

Requirements, Procedure and Targets for Collection, Return to Producers and Recovery or Disposal of Waste Batteries and Accumulators and Time Limits for Reaching Targets¹

Government of the Republic Regulation No. 124 of 7 August 2008

This Regulation is established on the basis of subsections 26 (3) and (8) of the Waste Act.

§ 1. Scope of application

This Regulation applies to batteries and accumulators specified in clause 25 (3) 1) of the Waste Act, irrespective of the date of their placing on the market, and to waste generated from batteries and accumulators (hereinafter referred to as “waste batteries and accumulators”). This Regulation also applies to batteries and accumulators installed in electrical and electronic equipment and motor vehicles.

§ 2. Definitions used in this Regulation

In this Regulation, the following definitions are used:

- 1) “portable battery or accumulator” means any battery, button cell, battery pack or accumulator that is sealed and can be hand-carried and that is neither an industrial battery or accumulator nor an automotive battery or accumulator;
- 2) “automotive battery or accumulator” means any battery or accumulator used for automotive starter, lighting or ignition power;
- 3) “industrial battery or accumulator” means any battery or accumulator designed for exclusively industrial or professional uses or used in any type of electric vehicle;
- 4) “economic operator” means any producer, collector, recycler or other treatment operator.

§ 3. Information provided to end-users of batteries and accumulators for promotion of collection of waste batteries and accumulators

(1) A producer shall inform end-users at the sales points of a distributor that the end-users of portable batteries and accumulators or automotive batteries and accumulators have the possibility to return waste batteries or accumulators at the sales point of the distributor.

(2) The information shall be displayed in a visible place at the sales points on sheets at least in the format A4 (210×297 mm); in a sufficient font size and at least in Estonian, Russian and English. In a stand the information may be on a sheet in a smaller format, but it shall be at least in the format A5 (148×210 mm).

(3) The information need not be displayed if the container of waste batteries and accumulators is in a place visible to all the visitors of the sales point and bears the relevant marking.

(4) The producers shall, through national information campaigns, make available to the end-users of batteries and accumulators at least the following information:

- 1) the potential harmful effects on the environment and human health of the substances used in batteries and accumulators;

- 2) batteries and accumulators shall not be disposed of as unsorted municipal waste; an invitation shall be added for the end-users to collect batteries and accumulators separately so as to facilitate the treatment and recycling of waste batteries and accumulators;
- 3) the collection and recycling schemes available;
- 4) the role of the end-users of batteries and accumulators in contributing to the recycling of waste batteries and accumulators;
- 5) the meaning of the separate collection mark and the chemical symbol provided for by regulation established on the basis of subsection 25 (4) of the Waste Act.

(5) National information campaigns shall be organised at least once a year through media channels, national newspapers, magazines and other similar channels available to the public.

(6) Producers may organise common information campaigns.

(7) A producer of industrial batteries and accumulators may make the information specified in subsection (4) available to the end-users in a manner other than an information campaign.

§ 4. Requirement concerning collection and return to producers of waste batteries and accumulators

Upon collection of waste, a waste holder shall keep waste batteries and accumulators apart from other waste.

§ 5. Collection of waste batteries and accumulators

(1) A producer is required to take back waste portable batteries and accumulators or waste automotive batteries and accumulators from end-users through the sales points of a distributor at no charge, regardless of whether the end-user intends to buy a new battery or accumulator or not. A producer shall supply a distributor with the collection container required for collection.

(2) A producer is required to take back, at no charge, waste batteries and accumulators from the distributor of batteries and accumulators, the local government and the waste handler, who manages a waste station on the basis of a contract under public law.

(3) A producer of industrial batteries of accumulators shall not refuse to take back waste industrial batteries and accumulators from end-users, regardless of chemical composition and origin.

(4) A producer of electrical and electronic equipment is required to take back the batteries or accumulators in the electrical and electronic equipment together with the equipment at no charge.

(5) A producer of motor vehicles is required to take back the batteries or accumulators in the motor vehicles together with the vehicles, except from waste handlers from whom the costs of waste handling may be required.

(6) If waste portable batteries and accumulators or waste automotive batteries and accumulators are collected independently by an economic operator other than the producer for

the purpose of further treatment, the economic operator shall ensure that natural persons have the possibility to discard waste portable batteries and accumulators or waste automotive batteries and accumulators and legal persons have the possibility to discard at least waste portable batteries and accumulators at no charge in the collection network established by the operator.

(7) A producer is not required to take waste batteries and accumulators back from the economic operator specified in subsection (6) free of charge. A producer of electrical and electronic equipment and a producer of motor vehicles is not required to take back the batteries or accumulators in the electrical and electronic equipment or in the motor vehicles together with the equipment or the vehicles from the economic operator specified in subsection (6) free of charge.

