



2020/0353(COD)

23.9.2021

AMENDMENTS

109 - 358

Draft opinion

Antonius Manders
(PE695.236v01-00)

Regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020

Proposal for a regulation
(COM(2020)0798 – C9-0400/2020 – 2020/0353(COD))

Amendment 109

Virginie Joron, Jean-Lin Lacapelle, Alessandra Basso

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The European Green Deal²⁴ is Europe's growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. A shift from the use of fossil fuels in vehicles to electromobility is one of the prerequisites for reaching the climate neutrality goal in 2050. In order for the Union's product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced and manufactured in a sustainable manner.

²⁴ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

Amendment

(1) The European Green Deal²⁴ is Europe's growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. A shift from the use of fossil fuels in vehicles to electromobility is one of the prerequisites for reaching the climate neutrality goal in 2050. In order for the Union's product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced and manufactured in a sustainable manner ***and if possible in the Union.***

²⁴ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

Or. fr

Amendment 110

Eugen Jurzyca

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The European Green Deal²⁴ is Europe's growth strategy that aims to

Amendment

(1) The European Green Deal²⁴ is Europe's growth strategy that aims to

transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. A shift from the use of fossil fuels in vehicles to electromobility *is* one of the prerequisites for reaching the climate neutrality goal in 2050. In order for the Union's product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced and manufactured in a sustainable manner.

²⁴ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. A shift from the use of fossil fuels in vehicles to electromobility *might be* one of the prerequisites for reaching the climate neutrality goal in 2050. In order for the Union's product policies to contribute to lowering carbon emissions on a global level, it needs to be ensured that products marketed and sold in the Union are sourced and manufactured in a sustainable manner.

²⁴ Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions, The European Green Deal (COM (2019) 640 final).

Or. en

Amendment 111

Anna Cavazzini

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Batteries are thus an important source of energy and one of the key enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, *and* to provide

Amendment

(2) Batteries are thus an important source of energy and one of the key enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, to provide legal

legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. It is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

certainty, **and incentives to produce low carbon batteries** to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information **to consumers and economic operators** about batteries. It is necessary to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

Or. en

Amendment 112 Eugen Jurzyca

Proposal for a regulation Recital 2

Text proposed by the Commission

(2) Batteries are thus an important **source** of energy and one of the key enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. It is necessary to create a harmonised regulatory framework for

Amendment

(2) Batteries are thus an important **carrier** of energy and one of the key enablers for sustainable development, green mobility, clean energy and climate neutrality. It is expected that the demand for batteries will grow rapidly in the coming years, notably for electric road transport vehicles using batteries for traction, making this market an increasingly strategic one at the global level. Significant scientific and technical progress in the field of battery technology will continue. In view of the strategic importance of batteries, and to provide legal certainty to all operators involved and to avoid discrimination, barriers to trade and distortions on the market for batteries **while taking into consideration new regulatory burden**, it is necessary to set out rules on sustainability parameters, performance, safety, collection, recycling and second life of batteries as well as on information about batteries. It is necessary

dealing with the entire life cycle of batteries that are placed on the market in the Union.

to create a harmonised regulatory framework for dealing with the entire life cycle of batteries that are placed on the market in the Union.

Or. en

Amendment 113 **Eugen Jurzyca**

Proposal for a regulation **Recital 8**

Text proposed by the Commission

(8) The new Circular Economy Action Plan adopted on 11 March 2020²⁸ states that the proposal for a new regulatory framework for batteries will consider rules on recycled content and measures to improve the collection and recycling rates of all batteries, in order to ensure the recovery of valuable materials and to provide guidance to consumers and will address the possible phasing out of non-rechargeable batteries where alternatives exist. Furthermore, it is stated that sustainability and transparency requirements will be considered, taking into account the carbon footprint of battery manufacturing, the ethical sourcing of raw materials and the security of supply in order to facilitate reuse, *repurposing* and recycling of batteries.

Amendment

(8) The new Circular Economy Action Plan adopted on 11 March 2020 states that the proposal for a new regulatory framework for batteries will consider rules on recycled content and measures to improve the collection and recycling rates of all batteries, in order to ensure the recovery of valuable materials and to provide guidance to consumers and will address the possible phasing out of non-rechargeable batteries where alternatives exist *in view of minimising their environmental impact*. Furthermore, it is stated that sustainability and transparency requirements will be considered, taking into account the carbon footprint of battery manufacturing, the ethical sourcing of raw materials and the security of supply in order to facilitate reuse, *preparing for reuse* and recycling of batteries.

²⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 March 2020, A new Circular Economy Action Plan – For a cleaner and more competitive Europe (COM(2020)98 final).

Or. en

Amendment 114

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The new Circular Economy Action Plan adopted on 11 March 2020²⁸ states that the proposal for a new regulatory framework for batteries will consider rules on recycled content and measures to improve the collection and recycling rates of all batteries, in order to ensure the recovery of valuable materials and to provide guidance to consumers and will address the possible phasing out of non-rechargeable batteries *where alternatives exist*. Furthermore, it is stated that sustainability and transparency requirements will be considered, taking into account the carbon footprint of battery manufacturing, the ethical sourcing of raw materials and the security of supply in order to facilitate reuse, repurposing and recycling of batteries.

²⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 March 2020, A new Circular Economy Action Plan – For a cleaner and more competitive Europe (COM(2020)98 final).

Amendment

(8) The new Circular Economy Action Plan adopted on 11 March 2020²⁸ states that the proposal for a new regulatory framework for batteries will consider rules on recycled content and measures to improve the collection and recycling rates of all batteries, in order to ensure the recovery of valuable materials and to provide guidance to consumers and will address the possible phasing out of non-rechargeable batteries. Furthermore, it is stated that sustainability and transparency requirements will be considered, taking into account the carbon footprint of battery manufacturing, the ethical sourcing of raw materials and the security of supply in order to facilitate reuse, repurposing and recycling of batteries.

²⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 March 2020, A new Circular Economy Action Plan – For a cleaner and more competitive Europe (COM(2020)98 final).

Or. en

Amendment 115

Eugen Jurzyca

Proposal for a regulation

Recital 9

Text proposed by the Commission

Amendment

(9) Addressing the entire life cycle of **all** batteries placed on the Union market requires the setting up of harmonised product and marketing requirements, including conformity assessment procedures, as well as requirements to fully address the end-of-life stage of batteries. Requirements concerning the end-of-life stage are necessary to address the environmental implications of the batteries and, in particular, to support the creation of recycling markets for batteries and markets for secondary raw materials from batteries in order to close the materials loops. In order to reach the envisaged objectives to address the whole life cycle of a battery in one legal instrument while avoiding barriers to trade and a distortion of competition and safeguarding the integrity of the internal market, the rules setting out the requirements for batteries should be of uniform application for all operators across the Union, and not give room for divergent implementation by Member States. Directive 2006/66/EC should therefore be replaced by a Regulation.

(9) Addressing the entire life cycle of batteries placed on the Union market requires the setting up of harmonised product and marketing requirements, including conformity assessment procedures, as well as requirements to fully address the end-of-life stage of batteries. Requirements concerning the end-of-life stage are necessary to address the environmental implications of the batteries and, in particular, to support the creation of recycling markets for batteries and markets for secondary raw materials from batteries in order to close the materials loops. In order to reach the envisaged objectives to address the whole life cycle of a battery in one legal instrument while avoiding barriers to trade and a distortion of competition and safeguarding the integrity of the internal market, the rules setting out the requirements for batteries should be of uniform application for all operators across the Union, and not give room for divergent implementation by Member States. Directive 2006/66/EC should therefore be replaced by a Regulation.

Or. en

Amendment 116

Eugen Jurzyca

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) This Regulation should apply to **all types of** batteries and **accumulators** placed on the market or put into service within the Union, whether on their own or incorporated into appliances or otherwise supplied with electrical and electronic appliances and vehicles. This Regulation should apply regardless of whether **a battery is** specifically designed for a product or **is** of general use and regardless of whether **it is** incorporated into a product

Amendment

(10) This Regulation should apply to **portable batteries, light means of transport batteries, automotive batteries, electric vehicle batteries and industrial batteries including stationary storage batteries** placed on the market or put into service within the Union, whether on their own or incorporated into appliances or otherwise supplied with electrical and electronic appliances and vehicles. This Regulation should apply regardless of

or is supplied together with or separately from a product in which *it is* to be used.

whether *these batteries are* specifically designed for a product or *are* of general use and regardless of whether *they are* incorporated into a product or is supplied together with or separately from a product in which *they were* to be used.

