

Directive 2006/66/EC of the European Parliament and of the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (Text with EEA relevance)

*Article 3*

**Definitions**

For the purposes of this Directive, the following definitions shall apply:

- (1) '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);
- (2) '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;
- (3) 'portable battery or accumulator' means any battery, button cell, battery pack or accumulator that:
  - (a) is sealed; and
  - (b) can be hand-carried; and
  - (c) is neither an industrial battery or accumulator nor an automotive battery or accumulator;
- (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) 'automotive battery or accumulator' means any battery or accumulator used for automotive starter, lighting or ignition power;
- (6) 'industrial battery or accumulator' means any battery or accumulator designed for exclusively industrial or professional uses or used in any type of electric vehicle;
- (7) 'waste battery or accumulator' means any battery or accumulator which is waste within the meaning of Article 1(1)(a) of Directive 2006/12/EC;
- (8) 'recycling' means the reprocessing in a production process of waste materials for their original purpose or for other purposes, but excluding energy recovery;
- (9) 'disposal' means any of the applicable operations provided for in Annex IIA to Directive 2006/12/EC;
- (10) 'treatment' means any activity carried out on waste batteries and accumulators after they have been handed over to a facility for sorting, preparation for recycling or preparation for disposal;
- (11) 'appliance' means any electrical or electronic equipment, as defined by Directive 2002/96/EC, which is fully or partly powered by batteries or accumulators or is capable of being so;

- (12) ‘producer’ means any person in a Member State that, irrespective of the selling technique used, including by means of distance communication as defined in Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts<sup>(1)</sup>, places batteries or accumulators, including those incorporated into appliances or vehicles, on the market for the first time within the territory of that Member State on a professional basis;
- (13) ‘distributor’ means any person that provides batteries and accumulators on a professional basis to an end-user;
- (14) ‘placing on the market’ means supplying or making available, whether in return for payment or free of charge, to a third party within the Community and includes import into the customs territory of the Community;
- (15) ‘economic operators’ means any producer, distributor, collector, recycler or other treatment operator;
- (16) ‘cordless power tool’ means any hand held appliance powered by a battery or accumulator and intended for maintenance, construction or gardening activities;
- (17) ‘collection rate’ means, for a given Member State in a given calendar year, the percentage obtained by dividing the weight of waste portable batteries and accumulators collected in accordance with Article 8(1) of this Directive or with Directive 2002/96/EC in that calendar year by the average weight of portable batteries and accumulators that producers either sell directly to end-users or deliver to third parties in order to sell them to end-users in that Member State during that calendar year and the preceding two calendar years.

- (1) [OJL 144, 4.6.1997, p. 19](#). Directive as last amended by Directive 2005/29/EC ([OJL 149, 11.6.2005, p. 22](#)).