance with due diligence obligations must be kept for 10 years after the last battery manufactured under the audited policy has been placed on the market.	18/08/2027						«Battery due diligence»: the obligations incumbent on an economic operator with regard to its management system, risk management, third-party verification and monitoring by notified bodies, and the provision of information with the aim of identifying, preventing and managing actual and potential social and environmental risks associated with the sourcing of virgin and secondary raw materials and the processing and trading of these materials required for the manufacture of batteries, including by suppliers in the chain, their subsidiaries or subcontractors;

Battery waste management								
Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
Register of producers								
CHAP VIII - Art 55	Producers must register on a Register of producers.	18/08/2025						
Extended producer responsibility								
CHAP VIII - Art 19 and 20	Producers are subject to EPR and economic operators who place batteries on the market as a second-life product are considered to be producers, and are therefore also subject to EPR.	18/08/2025						In the case of a second life and therefore a second producer, a cost-sharing mechanism can be established based on the actual attribution of costs between the different producers. In this case, the first producer to place the battery on the market shall not incur any additional costs.
	Batteries placed on the market are subject to the eco-tax.	18/08/2025						
Applicable organisation for producer responsibility								
CHAP VIII - Art 57	Producers can organise themselves collectively - Member States can make it compulsory to set up collective systems (producer responsibility organisations).	18/08/2025						
Obligations of distributors								
CHAP VIII - Art 62	Take-back obligation (without purchase) at or in the immediate vicinity of the distributor's retail outlet.	18/08/2025						
	Take-back obligation free of charge in the case of sale with delivery.	18/08/2025						
Information about the prevention and management of battery waste								
CHAP VIII - Art 74	Producers (or the EOs representing them) must provide end-users and distributors with information on the prevention and management of battery waste for the categories of batteries they supply on the territory of a Member State.	18/08/2025						

ECONOMIC OPERATORS LINKED TO PRODUCERS (OTHER THAN THOSE REFERRED TO IN CHAP VII AND VIII). OBLIGATIONS OF ECONOMIC OPERATORS

Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
Obligations of manufacturers (1)								
CHAP VI – Art 38 and 39	Manufacturers who place batteries on the market must ensure that they comply with the requirements described in the previous chapters (performance, durability, safety, labelling, marking, information). They must provide all the information and documentation needed to establish the conformity of the battery.	18/08/2024						Under this regulation, operators who place second-life batteries on the market are considered manufacturers.
Obligations of authorised representatives (2)								
CHAP VIII – Art 56 -3	A producer shall appoint an authorised representative for extended producer responsibility in each Member State in which it sells batteries (distance selling).	18/08/2025						The authorised representative must be able to provide the national authority with all the information and documentation needed to demonstrate the conformity of the batteries.
CHAP VI – Art 40	The responsibilities of the authorised representative include but are not limited to: keeping the EU declaration of conformity, the technical documentation, the verification report and approval decision referred to in Article 51(2) and the audit reports referred to in Article 48(2) at the disposal of national authorities for 10 years after the battery has been placed on the market or put into service;	18/08/2024						
Obligations of importers (3)								
CHAP VI – Art 41	Before placing batteries on the market, importers must check their conformity. They must also be identifiable on the batteries they import.	18/08/2024						
Obligations of distributors (4)								
CHAP VI – Art 42	When placing batteries on the market, distributors must check that they comply with the requirements of this regulation.	18/08/2024						
Obligations of economic operators placing second-life batteries on the market (5)								
CHAP VI – Art 46	Economic operators shall ensure that they are able to provide the identity of any economic operator that has supplied them with a battery or to which they have supplied a battery, for a period of 10 years.	18/08/2024						

(1) "manufacturer" means any natural or legal person who manufactures a battery or has a battery designed or manufactured, and markets that battery under its own name or trademark or puts it into service for its own purposes;
(2) "authorised representative for extended producer responsibility" means a natural or legal person established in a Member State in which the producer places batteries on the market and which is different from the Member State where the producer is established, and is appointed by the producer in accordance with Article 8a(5), third sub-paragraph, of Directive 2008/98/EC to fulfil the obligations of that producer under Chapter VIII of the Regulation;
(3) "importer" means any natural or legal person established within the Union who places on the market a battery from a third country;
(4) "distributor" means any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a battery available on the market;
(5) "economic operator" means the manufacturer, authorised representative, importer, distributor or the fulfilment service provider or any other natural or legal person who is subject to obligations in relation to the manufacture, preparation for re-use, preparation for repurposing or remanufacturing of batteries, the making available or the placing of batteries on the market, including online, or the putting of batteries into service in accordance with this Regulation;