Or. en

Amendment 117

Eugen Jurzyca

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Batteries should be designed and manufactured so as to optimise their performance, durability and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for *rechargeable industrial* batteries and electric vehicle batteries with internal storage with a *capacity* above 2 kWh as such batteries represent the market segment which is expected to increase most in the coming years.

Amendment

(13) Batteries should be designed and manufactured so as to optimise their performance, durability and safety and to minimise their environmental footprint. It is appropriate to lay down specific sustainability requirements for *stationary storage* batteries and electric vehicle batteries with internal storage with a *nominal energy* above 2 kWh as such batteries represent the market segment which is expected to increase most in the coming years.

Or. en

Amendment 118

Eugen Jurzyca

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials *by the Commission*. This is an

Amendment

(19) Certain substances contained in batteries, such as cobalt, lead, lithium or nickel, are acquired from scarce resources which are not easily available in the Union, and some are considered critical raw materials. This is an area where Europe

area where Europe needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal.

needs to enhance its strategic autonomy and increase its resilience in preparation for potential disruptions in supply due to health or other crises. Enhancing circularity and resource efficiency with increased recycling and recovery of those raw materials, will contribute to reaching that goal.

Or. en

Amendment 119

Virginie Joron, Jean-Lin Lacapelle, Alessandra Basso

Proposal for a regulation

Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) Substituting scarce raw materials with cheaper and more widely available materials is crucial to reducing the Union's dependence on third countries in the long term, to decreasing the impact of battery production on the environment, to creating more jobs in the Union and to reducing costs. It is therefore vital that the Union and the Member States step up support for European companies' research and development initiatives concerning the substitution of such materials.

Or. fr

Amendment 120

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation

Recital 23

Text proposed by the Commission

Amendment

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set

out performance and durability parameters for portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle batteries. ***For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements.*** The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

out performance and durability parameters for portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle batteries. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

Or. fr

Amendment 121

Dita Charanzová, Claudia Gamon, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test

Amendment

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use as well as for rechargeable industrial batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test

battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications. ***In general, the Commission should assess the complementarity of Union's and international rules in order to ensure a stable and positive regulatory environment helping innovation and competitiveness. The Commission should consider revising potentially burdensome requirements and aligning these with international norms.***

Or. en

Amendment 122
Eugen Jurzyca

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use as well as for ***rechargeable industrial*** batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction

Amendment

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries of general use as well as for ***stationary storage*** batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of ***stationary*** batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The

of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

Or. en

Amendment 123
Anna Cavazzini

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries *of general use* as well as for rechargeable industrial batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

Amendment

(23) Batteries placed on the Union market should be durable and highly performant. It is therefore necessary to set out performance and durability parameters for portable batteries, as well as for rechargeable industrial batteries and electric vehicle batteries. For electric vehicle batteries, the informal UNECE Working Group on Electric Vehicles and the Environment is developing in-vehicle durability requirements, so this Regulation is refraining from setting additional durability requirements. On the other hand, in the area of batteries for energy storage, existing measurement methods to test battery performance and durability are not considered sufficiently precise and representative to enable introducing minimum requirements. The introduction of minimum requirements related to performance and durability of these batteries should be accompanied by available adequate harmonised standards or common specifications.

Or. en

Amendment 124
Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Evelyne Gebhardt, Marc Angel, Christel

Schaldemose

Proposal for a regulation Recital 23 a (new)

Text proposed by the Commission

Amendment

(23 a) Interoperability within the different product categories of light means of transport and chargers simplifies the use of light means of transport for consumers and reduces unnecessary electronic waste and costs; therefore rechargeable batteries intended for use in light means of transport should be compatible with a common charger for particular categories or classes of light means of transport; this Regulation should therefore include specific requirements in this area.

Or. en

Amendment 125 Eugen Jurzyca

Proposal for a regulation Recital 24

Text proposed by the Commission

Amendment

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for portable batteries of general use and for ***rechargeable industrial*** batteries.

(24) In order to reduce the life cycle environmental impact batteries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the performance and durability parameters and establishing minimum values for those parameters for portable batteries of general use and for ***stationary storage*** batteries.

Or. en

Amendment 126

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. ***Objective requirements regarding the performance and durability of such batteries should be established in order to ensure that fewer low performing non-rechargeable portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.***

Amendment

(25) Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy. ***Other non-rechargeable batteries are the most practical option for certain devices (such as smoke detectors). Whether rechargeable or not, batteries of general use should meet the minimum performance standards.***

Objective requirements regarding the performance and durability of batteries of general use should be established in order to ensure that fewer low performing non-rechargeable portable batteries of general use are placed or kept on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

Or. fr

Justification

It is unacceptable for consumers to be sold batteries of general use that are inefficient as soon as their first day of use (such as those from IKEA, for example).

Amendment 127

Eugen Jurzyca

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) ***Some non-rechargeable batteries of general use may imply an inefficient use of resources and energy.*** Objective

Amendment

(25) Objective requirements regarding the performance and durability of ***portable batteries of general use*** should be

requirements regarding the performance and durability of *such* batteries should be established in order to ensure that fewer low performing *non-rechargeable* portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

established in order to ensure that fewer low performing portable batteries of general use are placed on the market, in particular, where, based on a life cycle assessment, the alternative use of rechargeable batteries would result in overall environmental benefits.

Or. en

Amendment 128
Anna Cavazzini

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) In order to ensure that portable batteries incorporated into appliances are subject to proper separate collection, treatment and high quality recycling once they have become waste, provisions to ensure their removability and replaceability in such *appliances* are necessary. Used batteries should also be replaceable so as to prolong the expected lifetime of the *appliances* they are part of. The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of the European Parliament and of the Council³³. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

Amendment

(26) In order to ensure that portable batteries incorporated into appliances *and light means of transport* are subject to proper separate collection, treatment and high quality recycling once they have become waste, provisions to ensure their removability and replaceability in such *equipment* are necessary. Used batteries should also be replaceable so as to prolong the expected lifetime of the *equipment* they are part of. *For portable batteries, including battery powering light means of transport, end users should be able to replace the battery themselves. Bigger batteries should only be replaceable by professionals, for safety reasons. The right to repair an equipment by replacing the battery must be effective: end users must be able to purchase a spare battery, and the compatible spare battery must be recognised by the equipment. Software, permanent glue or other technical means to impede the right to repair shall not be used.* The general provisions of this Regulation may be complemented with requirements set up for particular products powered by batteries under implementing measures under Directive 2009/125/EC of

the European Parliament and of the Council³³. Where other Union legislation lays down more specific requirements, for safety reasons, regarding the removal of batteries from products (e.g. toys), those specific rules should apply.

³³ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

³³ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (OJ L 285, 31.10.2009, p. 10).

Or. en

Amendment 129

Róża Thun und Hohenstein, Antonius Manders, Romana Tomc, Tom Vandenkendelaere, Maria da Graça Carvalho, Andrey Kovatchev, Marion Walsmann, Geoffroy Didier

Proposal for a regulation

Recital 26 a (new)

Text proposed by the Commission

Amendment

(26 a) Interoperability of chargers within specific categories of products could reduce unnecessary waste and costs for the benefit of consumers and other end-users. It should be possible therefore to recharge batteries for products such as electric vehicles, light means of transport, IT, telecommunications and consumer equipment, such as mobile phones and tablets, printers and laptops, as well as electric or electronic tools such as gardening tools or power drills, by making use of common chargers that allow interoperability within each category of products. A common charger specifically for small and medium sized electronic devices, like mobile phones and tablets, should be introduced at an earlier stage as per revision of the Directive 2014/53/EU on the harmonization of the laws of the Member States relating to the making

available on the market of radio equipment.

Or. en

Justification

Interoperability of chargers is key to reduce waste and costs. The introduction of common chargers is therefore needed. A common charger for small and medium sized electronic equipment should be introduced at an earlier stage as per revision of the Directive 2014/53/EU on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment.

Amendment 130

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation

Recital 26 a (new)

Text proposed by the Commission

Amendment

(26a) Interoperability of chargers within specific categories of products could reduce unnecessary waste and costs for the benefit of consumers and other end-users. It should therefore be possible to recharge batteries for products such as electric vehicles and light means of transport, as well as batteries for IT and telecommunications equipment, such as mobile phones, and electric or electronic tools, such as gardening tools, by making use of common chargers that allow interoperability within each category of products. This Regulation should therefore include provisions concerning that area.

