
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 247

The Waste Batteries (Scotland) Regulations 2009

Interpretation

2. In these Regulations—

“the 1990 Act” means the Environmental Protection Act 1990(1);

“the 1995 Act” means the Environment Act 1995(2);

“the 1994 Regulations” means the Waste Management Licensing Regulations 1994(3);

“the 2000 Regulations” means the Pollution Prevention and Control (Scotland) Regulations 2000(4);

“the 2003 Regulations” means the Landfill (Scotland) Regulations 2003(5);

“automotive battery” means any battery used for automotive starter, lighting or ignition power;

“Batteries Directive” means Directive 2006/66/EC of the European Parliament and of the Council on batteries and accumulators(6);

“battery” means any source of electrical energy generated by direct conversion of chemical energy and consisting of one or more primary battery cells (non-rechargeable) or one or more secondary battery cells (rechargeable; an accumulator), but does not include any battery excluded from the scope of the Batteries Directive by Article 2(2) of that Directive;

“battery pack” means any set of batteries that are connected together or encapsulated within an outer casing so as to form a complete unit that the end-user is not intended to split up or open;

“industrial battery” means any battery or battery pack which is—

- (a) designed exclusively for industrial or professional uses;
- (b) used as a source of power for propulsion in an electric vehicle;
- (c) unsealed but is not an automotive battery; or
- (d) sealed but is not a portable battery;

“landfill” means a landfill to which the 2003 Regulations apply;

“landfill permit” has the same meaning as in regulation 2(1) of the 2003 Regulations;

“portable battery” means any battery or battery pack which—

- (a) is sealed;

(1) 1990 c.43, as relevantly amended by the Environment Act 1995 (c.25) Schedule 22 paragraph 64.
(2) 1995 c.25, as relevantly amended by the Pollution Prevention and Control Act 1999 (c.24), Schedule 2, paragraph 17; S.S.I. 2000/323, Schedule 10(1), paragraph 5(2); S.I. 2005/925, Schedule 6, paragraph 1(3); S.S.I. 2006/181, Schedule 1(IV), paragraph 8(3); S.S.I. 2006/541, regulation 10(2); and S.I. 2006/3289, regulation 4(2).
(3) S.I. 1994/1056, as relevantly amended by S.I. 1996/972, Schedule 3, paragraph 1; S.S.I. 2000/323, Schedule 10(2), paragraph 11(2); S.S.I. 2003/171, regulation 4; S.S.I. 2003/593, regulation 7(2); S.S.I. 2005/22, regulation 6(2); S.S.I. 2006/128, regulation 3; S.S.I. 2006/541, regulation 3 and Schedule 1, paragraph 1; and S.S.I. 2007/172, regulation 4.
(4) S.S.I. 2000/323, as relevantly amended by S.S.I. 2002/493, regulation 3; S.S.I. 2003/146, regulation 3; S.S.I. 2003/170, regulation 6; S.S.I. 2003/235, Schedule 6, paragraph 3(2); S.S.I. 2004/26, regulation 10; S.S.I. 2004/112, regulation 3(2); and S.S.I. 2005/340, regulation 3.
(5) S.S.I. 2003/235, as relevantly amended by S.S.I. 2003/343, regulation 3.
(6) O.J.. L 266, 26.9.2006, p.1

(b) can be hand-carried by an average natural person without difficulty; and

(c) is neither an automotive nor an industrial battery;

“recycling” means the reprocessing in a production process of waste materials for their original purpose or for other purposes, but excluding energy recovery;

“site licence” has the same meaning as in Part II of the 1990 Act;

“treatment” means any activity carried out on waste batteries after they have been handed over to a facility for sorting, preparation for treatment or preparation for disposal; and

“waste battery” means any battery which is waste within the meaning of Article 1(1)(a) of Directive [2006/12/EC](#) of the European Parliament and of the Council on waste⁽⁷⁾.

(7) O.J. L 114, 27.4.2006, p.9.