



STATUTORY INSTRUMENTS.

**S.I. No. 165 of 2026**



EUROPEAN UNION (BATTERIES AND ACCUMULATORS)  
(AMENDMENT) REGULATIONS 2026

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I, DARRAGH O'BRIEN, Minister for Climate, Energy and the Environment, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to the provisions of Articles 54, 55 and 58 of Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC<sup>1</sup>, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Batteries and Accumulators) (Amendment) Regulations 2026.

2. (1) The Principal Regulations are amended in Regulation 3(1) –

- (a) by the insertion after the definition of “automotive battery or accumulator” of the following definition: “ ‘Batteries Regulation’ means Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC;”.
- (b) by the insertion after the definition of “collection rate” of the following definition: “ ‘electric vehicle battery’ has the meaning given in Article 3(1)(14) of the Batteries Regulation;”.
- (c) by the insertion before the definition of “portable battery or accumulator” of the following definition: “ ‘portable battery’ has the meaning given in Article 3(1)(10) of the Batteries Regulation;”.

(2) In these Regulations “Principal Regulations” means the European Union (Batteries and Accumulators) Regulations 2014 (S.I. No. 283 of 2014).

3. These Regulations do not affect liability under Regulations 34, 35, 36 and 37 of the Principal Regulations for any offences committed before the date that these regulations take effect.

4. The Principal Regulations are amended by the amendment of Regulation 15 as follows-

- (a) Sub-regulation (1) is amended by the replacement of “On a date not later than 1 September 2008, the registration body shall cause

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<sup>1</sup> OJ No. L 191, 28.07.2023, p. 1.

to be established and maintained” with “There is, by virtue of this Regulation, established”.

- (b) Sub-regulation (2) is amended by the insertion of the following immediately after sub-regulation (2)(g): “the register established under paragraph (1) shall be publicly available and shall be updated on a regular basis and shall be maintained and published in a manner that the Minister considers appropriate”.
- (c) By the insertion following sub- regulation (3), of the following new sub-regulations:

“(4) For the purposes of the register, the Minister or such other person as designated by the Minister may maintain and administer such office or offices in the State as the Minister thinks fit.

(5) A person that has been granted approval for the purposes of Regulation 35 of these Regulations shall be entered in the register until the Minister determines that they should be removed, or until their authorisation elapses or is withdrawn, or if the relevant person has ceased to exist, whichever is the earliest.”.

5. Regulation 18 of the Principal Regulations is amended -

- (a) In sub-regulation (1), by the deletion of “5 September 2008 or,” and the insertion after the word “business” of “and in any case prior to making a battery available on the market for the first time in the State”.
- (b) In sub-regulation (2), by the deletion of “in writing or, where appropriate,”.
- (c) In sub-regulation (4), by the substitution of the word “after” for “of” where it appears immediately after the word “month” in that sub-regulation.

6. The Principal Regulations are amended by the insertion after Regulation 42 of the following:

“Competent authorities

42A. (1) The Minister is designated the competent authority in respect of the following articles and sub-articles of the Batteries Regulation:

- (a) Article 54.
- (b) Article 55(1), Subparagraph one of Article 55(2), Article 55(5) and Article 55(8).
- (c) Article 56(4) and Article 56(5).
- (d) Article 57.

- (e) Article 58, in respect of for approval of producers and producer responsibility organisations.
- (f) Article 59(6) and Article 59(7).
- (g) Article 60(7).
- (h) Article 68.
- (i) Article 69(1), Article 69(2), and Article 69(4).
- (j) Article 70(3) and Article 70(5).
- (k) Article 74(1) and Article 74(6).
- (l) Article 75(9).
- (m) Article 93.

(2) The Agency is designated competent authority in respect of the following articles and sub-articles of the Batteries Regulation:

- (a) Subparagraphs two and three of Article 55(2), Article 55(3), Article 55(4), Article 55(6), Article 55(7), Article 55(9), Article 55(10), Article 55(11) and Article 55(12).
- (b) Article 56(1), Article 56(2) and Article 56(3).
- (c) Article 59(3).
- (d) Article 60(3).
- (e) Article 62(4) and Article 62(6).
- (f) Article 66.
- (g) Article 69(5).
- (h) Article 70(2).
- (i) Article 71.
- (j) Article 72(3).
- (k) Article 73.
- (l) Article 74(3).
- (m) Article 75(1)(a)-(g) inclusive, Article 75(4), Article 75(7) and Article 75(8).
- (n) Article 76(1), Article 76(2), Article 76(3).