Or. fr

Amendment 131

Anna Cavazzini

Proposal for a regulation

Recital 26 a (new)

Text proposed by the Commission

Amendment

(26 a) The right to repair is essential to prolong the life of batteries. Batteries can be repaired by professional repairers. Repaired batteries need standardised non-destructive performance and safety testing, separate from the tests required for new batteries. Professional repairers must be able to open battery packs, exchange defective modules, connectors or fuses. To ensure the safety of repaired batteries, professional repairers need access to data from the battery management system. Professional repairers should be defined as distributors, with the associated obligations.

Or. en

Amendment 132
Anna Cavazzini

Proposal for a regulation
Recital 26 b (new)

Text proposed by the Commission

Amendment

(26 b) In order to further reduce waste, the interoperability of batteries, of connectors and of chargers across product types should be promoted in product specific ecodesign implementing legislation, and in the upcoming sustainable product policy.

Or. en

Amendment 133
Eugen Jurzyca

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with **all** the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances. To ensure the availability of information over time, that information should also be made available by means of QR codes.

Amendment

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with **exclusively** the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances **as some batteries and its packaging contain limited space to provide all information. Increasing the battery packaging size to include extensive number of information could lead to higher packaging waste.** To ensure the availability of information over time, that information should also be made available by means of QR codes.

Or. en

Amendment 134
Anna Cavazzini

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances. To ensure the availability of information over time,

Amendment

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances. To ensure the availability of information over time,

that information should also be made available by means of QR codes.

that information should also be made available by means of QR codes. ***The QR code printed or engraved on all batteries should give access the battery's unique product passport.***

Or. en

Amendment 135
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances. To ensure the availability of information over time, that information should also be made available by means of QR codes.

Amendment

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information concerning their main characteristics, including their capacity and content of certain hazardous ***substances and the main recyclable*** substances. To ensure the availability of information over time, that information should also be made available by means of QR codes.

Or. fr

Amendment 136
Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation
Recital 28

Text proposed by the Commission

Amendment

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information concerning their main characteristics, including their capacity and content of certain hazardous substances. To ensure the availability of information over time, that information should also be made available by means of QR codes.

(28) In order to provide end users with transparent, reliable and clear information about batteries and their main characteristics, and waste batteries, to enable the end users to make informed decisions when buying and discarding batteries and to enable waste operators to appropriately treat waste batteries, batteries should be labelled. Batteries should be labelled with all the necessary information concerning their main characteristics, including their capacity, **performance** and content of certain hazardous substances. To ensure the availability of information over time, that information should also be made available by means of QR codes.

Or. en

Amendment 137
Eugen Jurzyca

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, **portable batteries of general use and** automotive batteries should be marked with a label containing the information on their **minimum average duration** when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Amendment

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, automotive batteries should be marked with a label containing the information on their **capacity** when used in specific applications. **The information on the minimum average duration of non-rechargeable portable batteries of general use shall be in line with the relevant IEC standard and be made available via a QR label.** Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Or. en

Amendment 138
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use and automotive batteries should be marked with a label containing the information on their minimum **average** duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Amendment

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use and automotive batteries should be marked with a label containing the information on their **guaranteed minimum performance, guaranteed minimum duration, average lifespan and the standard deviation** when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Or. fr

Amendment 139
Anna Cavazzini

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries **of general use and** automotive batteries should be marked with a label containing the information on their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Amendment

(29) Information about the performance of batteries is essential to ensure that end-users as consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries, **including batteries powering light means of transport, automotive batteries and rechargeable industrial** batteries should be marked with a label containing the information on their minimum average duration when used in specific

applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Or. en

Amendment 140

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) Information about the performance of batteries is essential to ensure that end-users *as* consumers are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use and automotive batteries should be marked with a label containing the information on their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Amendment

(29) Information about the performance of batteries is essential to ensure that end-users, *especially* consumers, are well and timely informed and in particular that they have a common basis to compare different batteries before making their purchase. Therefore, portable batteries of general use and automotive batteries should be marked with a label containing the information on their minimum average duration when used in specific applications. Additionally, it is important to guide the end-user to discard waste batteries in an appropriate way.

Or. en

Amendment 141

Virginie Joron, Jean-Lin Lacapelle, Alessandra Basso

Proposal for a regulation

Recital 29 a (new)

Text proposed by the Commission

Amendment

(29a) The sell-by date, after which batteries of general use should no longer be sold, shall be clearly indicated.

Or. fr

Amendment 142
Anna Cavazzini

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Rechargeable industrial batteries and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system *that* stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 2019/944 of the European Parliament and of the Council³⁴, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

³⁴ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Amendment

(30) **Batteries powering light means of transport**, rechargeable industrial batteries and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system. **It shall** stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 2019/944 of the European Parliament and of the Council³⁴, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

³⁴ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Or. en

Amendment 143

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) Rechargeable industrial batteries and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council³⁴, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

³⁴ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Amendment

(30) Rechargeable industrial batteries, **batteries powering light means of transport** and electric-vehicle batteries with internal storage with a capacity above 2 kWh should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to repurpose or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, repurposing or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council³⁴, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

³⁴ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Amendment 144**Eugen Jurzyca****Proposal for a regulation****Recital 30***Text proposed by the Commission*

(30) **Rechargeable industrial** batteries and electric-vehicle batteries with internal storage with a **capacity** above 2 kWh should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to **repurpose** or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, **repurposing** or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council³⁴, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

³⁴ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Amendment

(30) **Stationary storage** batteries and electric-vehicle batteries with internal storage with a **nominal energy** above 2 kWh should contain a battery management system that stores data so that the state of health and expected lifetime of batteries may be determined at any time by the end-user or any other third party acting on his behalf. In order to **prepare for reuse** or remanufacture a battery, access to the battery management system should be provided to the person that has purchased the battery or any third party acting on its behalf at any time for evaluating the residual value of the battery, facilitating the reuse, **preparing for reuse** or remanufacturing of the battery and for making the battery available to independent aggregators, as defined in Directive (EU) 201/944 of the European Parliament and of the Council³⁴, which operate virtual power plants in electricity grids. This requirement should apply in addition to Union law on type of approval of vehicles, including technical specifications that may originate from the work of the informal UNECE Working Group on Electric Vehicles and the Environment on data access in electric vehicles.

³⁴ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125)

Amendment 145

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard

Proposal for a regulation**Recital 31***Text proposed by the Commission*

(31) A number of product-specific requirements under this Regulation, including on performance, durability, repurposing and safety, should be measured by using reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should, to the extent possible, take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained. In the absence of published standards at the time of the application of product-specific requirements, the Commission should adopt common specifications through implementing acts and the compliance with such specifications should also give rise to the presumption of conformity. In cases where the common specifications are, at a

Amendment

(31) A number of product-specific requirements under this Regulation, including on performance, durability, repurposing and safety, should be measured by using reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should, to the extent possible, take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained. ***In order to avoid doubling of standards, to maximise efficiency and to include the highest expertise and state-of art knowledge, the Commission should seek to request one or more European standardisation organisations to draft a standard in case of absence of such a standard.*** In the absence of published

later stage, found to have shortcomings, the Commission should by implementing act amend or repeal the common specifications in question.

standards at the time of the application of product-specific requirements **and in case of a non satisfactory response by the European standardisation body**, the Commission should **in exceptional, justified cases**, adopt common specifications through implementing acts and the compliance with such specifications should also give rise to the presumption of conformity. In cases where the common specifications are, at a later stage, found to have shortcomings, the Commission should by implementing act amend or repeal the common specifications in question. **If there is a justified need to adopt standards through implementing act, the Commission should also consult and actively involve relevant stakeholders.**

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12)

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12)

Or. en

Amendment 146

Eugen Jurzyca

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) A number of product-specific requirements under this Regulation, including on performance, durability,

Amendment

(31) A number of product-specific requirements under this Regulation, including on performance, durability,

repurposing and safety, should be measured by using reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should, to the extent possible, take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained. In the absence of published standards at the time of the application of product-specific requirements, the Commission should adopt common specifications through implementing acts and the compliance with such specifications should also give rise to the presumption of conformity. In cases where the common specifications are, at a later stage, found to have shortcomings, the Commission should by implementing act amend or repeal the common specifications in question.

