

L.N. 311 of 2007**PRODUCT SAFETY ACT
(CAP. 427)****Batteries and Accumulators Regulations, 2007**

IN exercise of the powers conferred by article 39 of the Product Safety Act, the Minister for Competitiveness and Communications has, on the advice of the Malta Standards Authority, made the following regulations:-

1. The title of these regulations is the Batteries and Accumulators Regulations, 2007. Title.
2. These regulations implement the provisions of Directive 2006/66/EC of the European Parliament and of the Council of the 6th September, 2006, and shall enter into force on the 26th September 2008. Commencement and scope.
3. (1) These regulations shall apply to all types of batteries and accumulators, regardless of their shape, volume, weight, material composition or use. It shall apply without prejudice to the Waste Management (End of Life Vehicles) Regulations, 2004 ¹ and to the Waste Management (Electrical and Electronic Equipment) Regulations, 2007 ². Applicability.

(2) These regulations shall not apply to batteries and accumulators used in:
 - (a) essential security interests, arms, munitions and war material, with the exclusion of products that are not intended for specifically military purposes;
 - (b) equipment designed to be sent into space.
4. For the purposes of these regulations, the following definitions shall apply. Definitions.

¹ L.N. 99 of 2004

² L.N. 63 of 2007

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

2. “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);

3. “battery pack” means any set of batteries or accumulators that are connected together and, 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;

4. “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;

5. “industrial battery or accumulator” means any battery or accumulator designed for exclusively industrial or professional uses or used in any type of electric vehicle;

6. “portable battery or accumulator” means any battery, button cell, battery pack or accumulator that:

(i) is sealed; and

(ii) can be hand-carried; and

(iii) is neither an industrial battery or accumulator nor an automotive battery or accumulator.

Marketing
Prohibition.

5. (1) Without prejudice to the Waste Management (End of Life Vehicles) Regulations, 2004, the marketing of the following batteries is prohibited:

(a) all batteries or accumulators, whether or not incorporated into appliances, that contain more than 0,0005 % of mercury by weight; and

(b) portable batteries or accumulators, including those incorporated into appliances, that contain more than 0,002 % of cadmium by weight.

(2) The prohibition set out in sub-regulation (1)(a) shall not apply to button cells with a mercury content of no more than 2 % by weight.

(3) The prohibition set out in sub-regulation (1)(b) shall not apply to portable batteries and accumulators intended for use in:

- (a) emergency and alarm systems, including emergency lighting;
- (b) medical equipment; or
- (c) cordless power tools.

6. (1) All batteries, accumulators and battery packs shall be appropriately marked with the symbol shown in the First Schedule hereto. Labelling.

(2) The capacity of all portable and automotive batteries and accumulators shall be indicated on them in a visible, legible and indelible form by 26 September 2009.

(3) Batteries, accumulators and button cells containing more than 0,0005 % mercury, more than 0,002 % cadmium or more than 0,004 % lead, shall be marked with the chemical symbol for the metal concerned: Hg, Cd or Pb. The symbol indicating the heavy metal content shall be printed beneath the symbol shown in the First Schedule hereto and shall cover an area of at least one-quarter the size of that symbol.

(4) The symbol shown in the First Schedule hereto shall cover at least 3 % of the area of the largest side of the battery, accumulator or battery pack, up to a maximum size of 5 X 5 cm. In the case of cylindrical cells, the symbol shall cover at least 1,5 % of the surface area of the battery or accumulator and shall have a maximum size of 5 X 5 cm.

(5) Where the size of the battery, accumulator or battery pack is such that the symbol would be smaller than 0,5 X 0,5 cm, the battery, accumulator or battery pack need not be marked but a symbol measuring at least 1 X 1 cm shall be printed on the packaging.

(6) Symbols shall be printed visibly, legibly and indelibly.

7. The Batteries and Accumulators Order, 2001 (Order No. 50 of 2001) is hereby repealed. Repeals L.N. 6 of 2001.

FIRST SCHEDULE

**SYMBOL FOR BATTERIES, ACCUMULATORS AND BATTERY PACKS
FOR SEPARATE COLLECTION**

The symbol indicating “separate collection” for all batteries and accumulators shall be the crossed-out wheeled bin shown below.