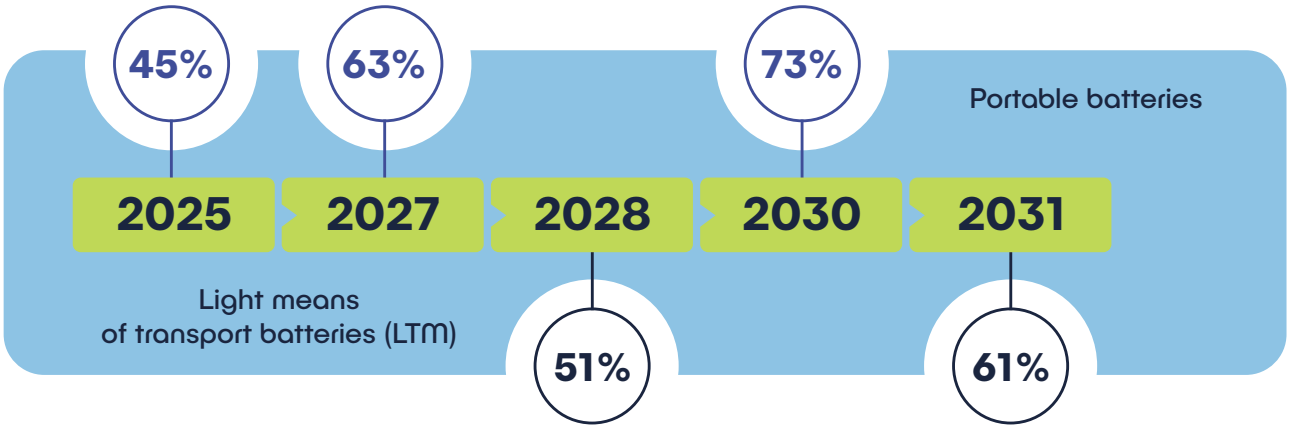
SECOND-LIFE OPERATORS

Regulation reference	Obligations	Portable	Light means of transport (LMT)	Industrial > 2 kWh		Electric vehicles (EV)	Starting, lighting and ignition (SLI)	Remarks
				Stationary battery energy storage systems** (ESS)	Other industrial batteries > 2 kWh			
Preparation for re-use or preparation for repurposing of waste LMT batteries, waste industrial batteries and waste electric vehicle batteries								
CHAP VIII - Art 73	State of health evaluation - Proof of subsequent battery use - Evidence of appropriate protection against damage during transportation, loading and unloading.)	Not concerned	18/08/2025				Not concerned	

3. END-OF-LIFE BATTERIES

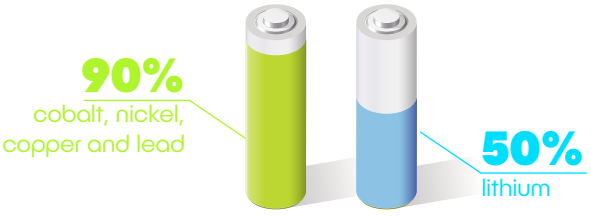
In addition to the obligations of producers, the regulation also imposes requirements on approved producer responsibility organisations **(Chapter VIII)** :

- Register all member producers on a "Register of producers".
- Create a sectoral coordination group if several producer responsibility organisations are present within a member state.
- Achieve minimum collection rates for portable and LMT batteries:

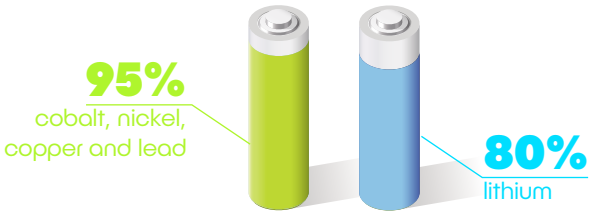


The other categories of batteries must be collected free of charge, but no target figure has been set for the moment. (Article 62.1)