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC,

preparing for reuse and safety, should be measured by using reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should, to the extent possible, take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained. In the absence of published standards at the time of the application of product-specific requirements, the Commission should adopt common specifications through implementing acts and the compliance with such specifications should also give rise to the presumption of conformity. ***This should not be, in any case, be considered as an alternative or parallel system to the standardisation system, but the last resort in the case of missing common specification.*** In cases where the common specifications are, at a later stage, found to have shortcomings, the Commission should by implementing act amend or repeal the common specifications in question.

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC,

97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12)

97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12)

Or. en

Amendment 147
Anna Cavazzini

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) A number of product-specific requirements under this Regulation, including on performance, durability, repurposing and safety, should be measured by using reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should, to the extent possible, take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained.

Amendment

(31) A number of product-specific requirements under this Regulation, including on performance, durability, repurposing and safety, should be measured by using reliable, accurate and reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should, to the extent possible, take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. ***Repaired and repurposed batteries require a separate set of standardised non-destructive safety tests.*** Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that

In the absence of published standards at the time of the application of product-specific requirements, the Commission should adopt common specifications through **implementing** acts and the compliance with such specifications should also give rise to the presumption of conformity. In cases where the common specifications are, at a later stage, found to have shortcomings, the Commission should by **implementing** act amend or repeal the common specifications in question.

the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained. In the absence of published standards at the time of the application of product-specific requirements, the Commission should adopt common specifications through **delegated** acts and the compliance with such specifications should also give rise to the presumption of conformity. In cases where the common specifications are, at a later stage, found to have shortcomings, the Commission should by **delegated** act amend or repeal the common specifications in question.

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12)

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12)

Or. en

Amendment 148

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) A number of product-specific requirements under this Regulation, including on performance, durability, repurposing and safety, should be measured by using reliable, accurate and

Amendment

(31) A number of product-specific requirements under this Regulation, including on performance, durability, repurposing and safety, should be measured by using reliable, accurate and

reproducible methods that take into account the generally recognised state-of-the-art measurements and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should, *to the extent possible*, take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained. In the absence of published standards at the time of the application of product-specific requirements, the Commission should adopt common specifications through *implementing* acts and the compliance with such specifications should also give rise to the presumption of conformity. In cases where the common specifications are, at a later stage, found to have shortcomings, the Commission should by *implementing* act amend or repeal the common specifications in question.

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament

reproducible methods that take into account the generally recognised state-of-the-art measurements, *standards* and calculation methodologies. In order to ensure that there are no barriers to trade on the internal market, standards should be harmonised at Union level. Such methods and standards should take into account the real-life usage of batteries, reflect the average range of consumer behaviour and be robust in order to deter intentional and unintentional circumvention. Once a reference to such a standard has been adopted in accordance with Regulation (EU) No 1025/2012 of the European Parliament and of the Council³⁵ and published in the Official Journal of the European Union, presumption of conformity shall be established with those product-specific requirements adopted on the basis of this Regulation, provided that the outcome of such methods demonstrate that the minimum values established for those substantive requirements are attained. In the absence of published standards at the time of the application of product-specific requirements, the Commission should adopt common specifications through *delegated* acts and the compliance with such specifications should also give rise to the presumption of conformity. In cases where the common specifications are, at a later stage, found to have shortcomings, the Commission should by *delegated* act amend or repeal the common specifications in question.

³⁵ Regulation (EU) No 1025/2012 of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament

and of the Council (OJ L 316, 14.11.2012,
p. 12)

and of the Council (OJ L 316, 14.11.2012,
p. 12)

Or. en

Amendment 149

**Claudia Gamon, Karen Melchior, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn,
Morten Løkkegaard**

Proposal for a regulation

Recital 31 a (new)

Text proposed by the Commission

Amendment

(31 a) An active involvement in the work of international standardisation committees is an important strategic prerequisite to place future technologies into the market. In some cases, participation of Europe has been underrepresented in these committees. Therefore, the Commission and Member States should actively support the work of European enterprises in such international standardisation committees. Before considering the adoption of standards by secondary legislation, the Commission shall carefully assess the work done on international level.

Or. en

Amendment 150

**Claudia Gamon, Karen Melchior, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn,
Morten Løkkegaard**

Proposal for a regulation

Recital 31 b (new)

Text proposed by the Commission

Amendment

(31 b) The Commission should ensure consistency regarding harmonised standards and common specifications under this regulation and when reviewing Regulation (EU) No 1025 (2012).

Amendment 151

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Marc Angel, Christel Schaldemose

Proposal for a regulation**Recital 32***Text proposed by the Commission*

(32) To ensure effective access to information for market surveillance purposes, to adapt to new technologies and to ensure resilience in case of global crises, such as the Covid-19 pandemic, ***it should be possible to give*** information regarding conformity with all Union acts applicable to batteries online in the form of a single EU declaration of conformity.

Amendment

(32) To ensure effective access to information for market surveillance purposes, to adapt to new technologies and to ensure resilience in case of global crises, such as the Covid-19 pandemic, information regarding conformity with all Union acts applicable to batteries ***should be handed in*** online in the form of a single EU declaration of conformity.

Or. en

Amendment 152

Anna Cavazzini

Proposal for a regulation**Recital 35***Text proposed by the Commission*

(35) The chosen modules do not however reflect certain specific aspects of batteries and thus, it is necessary to adapt the modules chosen for the conformity assessment procedure. In order to take account of the novelty and complexity of the sustainability, safety and labelling requirements set out in this Regulation and for the purpose of ensuring the conformity of batteries placed on the market with the legal requirements, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the

Amendment

(35) The chosen modules do not however reflect certain specific aspects of batteries and thus, it is necessary to adapt the modules chosen for the conformity assessment procedure. In order to take account of the novelty and complexity of the sustainability, safety and labelling requirements set out in this Regulation and for the purpose of ensuring the conformity of batteries placed on the market with the legal requirements, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the

conformity assessment procedures by adding verifications steps or changing assessment module, on the basis of developments on the battery market or in the battery value chain.

conformity assessment procedures by adding verifications steps or changing assessment module, on the basis of developments on the battery market or in the battery value chain. ***Robust conformity assessment procedures are needed to ensure conformity with environmental obligations, and supply chain due diligence obligations contained in this regulation.***

Or. en

Amendment 153

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 35

Text proposed by the Commission

(35) The chosen modules do not however reflect certain specific aspects of batteries and thus, it is necessary to adapt the modules chosen for the conformity assessment procedure. In order to take account of the novelty and complexity of the sustainability, safety **and** labelling requirements set out in this Regulation and for the purpose of ensuring the conformity of batteries placed on the market with the legal requirements, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the conformity assessment procedures by adding verifications steps or changing assessment module, on the basis of developments on the battery market or in the battery value chain.

Amendment

(35) The chosen modules do not however reflect certain specific aspects of batteries and thus, it is necessary to adapt the modules chosen for the conformity assessment procedure. In order to take account of the novelty and complexity of the sustainability, safety, labelling **and information** requirements set out in this Regulation and for the purpose of ensuring the conformity of batteries placed on the market with the legal requirements, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the conformity assessment procedures by adding verifications steps or changing assessment module, on the basis of developments on the battery market or in the battery value chain.

Or. en

Amendment 154

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 38

Text proposed by the Commission

(38) Due to the novelty and complexity of the sustainability, safety *and* labelling requirements for batteries and in order to ensure a consistent level of quality in the performance of conformity assessment of batteries, it is necessary to set requirements for notifying authorities involved in the assessment, notification and monitoring of notified bodies. In particular, it should be ensured that the notifying authority is objective and impartial with regard to its activity. Furthermore, notifying authorities should be required to safeguard the confidentiality of the information it obtains but should nonetheless be able to exchange information on notified bodies with national authorities, the notifying authorities of other Member States and the Commission to ensure consistency in the conformity assessment.

Amendment

(38) Due to the novelty and complexity of the sustainability, safety, labelling *and information* requirements for batteries and in order to ensure a consistent level of quality in the performance of conformity assessment of batteries, it is necessary to set requirements for notifying authorities involved in the assessment, notification and monitoring of notified bodies. In particular, it should be ensured that the notifying authority is objective and impartial with regard to its activity. Furthermore, notifying authorities should be required to safeguard the confidentiality of the information it obtains but should nonetheless be able to exchange information on notified bodies with national authorities, the notifying authorities of other Member States and the Commission to ensure consistency in the conformity assessment.

