



STATUTORY INSTRUMENTS.

**S.I. No. 347 of 2015**



EUROPEAN UNION (BATTERIES AND ACCUMULATORS)  
(AMENDMENT) REGULATIONS 2015

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I, ALAN KELLY, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), for the purpose of giving effect to the provisions of European Parliament and Council Directive 2013/56/EU of 20 November 2013 amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, hereby make the following regulations:

*Citation*

1. These Regulations may be cited as the European Union (Batteries and Accumulators) (Amendment) Regulations 2015.

*Purpose of Regulations*

2. The purpose for which these Regulations are made include the purpose of giving effect to the provisions of European Parliament and Council Directive 2013/56/EU of 20 November 2013 amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards the placing on the market of portable batteries and accumulators containing cadmium intended for use in cordless power tools, and of button cells with low mercury content.

*Commencement*

3. These Regulations come into operation from 1 July 2015.

*Interpretation*

4. In these Regulations “Principal Regulations” means the European Union (Batteries and Accumulators) Regulations 2014 (S.I. No. 283 of 2014.)

*Amendment of Regulation 6 of the Principal Regulations*

5. Regulation 6 of the Principal Regulations is amended-

(a) by the substitution of the following for regulation 6(1)(a):

“(a) regulation 5(a)(i) shall not apply to button cells with a mercury content of no more than 2% by weight until 1 October 2015,”

(b) by the substitution of the following for regulation 6(1)(b)(C):

“(C) cordless power tools until 31 December 2016.”

(c) by the insertion of the following after regulation 6(2):

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 7th August, 2015.*

“(3) Batteries and accumulators placed on the market prior to the date of application of the respective prohibitions of this Part may continue to be marketed until stocks are exhausted.”

*Amendment of Regulation 46 of the Principal Regulations*

6. Regulation 46 of the Principal Regulations is amended-

(a) by the substitution of the following for regulation 46(1)(a) and 46(1)(b):

“(a) 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 by the end-user or, where it cannot be readily removed by the end-user, by a qualified professional who is independent of the manufacturer,

(b) any producer or distributor of appliances into which batteries have been incorporated shall ensure that each appliance concerned is accompanied by instructions showing how they can be readily removed safely by the end-user or by a qualified professional who is independent of the manufacturer.”

(b) by the insertion of the following after regulation 46(1)(b)

“(c) The provisions set out in paragraphs (a) and (b) shall not apply where, for safety, performance, medical or data integrity reasons, continuity of power supply is necessary and a permanent connection between the appliance and the battery or accumulator is required.”



GIVEN under my Official Seal,  
30 June 2015.

ALAN KELLY,  
Minister for the Environment, Community and  
Local Government.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations amend the European Union (Batteries and Accumulators) Regulations 2014 (S.I. No. 283 of 2014) and are designed to give effect to Directive 2013/56/EU of the European Parliament and of the Council on batteries and accumulators and waste batteries and accumulators.

The 2013 Directive amends the 2006 Directive (2006/66/EC) by removing certain exemptions from the prohibitions in the 2006 Directive on the placing on the market of batteries containing 0.0005% of mercury by weight and of a battery containing more than 0.002% of cadmium by weight intended for use in cordless power tools. This reflects the fact that cleaner, safer cadmium and mercury free substitutes are available on the market.

The 2013 Directive also amends provisions in the 2006 Directive relating to the removability of waste batteries from appliances.

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