(3) The Agency, or as appropriate, the relevant local authority are designated as the competent authorities in respect of the following articles and sub-articles of the Batteries Regulation:

- (a) Regarding takeback and collection of waste portable batteries as provided for in Article 59(1), Article 59(2), and Article 59(5) of the Batteries Regulation.
- (b) Article 60(1), Article 60(2), Article 60(4) and Article 60(6).
- (c) Article 61.
- (d) Article 64.

- (e) Article 65.
- (f) Article 67.
- (g) Article 70(1).
- (h) Article 74(2) and Article 74(5).
- (i) Last subparagraph of Article 75(1), Article 75(2), Article 75(3), Article 75(5) and Article 75(6).

(4) Dublin City Council and the Agency are designated as the competent authorities in respect of the following articles and sub-articles of the Batteries Regulation:

- (a) Article 72(2).

(5) The relevant local authority is designated competent authority in respect of the following articles and sub-articles of the Batteries Regulation:

- (a) Article 59(4).
- (b) Article 60(5).
- (c) Article 62(1), Article 62(2), Article 62(3) and Article 62(5).
- (d) Article 74(4).

(6) Dublin City Council is designated competent authority in respect of the following articles and sub-articles of the Batteries Regulation:

- (a) Article 72(1).

(7) The Minister and the Agency are designated as the competent authorities in respect of the following articles and sub-articles of the Batteries Regulation:

- (a) Article 69(3).”.

7. The Principal Regulations are amended by the insertion after Regulation 34 (2) of -

“(3) Each producer who places batteries on the market shall be a member of an approved body.”.

8. Regulation 35 of the Principal Regulations is amended -

- (a) In sub-regulation (2)(a), by the substitution of “constitution” for “articles of association”.
- (b) In sub-regulation (2)(f), by the substitution of “guarantee (including a contingency reserve), intended to cover the costs related to waste management operations due to non-compliance with the extended producer responsibility obligations, cessation of operations, and or insolvency,” for “contingency reserve”.
- (c) By the substitution of sub-regulation (2)(g) with “proposals relating to co-operation with other approved bodies including appropriate financial arrangements to enable the collection of waste batteries from collection points including civic amenity

facilities, workplaces and educational establishments in the appropriate functional areas of all local authorities”.

- (d) In sub-regulation (2)(i), by the substitution of “regulations 23 and 28” with “Article 59(3) and Article 60(3) of the Batteries Regulation”, and the insertion of “(save in respect of the collection of electric vehicle batteries)” after the word “scheme”.
- (e) By the insertion after sub-regulation (2) of a new sub-regulation (3) as follows:
  - “(3) notwithstanding Regulation 35(2)(l)(i)(A) above, where a body corporate exclusively accepts applications for membership from electric vehicle battery producers, it may discriminate against producers on the grounds of type of battery placed on the market in the case of a body corporate seeking approval to manage waste electric vehicle batteries,”.
- (f) By the insertion after sub-regulation (2)(p) of and new sub-regulation (2)(p1) as follows: “(p1) save in respect of applications that relate solely to electric vehicle batteries, proposals in relation to compliance with Article 59(1) and (2) and Articles 60(1), (2) and (4) of the Batteries Regulation,”.

9. Regulation 36(3) of the Principal Regulations is amended -

- (a) by the substitution in sub-regulation (3)(a) of “constitution” for “articles of association”.
- (b) by the substitution of sub-regulation (3)(f) with “a guarantee (including a contingency reserve), intended to cover the costs related to waste management operations due to non-compliance with the extended producer responsibility obligations, cessation of operations, and or insolvency,”.
- (c) by the substitution of sub-regulation (3)(i) with: “the achievement of the targets as laid down in Article 59(3) and Article 60(3) of the Regulation for the environmentally sound management of waste batteries under the proposed scheme (save in respect of the collection of electric vehicle batteries),”.
- (d) by the insertion after sub-regulation (3)(l)(ii) of “(iii) notwithstanding Regulation 36(3)(l)(i) above, where a body corporate exclusively accepts applications for membership from electric battery producers, it may discriminate against producers on the grounds of type of battery placed on the market in the case of a body corporate seeking approval to manage waste electric vehicle batteries,”.
- (e) by the deletion of sub-regulation (3)(q).