Or. en

Amendment 155

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 39

Text proposed by the Commission

(39) It is essential that all notified bodies perform their functions to the same level and under conditions of fair competition and autonomy. Therefore, requirements for

Amendment

(39) It is essential that all notified bodies perform their functions to the same level and under conditions of fair competition and autonomy. Therefore, requirements for

conformity assessment bodies wishing to be notified in order to provide conformity assessment activities should be set. Those requirements should continue to apply as a prerequisite for the maintenance of the competence of the notified body. To ensure its autonomy, the notified body and the staff it employs should be required to maintain independence from economic operators in the battery value chain and from other companies, including business associations and parent companies and subsidiaries. The notified body should be required to document its independence and provide that documentation to the notifying authority.

conformity assessment bodies wishing to be notified in order to provide conformity assessment activities should be set. Those requirements should continue to apply as a prerequisite for the maintenance of the competence of the notified body. To ensure its autonomy, the notified body and the staff it employs should be required to maintain independence from economic operators in the battery value chain and from other companies, including business associations and parent companies and subsidiaries. The notified body should be required to document its independence, ***including by guaranteeing rotating teams and appropriate “cooling off” periods*** and provide that documentation to the notifying authority.

Or. en

Amendment 156
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Recital 42

Text proposed by the Commission

(42) Since the services offered by notified bodies in a Member State might relate to batteries made available on the market throughout the Union, it is appropriate to give the other Member States and the Commission the opportunity to raise objections concerning a notified body. In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in order to request the notifying authority to take corrective action in case a notified body does not meet or no longer meets the requirements of this Regulation.

Amendment

(42) Since the services offered by notified bodies in a Member State might relate to batteries made available on the market throughout the Union, it is appropriate to give the other Member States and the Commission the opportunity to ***audit and*** raise objections concerning a notified body. In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in order to request the notifying authority to take corrective action in case a notified body does not meet or no longer meets the requirements of this Regulation.

Or. fr

Amendment 157

Anna Cavazzini

Proposal for a regulation

Recital 43

Text proposed by the Commission

(43) In the interests of facilitating and accelerating the conformity assessment procedure, the certification and ultimately the market access and in view of the novelty and complexity of the sustainability, safety and labelling requirements for batteries, it is crucial that notified bodies have continuous access to all testing equipment and testing facilities needed and that they apply the procedures without creating unnecessary burdens for economic operators. For the same reason, and to ensure equal treatment of economic operators, it is necessary that the notified bodies apply the conformity assessment procedures consistently.

Amendment

(43) In the interests of facilitating and accelerating the conformity assessment procedure, the certification and ultimately the market access and in view of the novelty and complexity of the sustainability, safety and labelling requirements for batteries, it is crucial that notified bodies have continuous access to all testing equipment and testing facilities needed and that they apply the procedures without creating unnecessary burdens for economic operators. ***To ensure the proper application of this regulation, the Commission should designate a Union Testing Facility in accordance with Regulation (EU) 2019/1020.*** For the same reason, and to ensure equal treatment of economic operators, it is necessary that the notified bodies apply the conformity assessment procedures consistently.

Or. en

Amendment 158

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 43

Text proposed by the Commission

(43) In the interests of facilitating and accelerating the conformity assessment procedure, the certification and ultimately the market access and in view of the novelty and complexity of the sustainability, safety ***and*** labelling requirements for batteries, it is crucial that

Amendment

(43) In the interests of facilitating and accelerating the conformity assessment procedure, the certification and ultimately the market access and in view of the novelty and complexity of the sustainability, safety, labelling ***and information*** requirements for batteries, it is

notified bodies have continuous access to all testing equipment and testing facilities needed and that they apply the procedures without creating unnecessary burdens for economic operators. For the same reason, and to ensure equal treatment of economic operators, it is necessary that the notified bodies apply the conformity assessment procedures consistently.

crucial that notified bodies have continuous access to all testing equipment and testing facilities needed and that they apply the procedures without creating unnecessary burdens for economic operators. For the same reason, and to ensure equal treatment of economic operators, it is necessary that the notified bodies apply the conformity assessment procedures consistently.

Or. en

Amendment 159
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Recital 44

Text proposed by the Commission

(44) Prior to taking a final decision on whether the battery can be granted a conformity certificate, the economic operator that wishes to place a battery on the market should be allowed to complement once the documentation on the battery.

Amendment

(Does not affect the English version.)

Or. fr

Justification

(Does not affect the English version.)

Amendment 160
Anna Cavazzini

Proposal for a regulation
Recital 45

Text proposed by the Commission

(45) The Commission should enable appropriate coordination and cooperation between notified bodies.

Amendment

(45) The Commission should enable appropriate coordination and cooperation between notified bodies, **and market surveillance authorities.**

Amendment 161

Anna Cavazzini

Proposal for a regulation

Recital 45 a (new)

Text proposed by the Commission

Amendment

(45 a) Consumers and consumers organisations should have a direct way to report non-compliance with this regulation to market surveillance authorities.

Or. en

Amendment 162

Anna Cavazzini

Proposal for a regulation

Recital 48 a (new)

Text proposed by the Commission

Amendment

(48 a) A large number of non-compliant batteries and electronic equipment containing batteries enter the internal market via economic operators using online market places. Batteries that do not comply with the law pose a major safety risk, and are potentially life-threatening. Economic operators using online market places also routinely avoid paying disposal fees, and therefore threaten the financing and functioning of the system. These problems should be addressed in the Digital Services Act (Regulation .../...) and in the revision of the General Product Safety Directive (Directive (EU).../...). The Commission shall review in accordance with article 77 of this regulation whether legislative and non-legislative measures in place after the entry into force of the Digital Services Act (Regulation .../...) and

in the revision of the General Product Safety Directive (Directive (EU).../...) significantly curb the widespread availability of non-compliant batteries on the internal market. If appropriate the Commission shall then draw a legislative proposal amending article 43 and 45 of this regulation.

Or. en

Justification

Article 43 on Obligations of fulfilment service providers and article 45 on the Identification of economic operators can be used to address problems linked to online market places if the DSA and the revision of the GPSD are not sufficient.

Amendment 163
Eugen Jurzyca

Proposal for a regulation
Recital 50

Text proposed by the Commission

(50) The manufacturer should provide sufficiently detailed information on the intended use of the battery so as to allow its correct and safe placing on the market, putting into service, use and end-of-life management, including possible *repurposing*.

Amendment

(50) The manufacturer should provide sufficiently detailed information on the intended use of the battery so as to allow its correct and safe placing on the market, putting into service, use and end-of-life management, including possible *preparing for reuse*.

Or. en

Amendment 164
Anna Cavazzini

Proposal for a regulation
Recital 52

Text proposed by the Commission

(52) It is necessary to ensure that batteries from third countries entering the Union market comply with the

Amendment

(52) It is necessary to ensure that batteries from third countries entering the Union market comply with the

requirements of this Regulation, whether imported as self-standing batteries or contained in products, and in particular that appropriate conformity assessment procedures have been carried out by manufacturers with regard to those batteries. Provision should therefore be made for importers to make sure that the batteries they place on the market and put into service comply with the requirements of this Regulation and that the CE marking on batteries and documentation drawn up by manufacturers are available for inspection by the national authorities.

requirements of this Regulation, whether imported as self-standing batteries or contained in products, and in particular that appropriate conformity assessment procedures have been carried out by manufacturers with regard to those batteries. Provision should therefore be made for importers to make sure that the batteries they place on the market and put into service comply with the requirements of this Regulation and that the CE marking on batteries and documentation drawn up by manufacturers are available for inspection by the national authorities.

Special attention should be given to the robustness and independence of the third party auditing of requirements of this regulation relating to the production process of batteries. This includes the respect of the carbon footprint declaration, recycled content, as well as to human rights and environmental due diligence obligations.

Or. en

Amendment 165

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 53

Text proposed by the Commission

(53) When placing a battery on the market or putting it into service, every importer should indicate on the battery the importer's name, registered trade name or registered trade mark as well as the postal address. Exceptions should be provided for in cases where the size of the battery does not allow it. ***This includes*** cases where the importer would have to open the packaging to put the name ***and address on the battery or where the battery is too small in size to***

Amendment

(53) When placing a battery on the market or putting it into service, every importer should indicate on the battery the importer's name, registered trade name or registered trade mark as well as the postal address, ***e-mail and telephone number***. Exceptions should be provided for in cases where the size of the battery does not allow it ***because the battery is too small in size to affix this information***. ***Exceptions should as well be provided for in*** cases where the importer would have to open the packaging

affix this information..

to put the name. *In those exceptional cases, the importer should provide this information in a different easily accessible way; in case that packaging exists, this packaging should be used to indicate* this information.

