
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Waste and Agriculture (Legislative
Functions) Regulations 2022

PART 2

Waste: retention of legislative functions

CHAPTER 5

Retention of functions from the Batteries Directive

Power to specify criteria relating to export of waste batteries

12.—(1) The appropriate authority may, by regulations, make provision specifying criteria for the assessment of equivalent conditions where treatment and recycling of waste batteries takes place outside the United Kingdom.

(2) Regulations under paragraph (1) may modify any subordinate legislation.

(3) In paragraph (1)—

“equivalent conditions” means the conditions set out in paragraph 10 of Schedule 4 to the Waste Batteries and Accumulators Regulations 2009(1);

“recycling”, “treatment” and “waste battery” have the meanings given by regulation 2 of the Waste Batteries and Accumulators Regulations 2009(2).

Power to grant exemptions from labelling requirements

13.—(1) The Secretary of State may, by regulations, make provision for exemptions from the labelling requirements for batteries, accumulators and battery packs.

(2) The provision which may be made under paragraph (1) includes provision modifying [Commission Regulation \(EU\) No 1103/2010](#) establishing, pursuant to [Directive 2006/66/EC](#) of the European Parliament and of the Council, rules as regards capacity labelling of portable secondary (rechargeable) and automotive batteries and accumulators(3).

(3) Regulations under paragraph (1) may modify any subordinate legislation.

(4) In paragraph (1), “labelling requirements for batteries, accumulators and battery packs”, means the labelling requirements contained in regulations 5, 5A and 6 of, and Schedule 1 to, the Batteries and Accumulators (Placing on the Market) Regulations 2008(4).

(1) [S.I. 2009/890](#). Paragraph 10 is amended by [S.I. 2019/188](#).

(2) Regulation 2 is amended by [S.I. 2019/188](#), [2020/904](#) and [S.S.I. 2011/226](#); there are other amending instruments but none is relevant.

(3) EUDN 2010/1103, as amended by [S.I. 2019/620](#), [2020/1540](#).

(4) [S.I. 2008/2164](#). Regulation 5A was inserted by [S.I. 2012/1139](#).