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THE SCOPE OF BATTERY DIRECTIVE 2006/66/EC

The new Battery Directive 2006/66/EC applies to all batteries and accumulators placed on the Community market. This has been clearly expressed both in the text of the Battery Directive and in the EU Commission Q&A document.¹

In view of the vast range of batteries available on the Community market, the Battery Directive further specifies that it applies to all types of batteries and accumulators, “*regardless of their shape, volume, weight, composition or use*”.²

To categorize these various types of “batteries”, the EU Commission Q&A document basically distinguishes three types (or categories) of batteries:

- (a) Portable batteries;
- (b) Industrial batteries; and
- (c) Automotive batteries.³

When looking at the definitions in the Battery Directive, each of these three categories of “batteries” is separately defined.⁴ Finally, the definition of “portable battery” in the Battery Directive further clarifies that batteries, accumulators, battery packs and button cells (including any components of such batteries) are covered by this category, insofar as they comply with the conditions mentioned in the definition.⁵

Therefore, the only batteries/accumulators which are not covered by the new Battery Directive 2006/66/EC are:

- (a) batteries and accumulators used in equipment connected with a Member State’s security (batteries for specifically military purposes); and
- (b) batteries and accumulators designed to be sent into space.⁶

¹ Whereas-clause (6) of the Battery Directive (OJ L266 of 26.09.2006); Article 2.1 of the Battery Directive; page 3 of the EU Commission Q&A document: *what is the scope of the new Battery Directive*, <http://ec.europa.eu/environment/waste/batteries/pdf/qa.pdf> ?

² Article 2.1 of the Battery Directive

³ Page 10 of the EU Commission Q&A document: *what are the different battery types?*

⁴ Article 3 of the Battery Directive

⁵ Article 3.3 of the Battery Directive

⁶ Article 2.2 of the Battery Directive; page 3 of the EU Commission Q&A document: *what is the scope of the new Battery Directive?*