- Achieve minimum recycling efficiency for chemical elements:



PHASE 1
By 31/12 /2027



PHASE 2
For 31/12 /2031

- Inform end-users and distributors about the prevention and management of battery waste (organisation of end-of-life, safety and impacts

4. CHAPTERS OF THE EUROPEAN REGULATION AND COMMENTS

CHAP I – General provisions – Art 1 to 5

- Scope and objectives – Art 1 and 2
- Definitions – Art 3
- Free movement – Art 4
- Requirements – Art 5 – This article sets out the requirements applicable to batteries in terms of durability, safety, marking and information

Note: These requirements are then detailed in CHAP II and III of the regulations

NB : If batteries do not meet these requirements (Art 6–10 and 12 and Art 13 & 14), they cannot be placed on the market. In addition, for aspects not covered by CHAP II and III, batteries placed on the market or put into service in the EU must not present risks to human health and safety, property or the environment.

CHAP II – Sustainability and safety requirements – Art 6 to 12

- Restrictions on substances – Art 6
- Carbon footprint – Art 7
- Recycled content – Art 8

Note: Rechargeable industrial batteries > 2 kWh **with energy storage systems (ESS)** benefit from a longer deadline. Please note that these batteries do not form a specific category; they belong to the Industrial Rechargeable Batteries > 2 kWh category

- Performance and durability – Art 9 and 10
- Removability and replaceability of batteries – Art 11
- Safety of stationary battery energy storage systems (ESS) – Art 12

CHAP III – Labelling, marking and information requirements – Art 13 and 14

CHAP IV – Conformity of batteries – Art 15 to 20

Producers must comply with certain obligations to guarantee the conformity of batteries placed on the European market.

- Presumption of conformity of batteries – Art 15
- Common specifications – Art 16
- Conformity assessment procedure – Art 17 – **refers to CHAP V**
- EU Declaration of Conformity – Art 18
- CE marking – Art 19 and 20

CHAP V – Notification of conformity assessment bodies – Art 21 to 37

Note: Assessment of battery conformity is entrusted to independent bodies notified by the public authorities

Definitions:
"Notified body" means a conformity assessment body that has been notified in accordance with Chapter V;
"Conformity assessment" means the process demonstrating whether the sustainability, safety, labelling, information and due diligence requirements of the Regulation have been fulfilled;

Notifying authorities, notified bodies, notification procedures, applicable requirements and obligations of conformity assessment bodies – Art 21 to 37 + Chap IV Art 17

CHAP VI – Obligations of economic operators other than the obligations in Chapters VII and VIII – Art 38 to 46

- Obligations of manufacturers – Art 38
- Obligations of suppliers of battery cells and battery modules – Art 39
- Obligations of authorised representatives – Art 40
- Obligations of importers – Art 41
- Obligations of distributors – Art 42
- Obligations of other economic players (including those involved in reuse) – Art 43 to 46

CHAP VII – Obligations of economic operators as regards battery due diligence policies – Art 47 to 53

CHAP VIII – Management of waste batteries – Art 54 to 76

- The placement on the market of second-life batteries is subject to EPR – Art 55
- Register of producers – Art 55
- EPR – Art 56
- Producer Responsibility Organisation – Art 57:
  Individual or collective responsibility. Also deals with modulation and takes into account the second life economic equation (and associated revenues) in the calculation of the eco-tax.
- Authorisation on fulfilment of extended producer responsibility – Art 58:
  Concerns the approval procedure (12 weeks instead of 6 months under French law) + Self-control mechanism at least every 3 years.
- Collection of waste batteries – Art 59, 60, 61

Collection targets have been set for Member States:

Portable battery category:
45% by 2025
63% by 2027
73% by 2030

LMT category:
51% by 2028
61% by 2031

The other categories of batteries must be collected free of charge, but no target figure has been set for the moment. (Article 62.1)

