

Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 19,262, 3 ta' Ġunju, 2014

Taqsimha B

L.N. 191 of 2014

**PRODUCT SAFETY ACT
(CAP. 427)**

Batteries and Accumulators (Amendment) Regulations, 2014

BY VIRTUE of the powers granted by article 39 of the Product Safety Act, the Minister for Social Dialogue, Consumer Affairs & Civil Liberties, on the advice of the Malta Competition and Consumer Affairs Authority, has made the following regulations:

1. (1) The title of these regulations is the Batteries and Accumulators (Amendment) Regulations, 2014 and these regulations shall be read and construed as one with the Batteries and Accumulators Regulations hereinafter referred to as "the principal regulations".

Citation.

S.L. 427.08

(2) These regulations shall apply from 1st July 2015.

Commencement
and scope.

(3) These regulations implement Articles 1(1), (2), (4), (10)(a) and (10)(b) of Directive 2013/56/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2006/66/EC of the European Parliament and of the Council 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, and repealing Commission Decision 2009/603/EC.

2. (1) Regulation 5 of the principal regulations shall be amended as follows:

Amends
regulation 5.

(a) subregulation (2) thereof shall be substituted by the following:

"(2) The prohibition set out in subregulation (1)(a) shall not apply to button cells with a mercury content of no more than 2% by weight until 1 October 2015."; and

(b) paragraph (c) of subregulation (3) thereof shall be substituted by the following:

"(c) cordless power tools; this exemption in respect of cordless power tools shall apply until 31 December 2016.".

B 2248

Amends
regulation 8.

3. (1) Sub-regulation (2) of regulation 8 the principal regulations shall be substituted by the following:

"(2) Batteries and accumulators which do not meet the requirements of these regulations, but which were lawfully placed on the market prior to the date of application of the respective prohibitions set out in regulation 5, may continue to be marketed until stocks are exhausted."

Adds new
regulation 9.

4. Immediately after regulation 8 of the principal regulations there shall be added the following new regulation:

"Removal of waste
batteries and
accumulators.

9. (1) Manufacturers shall design appliances in such a way that waste batteries and accumulators can be readily removed. Where they cannot be readily removed by the end-user, manufacturers shall design appliances in such a way that waste batteries and accumulators can be readily removed by qualified professionals that are independent of the manufacturer. Appliances in which batteries and accumulators are incorporated shall be accompanied by instructions on how those batteries and accumulators can be safely removed by either the end-user or by independent qualified professionals. Where appropriate, the instructions shall also inform the end-user of the types of battery or accumulator incorporated into the appliance.

(2) The provisions set out in subregulation (1) 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."