10. Regulation 36(4)(c) of the Principal Regulations is amended -

- (a) by deletion of “of section 201”,

- (b) by the substitution of “contingency reserve” with “guarantee”,
- (c) by the substitution of “compliance scheme” with “approved body”.

11. Regulation 36 is amended by the insertion of the following after sub-regulation (5):

“Assessment and verification of applications

(6) The Minister may perform such assessment and or verification of the information provided in an application as he sees fit, and shall do so within 12 weeks of receipt of an application.

(7) For the purposes of sub-regulation (6), the Minister may—

- (a) require the applicant to furnish such additional information, documentation or clarification as the Minister considers necessary to enable assessment or verification of the application,
- (b) consult with any other public authority, as the Minister deems appropriate,
- (c) conduct or cause to be conducted such enquiries, inspections or investigations as may be necessary to verify the information provided in the application,
- (d) require the applicant to provide evidence of legal, technical, or financial capacity relevant to the discharge of obligations as a producer responsibility organisation.

(8) The Minister shall not be obliged to consider an application that is incomplete or that fails to include the information prescribed in Regulation 35(2), and shall notify the applicant accordingly.

(9) Where the Minister makes a request under sub-regulation (7)(a), the period specified in Regulation 35(5) for making a decision shall be suspended until the information requested has been furnished to the satisfaction of the Minister and the Minister shall promptly notify the applicant accordingly.

(10) The Minister may refuse to grant an approval where, following assessment or verification, the Minister is not satisfied that the applicant is capable of discharging its obligations in accordance with Batteries Regulation and these Regulations.

(11) The Minister may, by notice in writing, from time to time vary any condition attached to an approval granted in accordance with the provisions of this article.”.

12. (1) Regulation 37(1) is substituted with “Subject to sub-regulation (2), where it appears to the Minister that—

- (a) it is necessary to ensure equitable distribution of producer responsibility obligations,

- (b) for some other reason it is necessary in the interests of the environmentally sound management of waste batteries, or
- (c) arising from or connected the operation, governance, ownership or management of any approved body (including the information or material provided pursuant to Regulation 36(3) and/or (7)), it is necessary in order to ensure the solvency, propriety or good governance of producer responsibility obligations

he may review an approval granted in accordance with the provisions of regulation 36, or require the approved body to make a new application in accordance with the provisions of regulation 35 for a renewal of an approval.”.

(2) Regulation 37(4) is amended by the substitution in sub-regulation (4)(b) of “13 weeks” for “two months”.

13. Part 1 of Schedule 1 of the Principal Regulations is amended -

- (a) in paragraph 1, by the insertion of “internet” immediately before the word “URL”,
- (b) in paragraph 1, by the insertion of “Brand Name:” above “Address of Registered Office, or, the principal place of business any other body corporate or unincorporated body”,
- (c) in the list in paragraph 1, by the insertion of “Eircode of Registered Office:” above “CRO No.”,
- (d) by the substitution of paragraph 2 with “Information on the category, or categories, of batteries that the producer intends to make available on the market for the first time within the State, namely portable batteries, industrial batteries, LMT batteries, electric vehicle batteries, or SLI batteries, and their chemistry”,
- (e) by the substitution in paragraph 3 of “by self-compliance or membership of an approved compliance scheme” with “viz, details regarding membership of an approved body”, and
- (f) by the insertion in paragraph 5 of “by a Director of the applicant” immediately before “stating”.

GIVEN under my hand,  
20 April 2026.

DARRAGH O'BRIEN,  
Minister for Climate, Energy and the Environment.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations amend European Union (Batteries and Accumulators) Regulations 2014 (S.I. No. 283 of 2014). The amendments are for the purpose of giving effect to the provisions of Articles 54, 55 and 58 of Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC.

These Regulations may be cited as the European Union (Batteries and Accumulators) (Amendment) Regulations 2026.

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