
STATUTORY INSTRUMENTS

2008 No. 2164

**The Batteries and Accumulators (Placing
on the Market) Regulations 2008**

PART 1

Preliminary

Citation and commencement

1. These Regulations may be cited as the Batteries and Accumulators (Placing on the Market) Regulations 2008 and shall come into force on 26th September 2008.

Interpretation

2.—(1) In these Regulations—

[^{F1}“appliance” means any electrical or electronic equipment, as defined by [^{F2}Article 3(1)(a) of] Directive 2012/19/EU of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE)[^{F3}, as last amended by Directive (EU) 2018/849], which is fully or partly powered by batteries or accumulators or is capable of being so;]

“battery” or “accumulator” 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 consisting of one or more secondary battery cells (rechargeable);

“battery pack” means any set of batteries or accumulators 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;

“button cell” means any small round portable battery or accumulator whose diameter is greater than its height and which is used for special purposes such as hearing aids, watches, small portable equipment and back-up power;

“compliance notice” has the meaning given in regulation 13(2);

“crossed out wheeled bin symbol” has the meaning given in regulation 5(1);

“enforcement notice” has the meaning given in regulation 14(2);

“enforcement officer” means an officer of the Secretary of State or an officer of a person appointed to act on behalf of the Secretary of State for the purposes of enforcing these Regulations;

“European Economic Area” means the area comprised by the EEA states;

“infringing goods” means batteries or accumulators or appliances the characteristics, contents or labelling of which are not such as are permitted or required by Part 2 and which were placed on the market on or after 26th September 2008; and

[^{F4}“placing on the market”—

- (a) except in relation to a person in Northern Ireland, means supplying or making available, whether in return for payment or free of charge, to a third party within the United Kingdom;
- (b) in relation to a person in Northern Ireland, means supplying or making available, whether in return for payment or free of charge, to a third party within the United Kingdom or the European Economic Area, and includes import into the customs territory of the Union as defined in Article 4 of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code, as that Regulation applies in EU law;]

(2) In these Regulations, except in paragraph (1), any reference to a battery shall be construed as being a reference to a battery or an accumulator.

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| F1 | Words in reg. 2(1) substituted (1.7.2015) by The Hazardous Waste (Miscellaneous Amendments) Regulations 2015 (S.I. 2015/1360) , regs. 1(1), 4 (with Sch. 2) |
| F2 | Words in reg. 2(1) inserted (31.12.2020) by The Waste (Miscellaneous Amendments) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/188) , regs. 1(2)(b), 13(2)(a) (as amended by S.I. 2020/1540, regs. 1(2), 11(2)); 2020 c. 1, Sch. 5 para. 1(1) |
| F3 | Words in reg. 2(1) inserted (1.10.2020) by The Waste (Circular Economy) (Amendment) Regulations 2020 (S.I. 2020/904) , regs. 1(1), 12(2) |
| F4 | Words in reg. 2(1) substituted (31.12.2020) by S.I. 2019/188, reg. 13(2)(b) (as substituted by The Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1540) , regs. 1(3), 11(7)(a)) |

Application

3.—(1) These Regulations apply to—

- (a) all types of batteries, regardless of their shape, volume, weight, material composition or use; and
- (b) all appliances into which a battery is or may be incorporated.

(2) These Regulations do not apply to batteries used in—

- (a) equipment connected with the protection of [^{F5}essential security interests], such as arms, munitions and war material, and intended for specifically military purposes; or
- (b) equipment designed to be sent into space.

[^{F6}(3) In paragraph (2)(a)—

- (a) as it applies in England and Wales and Scotland, “essential security interests” means the essential security interests of the United Kingdom;
- (b) as it applies in Northern Ireland, “essential security interests” means the essential security interests of the United Kingdom or EEA states.]

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| F5 | Words in reg. 3(2)(a) substituted (31.12.2020) by S.I. 2019/188, reg. 13(3)(a) (as substituted by The Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1540) , regs. 1(3), 11(7)(b)) |
| F6 | Reg. 3(3) inserted by S.I. 2019/188, reg. 13(3)(b) (as substituted by The Waste and Environmental Permitting etc. (Legislative Functions and Amendment etc.) (EU Exit) Regulations 2020 (S.I. 2020/1540) , regs. 1(3), 11(7)(b)) |

Changes to legislation:

There are currently no known outstanding effects for the The Batteries and Accumulators (Placing on the Market) Regulations 2008, PART 1.