

New law on batteries

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In July 2023, a new EU battery regulation (Regulation 2023/1542) was approved by the EU. The aim of the regulation is to create a harmonized legislation for the sustainability and safety of batteries.

The regulation started to apply on 18 February 2024. Until 18 August 2025, the regulation will coexist with the Battery Directive (2006/66/EC). But from 18 August 2025, the regulation will be the main EU legislation for batteries since the Battery Directive is repealed to a great extent at that date. The new regulation includes many new legislative measures and, with time, additional obligations and requirements will be introduced.

The regulation consists of five parts that affect different stakeholders in the battery value chain. All parts are not applicable for all batteries. Instead, the regulation defines five battery categories depending on how the battery is used. Some requirements are only applicable for some battery categories.

Requirements associated with a new CE conformity assessment of batteries are introduced in the Regulation. This means that all batteries, regardless of whether they are used in a product or supplied separately, need to be CE marked according to this regulation.

The CE conformity assessment and CE marking requirements started to apply on 18 August 2024. Initially, requirements for carbon footprint, recycled content and performance and durability requirements for portable batteries of general use will not be part of the CE-marking but will be added at a later date.

Generally, it is the battery manufacturer's obligation to take care of the CE conformity assessment, and the

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battery manufacturer needs to fulfill different requirements depending on in which product the battery will be used.

The CE conformity assessment is a self-certification process for portable batteries and industrial batteries with a capacity of less than 2 kWh. For all other batteries, a notified body will need to be involved when the requirements for a carbon footprint declaration and recycled content declaration start to apply.

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