



TECHNICAL STATEMENT

BATTERIES IN EMERGENCY LIGHTING

Guidance for classification of Batteries

ICEL in conjunction with the Lighting Industry Association, has been seeking to get an industry-wide classification (as either portable or industrial) applied for emergency batteries.

The Environment Agency's position concerns battery types but is not specific to an industry and as such it appears that no blanket statement can be given for Emergency Lighting Manufacturers.

The definitions put in place by the Environment Agency are as follows:

Battery types

Automotive battery

An automotive battery is of any size or weight used for one of the following:

- starting or as ignition power in a road vehicle engine
- to power lighting in a road vehicle

Vehicles include those used off road like racing cars or tractors.

Any other batteries used in vehicles, like a key fob battery, are not automotive.

Batteries providing the power to drive electric vehicles are industrial batteries not automotive. A 'hybrid' vehicle is likely to have both an industrial and automotive battery.

Industrial

An industrial battery or battery pack is of any size or weight, with one of the following characteristics. It is:

- designed exclusively for industrial or professional uses
- used as a source of power for propulsion in an electric vehicle or a 'hybrid' vehicle
- unsealed but not an automotive battery
- sealed and not a portable battery

'Electric vehicle' means propelled by electric propulsion and intended for carrying people or goods. This includes electric cars, wheelchairs, bicycles, airport vehicles and automatic transport vehicles.



TECHNICAL STATEMENT

A battery is not industrial just because a professional person, like a service engineer, installs or removes it from a piece of equipment.

Portable

A portable battery or battery pack is:

- sealed
- not an automotive or industrial battery
- not designed exclusively for industrial or professional use
- 4 Kilograms or below

You will need to provide suitable evidence if you wish to classify batteries that meet this criterion as industrial.

Portable batteries have thousands of everyday uses. You'll find them:

- in televisions and DVD remote controls – usually as AA or AAA batteries
- in portable music players and speakers
- as button cells fixed to the motherboard of a personal computer or laptop
- in wristwatches
- used to start domestic lawn mowers
- powering bicycle lights and household torches

Check for standard appearance

Batteries familiar in shape and size to the ones you use at home are most likely portable. However, some regular-looking batteries may have unusual voltages because they have a specific industrial use.

For example, some AAA batteries have a higher than normal voltage because utility companies have specially designed them for use in meters. Always check for non-standard voltages and connectors.

If you plan to place a unique or custom-made battery on the market, contact the [environmental regulators](#) for advice.

Battery packs

Battery packs is a set of batteries connected together by an outer casing, for example, shrink-wrapped plastic. Battery packs can be either portable or industrial.

If the waste battery packs have been split open to release the individual cells, it may be harder to assess whether the batteries/packs are industrial or portable. Individual cells that, in all respects (size, shape, voltage, contacts/connectors) look like ordinary domestic batteries can be assumed to be portable, unless you have evidence to the contrary.



TECHNICAL STATEMENT

Waste batteries and accumulators: technical guidance

Information on waste batteries excluded from the regulations, definitions and battery types:

Exclusions

These apply to batteries used for:

- protecting the essential security of a country in the European Economic Area (EEA) – including weapons, munitions and war material intended for military purposes
- equipment designed for use in space

While many batteries used for these purposes are of special design, the exclusion is for the use of the battery rather than any special design.

If you receive unmarked waste batteries from the Ministry of Defence, assess and treat them as you would all other batteries.

Marked waste batteries from the Ministry of Defence are outside the regulations.

Definitions

Battery

A [battery or accumulator](#) is a source of electrical energy generated by direct conversion of chemical energy and is either one or more:

- primary battery cells that are non-rechargeable or disposable
- secondary battery cells that are accumulators or rechargeable batteries

Producer

Any person in the UK who, irrespective of the method used, places batteries, including those already in appliances or vehicles, on the UK market for the first time, on a professional basis.

Examples of producers:

- a company with a UK presence that imports batteries into the UK and then sells them wholesale in the UK



TECHNICAL STATEMENT

- a company with a UK presence that imports laptop computers with batteries inside and then sells them wholesale in the UK
- UK manufacturers of batteries that sell to the public or to retailers

Examples of non-producers are:

- a company that imports batteries into the UK and then sells them overseas without placing any on the UK market
- a company that sells batteries from overseas directly to UK consumers through the internet and has no physical UK presence

Non-UK producer

The law treats an overseas business supplying batteries to the UK as equivalent to a 'person in the UK' if they have a sufficient presence.