- Obligations of distributors – Art 62:
  Take-back free of charge with no obligation to buy (all battery categories)
- Deposit return systems for batteries – Art 63:
  The EU assesses the feasibility and potential benefits of a deposit system (particularly for portable batteries before 31/12/2027)
- Obligations of end-users – Art 64
- Obligations of operators of treatment facilities – Art 65
- Participation of public waste management authorities – Art 66
- Participation of voluntary collection points – Art 67
- Restrictions regarding handover of waste portable batteries and waste LMT batteries – Art 68
- Obligations for Member States regarding collection targets for waste portable batteries and waste LMT batteries – Art 69:
  Monitoring of collection rates (Portable and LMT)
  By 01/01/2026 at the latest and every 5 years thereafter, obligation to measure the proportion of batteries (Portable and LMT) in mixed municipal waste and WEEE streams
- Treatment – Art 70
- Targets for recycling efficiency and recovery of materials – Art 71
- Shipment of waste batteries – Art 72
- Preparation for re-use or preparation for repurposing of waste LMT batteries, waste industrial batteries and waste electric vehicle batteries – Art 73:

Note: Addresses in particular the notion of **"no longer waste"** to enable reuse, preparation for reuse or repurposing, and sets out criteria:
- SoH* assessment to confirm the capability of the battery to deliver the performance relevant for its new use
- Evidence of further use (sales contract, invoice, transfer of ownership)
- Evidence of appropriate protection against damage during transportation, loading and unloading

- Information on prevention and management of waste batteries – Art 74:
  Describes the obligations of producers (or producer responsibility organisations) to provide information to distributors, end users, waste management operators and second life operators concerning the prevention and management of battery waste
- Minimum requirements for reporting to the competent authorities – Art 75:
  Describes the minimum reporting obligations for producers (amount placed on market, collection rate, quantities processed, quantities sent to second life operators) and recycling operators (quantities received, quantities repurposed for second life, recycling efficiency, destination of fractions)
- Reporting to the Commission – Art 76:
  Describes the reporting obligations of Member States to the Commission (amount placed on market, collection rate, quantities sent to second-life facilities, recycling efficiency, etc.)

CHAP IX – Digital battery passport – Art 77 to 78

CHAP X – EU market surveillance and EU safeguard procedures – Art 79 – 84

Describes the procedures at national and EU level to be implemented in the event of non-conformities being identified by competent authorities

- Procedure at national level for dealing with batteries presenting a risk – Art 79
- EU safeguard procedure – Art 80
- Compliant batteries which present a risk – Art 81
- Joint activities – Art 82
- Formal non-compliance – Art 83
- Non-compliance with due diligence obligations – Art 84

* SoH is the abbreviation for «State of Health», which refers to the state of health of the battery in an electric or plug-in hybrid vehicle.

CHAP XI – Green public procurement and procedure for amending restrictions on substances – Art 85 – 88

Stipulates the inclusion of environmental impact reduction criteria in public procurement and details procedures at member state and EU level for taking account of any new restrictions on substances

- Green public procurement – Art 85
- Restriction procedure for substances – Art 86
- Opinion of the Agency's Committees – Art 87
- Submission of an opinion to the Commission – Art 88

CHAP XII – Delegated powers and committee procedure – Art 89 – 90

Framework for the power of the Commission to adopt delegated acts

- Exercise of the delegation – Art 89
- Committee procedure – Art 90

CHAP XIII – Amendments – Art 91 – 92

Amendments to previous directives to bring them into line with the new regulations

- Amendments to Regulation (EU) 2019/1020 – Art 91
- Amendment to Directive 2008/98/EC – Art 92

CHAP XIV – Final provisions – Art 93 – 96

- Penalties – Art 93:
  Applicable penalties to be determined before 18/08/2025
- Review – Art 94:
  Review and report on the Regulation no later than 30/06/2031
- Repeal and transitional rules – Art 95:
  Directive 2006/66/EC is repealed with effect from 18 August 2025, with the exception of a small number of articles which remain valid for a limited period.
- Entry into force and application – Art 96:
  The regulation is applicable commencing on 18/02/2024

ANNEXES

ANNEX I – RESTRICTION ON SUBSTANCES **(Mercury, Lead, Cadmium)**

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