Or. en

Amendment 166

Anna Cavazzini

Proposal for a regulation

Recital 53

Text proposed by the Commission

(53) When placing a battery on the market or putting it into service, every importer should indicate on the battery the importer's name, registered trade name or registered trade mark as well as the postal address. Exceptions should be provided for in cases where the size of the battery does not allow it. This includes cases where the importer would have to open the packaging to put the name and address on the battery or where the battery is too small in size to affix this information..

Amendment

(53) When placing a battery on the market or putting it into service, every importer should indicate on the battery the importer's name, registered trade name or registered trade mark as well as the postal address *and other contact details*. Exceptions should be provided for in cases where the size of the battery does not allow it. This includes cases where the importer would have to open the packaging to put the name and address on the battery or where the battery is too small in size to affix this information..

Or. en

Amendment 167

Claudia Gamon, Vlad-Marius Botoș, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Recital 54

Text proposed by the Commission

(54) As the distributor makes a battery available on the market after it has been placed on the market or put into service by the manufacturer or the importer, the distributor should act with due care to

Amendment

(54) As the distributor makes a battery available on the market after it has been placed on the market or put into service by the manufacturer or the importer, the distributor should act with due care to

ensure that its handling of the battery does not adversely affect its compliance with the requirements of this Regulation.

ensure that its handling of the battery does not adversely affect its compliance with the requirements of this Regulation. ***Online market platforms should be considered as distributors for the purposes of this regulation.***

Or. en

Justification

Clarification

Amendment 168

Anna Cavazzini

Proposal for a regulation

Recital 55

Text proposed by the Commission

(55) Any importer or distributor that either places a battery on the market or puts it into service under the importer's or distributor's own name or trademark or modifies a battery in such a way that compliance with the requirements of this Regulation may be affected or modifies the purpose of a battery that is already place on the market should be considered to be the manufacturer and should assume the obligations of the manufacturer.

Amendment

(55) Any importer or distributor that either places a battery on the market or puts it into service under the importer's or distributor's own name or trademark or modifies a battery in such a way that compliance with the requirements of this Regulation may be affected or modifies the purpose of a battery that is already place on the market should be considered to be the manufacturer and should assume the obligations of the manufacturer. ***For batteries mandated to have a battery passport, information about the economic operator assuming the obligations of the manufacturer should be updated accordingly.***

Or. en

Amendment 169

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 55

Text proposed by the Commission

(55) Any importer or distributor that either places a battery on the market or puts it into service under the importer's or distributor's own name or trademark or modifies a battery in such a way that compliance with the requirements of this Regulation may be affected or modifies the purpose of a battery that is already *place* on the market should be considered to be the manufacturer and should assume the obligations of the manufacturer.

Amendment

(55) Any importer or distributor that either places a battery on the market or puts it into service under the importer's or distributor's own name or trademark or modifies a battery in such a way that compliance with the requirements of this Regulation may be affected or modifies the purpose of a battery that is already *placed* on the market should be considered to be the manufacturer and should assume the obligations of the manufacturer.

Or. en

Amendment 170

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 56

Text proposed by the Commission

(56) Distributors and importers, being close to the market place, should be involved in market surveillance tasks carried out by the national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the battery concerned.

Amendment

(56) Distributors, *including marketplaces and fulfilment service providers*, and importers, being close to the market place, should be involved in market surveillance tasks carried out by the national authorities, and should be prepared to participate actively, providing those authorities with all necessary information relating to the battery concerned.

Or. en

Amendment 171

Anna Cavazzini

Proposal for a regulation

Recital 57

Text proposed by the Commission

(57) Ensuring traceability of a battery throughout the whole supply chain helps to make market surveillance simpler and more efficient. An efficient traceability system facilitates the market surveillance authorities' task of tracing economic operators who placed on the market or made available on the market or put into service non-compliant batteries. The economic operators should therefore be required to keep the information on their transactions of batteries for a certain period of time.

Amendment

(57) Ensuring traceability of a battery throughout the whole supply chain helps to make market surveillance simpler and more efficient, **and gives transparency to consumers**. An efficient traceability system facilitates the market surveillance authorities' task of tracing economic operators who placed on the market or made available on the market or put into service non-compliant batteries. The economic operators should therefore be required to keep the information on their transactions of batteries for a certain period of time, **and to make them available in the battery passport when appropriate**.

Or. en

Amendment 172

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 57

Text proposed by the Commission

(57) Ensuring traceability of a battery throughout the whole supply chain helps to make market surveillance simpler and more efficient. An efficient traceability system facilitates the market surveillance authorities' task of tracing economic operators who placed on the market or made available on the market or put into service non-compliant batteries. The economic operators should therefore be required to keep the information on their transactions of batteries for **a certain period of time**.

Amendment

(57) Ensuring traceability of a battery throughout the whole supply chain helps to make market surveillance simpler and more efficient. An efficient traceability system facilitates the market surveillance authorities' task of tracing economic operators who placed on the market or made available on the market or put into service non-compliant batteries. The economic operators should therefore be required to keep the information on their transactions of batteries for **10 years**.

Or. en

Amendment 173

Anna Cavazzini

Proposal for a regulation

Recital 59

Text proposed by the Commission

(59) Only few countries supply those materials and, in some cases, low standards of governance may exacerbate environmental and social problems. Both cobalt **and** nickel mining and refining are related to a large range of social and environmental issues, including environmental hazard potential and human health. While the social and environmental impacts for natural graphite are less severe, its mining has high shares of artisanal and small scale operations, which mostly takes place in informal settings and can lead to serious health and environmental impacts, including no regular mine closure and no rehabilitation, which results in the destruction of ecosystems and soils. For lithium, the expected increase in its use in battery manufacturing is likely to put additional pressure on extraction and refining operations, what would recommend including lithium in the scope of the supply chain due diligence obligations. The expected massive increase in demand for batteries in the Union should not contribute to an increase of such environmental and social risks.

Amendment

(59) Only few countries supply those materials and, in some cases, low standards of governance may exacerbate environmental and social problems. Both cobalt, **copper**, nickel, **iron and bauxite** mining and refining are related to a large range of social and environmental issues, including environmental hazard potential and human health. While the social and environmental impacts for natural graphite are less severe, its mining has high shares of artisanal and small scale operations, which mostly takes place in informal settings and can lead to serious health and environmental impacts, including no regular mine closure and no rehabilitation, which results in the destruction of ecosystems and soils. For lithium, the expected increase in its use in battery manufacturing is likely to put additional pressure on extraction and refining operations, what would recommend including lithium in the scope of the supply chain due diligence obligations. The expected massive increase in demand for batteries in the Union should not contribute to an increase of such environmental and social risks.

Or. en

Amendment 174

Virginie Joron, Jean-Lin Lacapelle, Alessandra Basso

Proposal for a regulation

Recital 61 a (new)

Text proposed by the Commission

Amendment

(61a) Fair competition must be

established and only those who comply with EU rules shall have access to the market. The Commission shall limit access to the European market for companies known to have undignified working conditions, use child labour or release large quantities of waste in deep water.

Or. fr

Amendment 175
Anna Cavazzini

Proposal for a regulation
Recital 62

Text proposed by the Commission

(62) In the Union, general requirements on due diligence in relation to certain minerals and metals were introduced by Regulation (EU) No 2017/821 of the European Parliament and of the Council³⁹. That Regulation does not, however, address the minerals and materials used for battery production.

³⁹ Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas (OJ L 130, 19.5.2017, p. 1)

Amendment

(62) ***The United Nations Guiding Principles on Business and Human Rights and the OECD guidelines for multinational enterprises stipulate that economic operators should carry out due diligence as a means to meet their corporate responsibility with respect to human rights and the environment.*** In the Union, general requirements on due diligence in relation to certain minerals and metals were introduced by Regulation (EU)No 2017/821 of the European Parliament and of the Council³⁹. That Regulation does not, however, address the minerals and materials used for battery production.

