

Directive 2008/12/EC of the European Parliament and of the Council of 11 March 2008 amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, as regards the implementing powers conferred on the Commission

*Article 1*

**Amendments**

Directive 2006/66/EC is hereby amended as follows:

1. Article 10(4) shall be replaced by the following:
4. Transitional arrangements may be laid down in accordance with the regulatory procedure referred to in Article 24(2) to address difficulties faced by a Member State in satisfying the requirements of paragraph 2 as a result of specific national circumstances.  
  
A common methodology shall be established for the calculation of annual sales of portable batteries and accumulators to end-users by 26 September 2007. That measure, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(3).;
2. the first sentence of Article 12(6) shall be replaced by the following:
6. Annex III may be adapted or supplemented to take account of technical or scientific progress. Those measures, designed to amend non-essential elements of this Directive, *inter alia*, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(3).;
3. Article 15(3) shall be replaced by the following:
3. Detailed rules for the implementation of this Article shall be laid down, in particular criteria for the assessment of equivalent conditions as referred to in paragraph 2. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(3).;
4. Article 17 shall be replaced by the following:

*Article 17*

**Registration**

Member States shall ensure that each producer is registered. Registration shall be subject to the same procedural requirements in each Member State. Such requirements for registration, designed to amend non-essential elements of this Directive by supplementing it, shall be established in accordance with the regulatory procedure with scrutiny referred to in Article 24(3).;

5. Article 21 shall be amended as follows:

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(a) paragraph 2 shall be replaced by the following:

2. Member States shall ensure that the capacity of all portable and automotive batteries and accumulators is indicated on them in a visible, legible and indelible form by 26 September 2009. Detailed rules for the implementation of this requirement, including harmonised methods for the determination of capacity and appropriate use, shall be laid down no later than 26 March 2009. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(3).;

(b) paragraph 7 shall be replaced by the following:

7. Exemptions from the labelling requirements of this Article may be granted. Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 24(3).;

6. Article 24(3) shall be replaced by the following:

3. Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.