§ 6. Collection rate of batteries and accumulators

(1) The collection rate of batteries and accumulators (hereinafter referred to as “collection rate”) is the percentage in the given calendar year obtained by dividing the weight of waste batteries and accumulators collected in that calendar year by the average weight of batteries and accumulators sold either directly to end-users or delivered to third parties in order to sell them to end-users during that calendar year and the preceding two calendar years in accordance with the Annex to the Regulation.

(2) An economic operator who collects waste batteries and accumulators from end-users is required to ensure the following collection rates of waste portable batteries and accumulators:

- 1) at least 25% by 26 September 2012;
- 2) at least 45% by 26 September 2016.

(3) The batteries and accumulators removed from waste electronic equipment shall also be taken into account upon the calculation of the collection rate specified in subsection (2).

(4) An economic operator who collects waste batteries and accumulators from end-users is required to ensure the following collection rates of waste automotive batteries and accumulators:

- 1) at least 75% by 26 September 2012;
- 2) at least 90% by 26 September 2016.

(5) The batteries and accumulators removed from end-of-life vehicles shall not be taken into account upon the calculation of the collection rate specified in subsection (4)

(6) Waste batteries and accumulators shall be collected even if the collection rates specified in subsections (2) or (4) have been achieved.

§ 7. Recovery and recycling of waste batteries and accumulators

(1) An economic operator who collects waste batteries and accumulators from end-users shall, upon recycling the waste batteries and accumulators collected in the given calendar year, achieve the following recycling targets by 26 September 2011 at the latest:

1) recycling of 65% by average weight of lead-acid batteries and accumulators, including recycling of the lead content to the highest degree that is technically feasible while avoiding excessive costs;

2) recycling of 75% by average weight of nickel-cadmium batteries and accumulators, including recycling of the cadmium content to the highest degree that is technically feasible while avoiding excessive costs;

3) recycling of 50% by average weight of other waste batteries and accumulators.

(2) The batteries and accumulators removed from waste electronic equipment shall also be taken into account upon the calculation of the recycling targets.

(3) The recycling of waste batteries and accumulators exported out of the European Economic Community and the Member States of the Organisation for Economic Co-operation and Development (OECD) shall be taken into account upon the calculation of the targets specified in subsection (1) only if the economic operator certifies that the waste batteries and accumulators have been treated at least in compliance with the requirements provided for by the regulation established on the basis of clause 29 (4) 8) of the Waste Act.

§ 8. Disposal of waste batteries and accumulators

Waste batteries and accumulators shall be disposed of pursuant to the Waste Act.

§ 9. Implementation of Regulation

Subsection 6 (1) shall be implemented for the first time with respect to the year 2011.

§ 10. Entry into force of Regulation

(1) This Regulation enters into force on 26 September 2008.

(2) Subsection 3 (4) of this Regulation enters into force 1 January 2009.

¹ 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 (OJ L 266, 26.09.2006, p 1–14).

Annex to Government of the
 Republic Regulation No. 124 of 7
 August 2008 “Requirements,
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Monitoring compliance with collection rates

Year	Data collection		Calculation
2009	Sales in year 1 (S1)	—	—
2010	Sales in year 2 (S2)	—	—
2011	Sales in year 3 (S3)	Collection in year 3 (C3)	Collection rate (CR3) = $3 \times C3 / (S1+S2+S3)$
2012	Sales in year 4 (S4)	Collection in year 4 (C4)	Collection rate (CR4) = $3 \times C4 / (S2+S3+S4)$
2013	Sales in year 5 (S5)	Collection in year 5 (C5)	Collection rate (CR5) = $3 \times C5 / (S3+S4+S5)$
2014	Sales in year 6 (S6)	Collection in year 6 (C6)	Collection rate (CR6) = $3 \times C6 / (S4+S5+S6)$
2015	Sales in year 7 (S7)	Collection in year 7 (C7)	Collection rate (CR7) = $3 \times C7 / (S5+S6+S7)$
2016	Sales in year 8 (S8)	Collection in year 8 (C8)	Collection rate (CR8) = $3 \times C8 / (S6+S7+S8)$
2017	Sales in year 9 (S9)	Collection in year 9 (C9)	Collection rate (CR9) = $3 \times C9 / (S7+S8+S9)$
2018	Sales in year 10 (S10)	Collection in year 10 (C10)	Collection rate (CR10) = $3 \times C10 / (S8+S9+S10)$
2019	Sales in year 11 (S11)	Collection in year 11 (C11)	Collection rate (CR11) = $3 \times C11 / (S9+S10+S11)$
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