
STATUTORY INSTRUMENTS

2008 No. 2164

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

PART 2

Prohibitions and labelling requirements

Prohibitions on mercury and cadmium

4.—(1) No person shall place on the market—

- (a) a battery that contains more than 0.0005% of mercury by weight;
- (b) a portable battery that contains more than 0.002% of cadmium by weight.

^{F1}(2)

^{F2}(3) The prohibition in paragraph (1)(b) shall not apply to a portable battery intended for use in—

- (a) emergency and alarm systems, including emergency lighting; or
- (b) medical equipment.]

(4) This regulation does not apply to a battery which is a component of a vehicle for the purposes of regulation 6 of the End-of-Life Vehicles Regulations 2003⁽¹⁾.

(5) In this regulation—

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

- (a) sealed,
- (b) can be hand-carried by an average natural person without difficulty, and
- (c) is neither an automotive battery nor an industrial battery;

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

“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; ^{F3}and]

“electric vehicle” means a vehicle which uses electricity as a source of power for propulsion and includes a vehicle which in addition uses, or is capable of using, other sources of power for this ^{F4}purpose]

(1) [S.I. 2003/2635](#) to which there are amendments not relevant to these Regulations. This instrument implements Directive [2000/53/EC](#) of the European Parliament and of the Council on end-of life vehicles (OJNo. L269, 21.10.2000, p.34).

Changes to legislation: *There are currently no known outstanding effects for the The Batteries and Accumulators (Placing on the Market) Regulations 2008, Section 4. (See end of Document for details)*

- F1** Reg. 4(2) omitted (1.10.2015) by virtue of The Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2015 (S.I. 2015/63), regs. 1(2)(a), **3(1)** (with reg. 3(2))
- F2** Reg. 4(3) substituted (1.1.2017) by The Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2015 (S.I. 2015/63), regs. 1(2)(b), **4(1)** (with reg. 4(3))
- F3** Word in reg. 4(5) inserted (1.1.2017) by The Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2015 (S.I. 2015/63), regs. 1(2)(b), **4(2)(a)**
- F4** Word in reg. 4(5) substituted (1.1.2017) by The Batteries and Accumulators (Placing on the Market) (Amendment) Regulations 2015 (S.I. 2015/63), regs. 1(2)(b), **4(2)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Batteries and Accumulators (Placing on the Market) Regulations 2008, Section 4.