³⁹ Regulation (EU) 2017/821 of the European Parliament and of the Council of 17 May 2017 laying down supply chain due diligence obligations for Union importers of tin, tantalum and tungsten, their ores, and gold originating from conflict-affected and high-risk areas (OJ L 130, 19.5.2017, p. 1)

Or. en

Amendment 176
Anna Cavazzini

Proposal for a regulation
Recital 63

Text proposed by the Commission

(63) *Therefore*, in view of the expected exponential growth in battery demand in the EU, *the economic operator that places a battery* on the EU market should set up *a supply chain due diligence policy*. The requirements *therefore* should be laid down, with the objective to address the social and environmental risks inherent in the extraction, processing and trading of certain raw materials for battery manufacturing purposes.

Amendment

(63) *The corporate responsibility to respect human rights, social rights, human health and the environment should apply to all operations and business relationships of an economic operator throughout the value chain. As the extraction, processing and trading of certain raw materials that are used in the battery manufacturing carry particular risks, and* in view of the expected exponential growth in battery demand in the EU, *requirements with regard to due diligence by economic operators that place batteries* on the EU market should *be* set up. The requirements should be laid down with the objective to address the social and environmental risks inherent in the extraction, processing and trading of certain raw materials for battery manufacturing purposes, *the manufacturing itself as well as all relevant downstream operations*.

Or. en

Amendment 177
Anna Cavazzini

Proposal for a regulation
Recital 64

Text proposed by the Commission

(64) When *putting in place a* risk-based due diligence *policy*, it should be based on *internationally recognised due diligence* principles *in* the Ten Principles of the United Nations Global Compact⁴⁰, the

Amendment

(64) When *conducting* risk-based due diligence, it should be based on *international instruments such as the United Nations Guiding Principles on Business and Human Rights^{1a}*, the Ten

Guidelines for Social Life Cycle Assessment of Products⁴¹, the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and ***Social Policy***⁴², and the OECD Due Diligence Guidance for Responsible Business Conduct (RBC)⁴³, which reflect a common understanding amongst governments and stakeholders, and should be tailored to the specific context and circumstances of each economic operator. In relation to the extraction, processing and trading of natural mineral resources ***used for battery production***, the OECD Due Diligence Guidance for ***Responsible Supply*** Chains of Minerals from Conflict-Affected and High-Risk Areas⁴⁴ ('OECD Due Diligence Guidance') represents ***a long-standing effort by governments and stakeholders to establish good practice in this area.***

Principles of the United Nations Global Compact⁴⁰, the Guidelines for Social Life Cycle Assessment of Products⁴¹, the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and ***Social Policy***⁴², ***the OECD Guidelines for Multinational Enterprises***^{1b}, and the OECD Due Diligence Guidance for Responsible Business Conduct (RBC)⁴³, which reflect a common understanding amongst governments and stakeholders, and should be tailored to the specific context and circumstances of each economic operator. In relation to the extraction, processing and trading of natural mineral resources, the OECD Due Diligence Guidance for ***Responsible Supply*** Chains of Minerals from Conflict-Affected and High-Risk Areas⁴⁴ ('OECD Due Diligence Guidance') represents ***an internationally acknowledged standard addressing specific risks of gross human rights' violations related to the sourcing and trading of certain raw materials in the context of conflict.***

⁴⁰ The Ten Principles of the UN Global Compact, available at <https://www.unglobalcompact.org/what-is-gc/mission/principles>

⁴¹ UNEP Guidelines for social life cycle assessment of products, available at <https://www.lifecycleinitiative.org/wp-content/uploads/2012/12/2009%20-%20Guidelines%20for%20sLCA%20-%20EN.pdf>

⁴² Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, available at <https://www.ilo.org/wcmsp5/groups/public>

^{1a} ***United Nations Guiding Principles on Business and Human, available at https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf***

^{1b} ***OECD Guidelines for Multinational Enterprises, available at <http://mneguidelines.oecd.org/guidelines/>***

⁴⁰ The Ten Principles of the UN Global Compact, available at <https://www.unglobalcompact.org/what-is-gc/mission/principles>

⁴¹ UNEP Guidelines for social life cycle assessment of products, available at <https://www.lifecycleinitiative.org/wp-content/uploads/2012/12/2009%20-%20Guidelines%20for%20sLCA%20-%20EN.pdf>

⁴² Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, available at <https://www.ilo.org/wcmsp5/groups/public>

/---ed_emp/---emp_ent/---
multi/documents/publication/wcms_09438
6.pdf

⁴³ OECD (2018), OECD Due Diligence Guidance for Responsible Business Conduct, available at <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>

⁴⁴ OECD (2016), OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: Third Edition, OECD Publishing, Paris, <https://doi.org/10.1787/9789264252479-en>.

/---ed_emp/---emp_ent/---
multi/documents/publication/wcms_09438
6.pdf

⁴³ OECD (2018), OECD Due Diligence Guidance for Responsible Business Conduct, available at <http://mneguidelines.oecd.org/OECD-Due-Diligence-Guidance-for-Responsible-Business-Conduct.pdf>

⁴⁴ OECD (2016), OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: Third Edition, OECD Publishing, Paris, <https://doi.org/10.1787/9789264252479-en>.

Or. en

Justification

Reference should be made to the more comprehensive UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, which also include due diligence. It is important to clarify that the OECD Due Diligence Guidance for Responsible Supply Chains from Conflict-Affected and High-Risk Areas only deals with gross human right violations.

Amendment 178 **Anna Cavazzini**

Proposal for a regulation **Recital 65**

Text proposed by the Commission

(65) According to **the OECD Due Diligence Guidance**⁴⁵, due diligence is an on-going, proactive and reactive process through which companies can ensure that they respect human rights and do not contribute to conflict.⁴⁶ Risk-based due diligence refers to the steps companies should take to identify **and address actual or potential risks in order to** prevent or mitigate adverse impacts associated with their activities or sourcing decisions. A company can assess risk posed by its activities and relationships and adopt risks

Amendment

(65) According to **these standards**, due diligence is an on-going, proactive and reactive process through which companies can ensure that they respect human rights and **the environment and** do not contribute to conflict. Risk-based due diligence refers to the steps companies should take to identify **cease, prevent, mitigate and account for** adverse impacts associated with their activities or sourcing decisions. **Economic operators should conduct informed, effective and meaningful consultation with actually and potentially**

mitigating measures in line with relevant standards provided under national and international law, recommendations on responsible business conduct by international organisations, government-backed tools, private sector voluntary initiatives and a company's internal policies and systems. This approach also helps to scale the due diligence exercise to the size of the company's activities or supply chain relationships.

affected rights-holders. A company can assess risk posed by its activities and relationships and adopt risks mitigating measures in line with relevant standards provided under national and international law, recommendations on responsible business conduct by international organisations, government-backed tools, private sector voluntary initiatives and a company's internal policies and systems. This approach also helps to scale the due diligence exercise to the size of the company's activities or supply chain relationships.

⁴⁵ Page 15 of the OECD Due Diligence Guidance.

⁴⁶ OECD (2011), OECD Guidelines for Multinational Enterprises, OECD, Paris; OECD (2006), OECD Risk Awareness Tool for Multinational Enterprises in Weak Governance Zones, OECD, Paris; and, Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework (Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and other Business Enterprises, John Ruggie, A/HRC/17/31, 21 March 2011).

Or. en

Amendment 179
Anna Cavazzini

Proposal for a regulation
Recital 65 a (new)

Text proposed by the Commission

Amendment

(65 a) While private sector due diligence schemes can support economic operators in their due diligence, economic operators retain individual responsibility to comply with the due diligence obligations set out

in this Regulation.

Or. en

Amendment 180
Anna Cavazzini

Proposal for a regulation
Recital 66

Text proposed by the Commission

(66) Mandatory **supply** chain due diligence policies should be adopted or modified and address, at least, the most prevalent social and environmental risk categories. This should cover the current and foreseeable impacts, on one hand, on social life, in particular human rights, human health and safety as well as occupational health and safety and labour rights, and, on the other hand, on the environment, in particular on water use, soil protection, air pollution and biodiversity, including community life.

Amendment

(66) Mandatory **value** chain due diligence policies should be adopted or modified and address, at least, the most prevalent social and environmental risk categories. This should cover the current and foreseeable impacts, on one hand, on social life, in particular human rights, human health and safety as well as occupational health and safety and labour rights, and, on the other hand, on the environment, in particular on water use, soil protection, air pollution, **climate change** and biodiversity, including community life.