If the overseas business has, or should have, registered with [Companies House](#) (as required by the Overseas Companies Regulations 2009 - SI 2009/1801), the company will qualify as a 'person in the UK'.

A 'person in the UK' may also be:

- a UK branch of an overseas company
- any UK place from which an overseas company regularly conducts business even if there is no visual or physical evidence of the company's presence

An occasional location such as a hotel where a company representative carries out business during periodic visits to the UK is not a place of business.

Battery distributor

A person or business that provides batteries professionally to an end-user.

If you only supply equipment containing batteries, and don't also supply batteries separately, you are not a distributor.

For example, you are a distributor if you are a:

- retailer who buys packs of batteries from a UK supplier and then sells them to end-users
- wholesaler who buys batteries from a UK supplier and sells to both end-users and retail outlets
- company that supplies batteries free as part of a promotion, even if you do not normally sell batteries

See [battery distributor](#) guidance.



TECHNICAL STATEMENT

Producer and distributor

Examples of companies that are distributors and producers:

- a business importing and placing batteries on the UK market and selling them through their own retail outlet or network of outlets
- a business that buys batteries wholesale from a UK supplier for resale and imports calculators with batteries inside for sale in the UK

Distance seller

Any person or business providing batteries to end-users by distance communication, like mail order or internet sales. The agreement to supply batteries, or equipment including batteries, where the supplier and the end-user are not physically present at the same time.

Place on the market

Means the first time the battery, or product containing a battery, becomes available for distribution or use in the UK.

There is a transfer by sale, loan, hire, lease or gift that moves the ownership from a:

- UK manufacturer to a UK distributor
- UK manufacturer to the final UK consumer or user
- manufacturer outside the UK to an importer in the UK or the person responsible for distributing the item in the UK
- manufacturer, or formal representative, direct to the final user or consumer

You are the person that 'places on the market' if you are the first person in a supply chain professionally making batteries available to a third person in the UK. You do not have to receive payment. You may be a commercial entity like a manufacturer, importer or retailer, or a not-for-profit organisation like a public body or charity.

It is not the act of supplying or selling the batteries that determines 'place on the market' but making the product available for supply or sale.

'Place on the market' does not include batteries that are:

- made in the UK and then exported without being placed on the UK market
- imported and then exported without being placed on the UK market



TECHNICAL STATEMENT

Battery Compliance Scheme (BCS)

A battery compliance scheme (BCS) is a membership organisation. The members are producers of portable batteries.

A BCS is responsible for registering all their members and must:

- ensure they meet their members' obligations to pay for the collection, treatment, and recycling of waste portable batteries
- finance a scheme information campaign to encourage a higher recycling rate
- fulfil their data reporting obligations

Compliance period

It runs for a calendar year.

Approved or appropriate person

An approved or appropriate person is:

- a director or company secretary of a registered company
- a partner or member of a partnership, including limited liability partnership
- the obligated person if providing information as an individual
- a person who has management of that body (the producer is a company not registered in the UK)

You can use the [delegation of approved/appropriate person form](#) to delegate this function to another person. The form needs to be signed and sent to the environmental regulator.

Economic operators

Battery producers, distributors, collectors, and recyclers including approved battery treatment operators (ABTOs) and approved battery exporters (ABEs). Economic operators can deliver waste portable batteries free of charge to a BCS's facility.



TECHNICAL STATEMENT

Environmental regulators

Environment Agency - England
Telephone: 03708 506 506*
Email: batteries@environment-agency.gov.uk

Northern Ireland Environment Agency
Telephone: 028 9056 9382*
Email: batteries@doeni.gov.uk

Scottish Environment Protection Agency
Telephone: 01786 457700*
Email: producer.responsibility@sepa.org.uk

Natural Resources Wales
Telephone: 0300 065 3000*
Email: enquiries@naturalresourceswales.gov.uk

See [call charge information](#).

*Definitions of Batteries taken from [Classifying portable and industrial batteries - GOV.UK \(www.gov.uk\)](#)