Or. en

Justification

Tabled in ITRE

Amendment 181
Anna Cavazzini

Proposal for a regulation
Recital 67

Text proposed by the Commission

(67) As regards the social risk categories, due diligence policies should address the risks in the battery supply chain in relation to the protection of human rights, including human health, protection

Amendment

(67) As regards the social risk categories, due diligence policies should address the risks in the battery supply chain in relation to the protection of human rights, including human health, **the rights**

of children and gender equality, in line with international human rights law⁴⁷. The due diligence policies should include information on how the economic operator has contributed to the prevention of human rights abuses and on the instruments in place with the operator's business structure to fight corruption and bribery. The due diligence policies should also ensure correct implementation of the rules of fundamental conventions of the International Labour Organisation⁴⁸ as listed in Annex I of the ILO Tripartite Declaration.

⁴⁷ Including The Universal Declaration of Human Rights, The International Covenant on Economic, Social and Cultural Rights, The International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.

⁴⁸ The eight fundamental Conventions are 1. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), 2. Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 3. Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol), 4. Abolition of Forced Labour Convention, 1957 (No. 105), 5. Minimum Age Convention, 1973 (No. 138), 6. Worst Forms of Child Labour Convention, 1999 (No. 182), 7. Equal Remuneration Convention, 1951 (No. 100), 8. Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

of indigenous people, protection of children and gender equality, in line with international human rights law⁴⁷. The due diligence policies should include information on how the economic operator has contributed to the prevention of human rights abuses and on the instruments in place with the operator's business structure to fight corruption and bribery. The due diligence policies should also ensure correct implementation of the rules of fundamental conventions of the International Labour Organisation⁴⁸ as listed in Annex I of the ILO Tripartite Declaration.

⁴⁷ Including The Universal Declaration of Human Rights, The International Covenant on Economic, Social and Cultural Rights, The International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities.

⁴⁸ The eight fundamental Conventions are 1. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), 2. Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 3. Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol), 4. Abolition of Forced Labour Convention, 1957 (No. 105), 5. Minimum Age Convention, 1973 (No. 138), 6. Worst Forms of Child Labour Convention, 1999 (No. 182), 7. Equal Remuneration Convention, 1951 (No. 100), 8. Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Or. en

Justification

Tabled in ITRE

Amendment 182
Anna Cavazzini

Proposal for a regulation
Recital 68

Text proposed by the Commission

(68) As regards the environmental risk categories, the due diligence policies should address the risks in the battery supply chain in relation to protection of the natural environment and of the biological diversity in line with the Convention on Biological Diversity⁴⁹, which includes also the consideration of local communities, and the protection and the development of those communities.

⁴⁹ Such as set out in the Convention on biological diversity, available at <https://www.cbd.int/convention/text/> and, in particular, Decision COP VIII/28 “Voluntary guidelines on Biodiversity-Inclusive impact assessment, available at <https://www.cbd.int/decision/cop/?id=11042>.

Amendment

(68) As regards the environmental risk categories, the due diligence policies should address the risks in the battery supply chain in relation to protection of the natural environment, ***the climate in line with the UN Paris Agreement***, and of the biological diversity in line with the Convention on Biological Diversity⁴⁹, which includes also the consideration of local communities, and the protection and the development of those communities.

⁴⁹ Such as set out in the Convention on biological diversity, available at <https://www.cbd.int/convention/text/> and, in particular, Decision COP VIII/28 “Voluntary guidelines on Biodiversity-Inclusive impact assessment, available at <https://www.cbd.int/decision/cop/?id=11042>.

Or. en

Justification

tabled in ITRE

Amendment 183
Anna Cavazzini

Proposal for a regulation
Recital 69

Text proposed by the Commission

(69) The ***supply*** chain due diligence obligations on the identification and mitigation of social and environmental risks associated with raw materials going into battery manufacturing should

Amendment

(69) The ***value*** chain due diligence obligations on the identification and mitigation of social and environmental risks associated with raw materials going into battery manufacturing should

contribute to the implementation of UNEP Resolution 19 on Mineral Resource Governance, which recognizes the important contribution of the mining sector towards the achievement of the 2030 Agenda and the Sustainable Development Goals.

contribute to the implementation of UNEP Resolution 19 on Mineral Resource Governance, which recognizes the important contribution of the mining sector towards the achievement of the 2030 Agenda and the Sustainable Development Goals.

Or. en

Amendment 184
Anna Cavazzini

Proposal for a regulation
Recital 69 a (new)

Text proposed by the Commission

Amendment

(69 a) Even when due diligence has been carried out, harm might occur. Economic operators should actively engage in remediation for such harm, by itself or in cooperation with other actors. They should be liable for adverse impact they or the entities they control or are able to control caused or contributed to. Those adversely impacted should be entitled to remediation and should be provided access to justice.

Or. en

Amendment 185
Anna Cavazzini

Proposal for a regulation
Recital 70

Text proposed by the Commission

Amendment

(70) Other EU legislative instruments that lay down requirements regarding **supply** chain due diligence should apply in so far as there are no specific provisions with the same objective, nature and effect in this Regulation which may be adapted in

(70) Other EU legislative instruments that lay down requirements regarding **value** chain due diligence should apply in so far as there are no specific provisions with the same objective, nature and effect in this Regulation which may be adapted in the

the light of future legislative amendments.

light of future legislative amendments.

Or. en

Amendment 186

Anna Cavazzini

Proposal for a regulation

Recital 71

Text proposed by the Commission

(71) In order to adapt to developments in the battery value chain, including to changes in the scope and nature of the relevant environmental and social risks, as well as to technical and scientific progress in batteries and battery chemistries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the list of raw materials and risk categories and the *supply* chain due diligence requirements.

Amendment

(71) In order to adapt to developments in the battery value chain, including to changes in the scope and nature of the relevant environmental and social risks, as well as to technical and scientific progress in batteries and battery chemistries, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending the list of raw materials and risk categories and the *value* chain due diligence requirements.

Or. en

Amendment 187

Antonius Manders

Proposal for a regulation

Recital 89

Text proposed by the Commission

(89) Producers and distributors should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make

Amendment

(89) Producers and distributors should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries, *in particular by explaining how safer and cleaner waste streams could contribute to*

use of modern information technologies. The information should be provided either by classical means, such as outdoors, posters and social media campaigns, or by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

the reduction of waste exports to third countries and closed materials loops within the Union. Provisions to that aim, together with a ban on the export of waste portable batteries, waste electric vehicle batteries, waste automotive batteries and waste industrial batteries could substantially support achieving the collection targets, a closed material loop and EU strategic autonomy. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided either by classical means, such as outdoors, posters and social media campaigns, or by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

Or. en

Amendment 188

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation Recital 89

Text proposed by the Commission

(89) Producers and distributors should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided either by classical means, such as outdoors, posters and social media campaigns, or by more innovative means, such as electronic access to websites provided by QR codes

Amendment

(89) Producers and distributors, ***including marketplaces and fulfilment service providers***, should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided either by classical means, such as outdoors, posters and social media campaigns, or by more

affixed to the battery.

innovative means, such as electronic access to websites provided by QR codes affixed to the battery *in an accessible and understandable way*.

Or. en

Amendment 189

Claudia Gamon, Vlad-Marius Botoș, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Recital 89

Text proposed by the Commission

(89) Producers and distributors should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided either by classical means, such as outdoors, posters and social media campaigns, or by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

Amendment

(89) Producers and distributors, *including online market platforms*, should be actively involved in providing information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided either by classical means, such as outdoors, posters and social media campaigns, or by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

Or. en

Amendment 190

Anna Cavazzini

Proposal for a regulation

Recital 89

Text proposed by the Commission

(89) Producers and distributors should be actively involved in providing

Amendment

(89) Producers and distributors should be actively involved in providing

information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided *either* by classical means, such as outdoors, posters and social media campaigns, *or* by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

information to end users that batteries should be collected separately, that collection schemes are available and that end users have an important role in ensuring an environmentally optimal management of waste batteries. The disclosure of information to all end users as well as reporting on batteries should make use of modern information technologies. The information should be provided by classical means, such as outdoors, posters and social media campaigns, *and* by more innovative means, such as electronic access to websites provided by QR codes affixed to the battery.

Or. en

Amendment 191
Eugen Jurzyca

Proposal for a regulation
Recital 93

Text proposed by the Commission

(93) In order to enhance transparency along supply and value chains for all stakeholders, it is necessary to provide for an electronic system that maximises the exchange of information, enabling tracking and tracing of batteries, provides information about the carbon intensity of their manufacturing processes as well as the origin of the materials used, their composition, including raw materials and hazardous chemicals, repair, *repurposing* and dismantling operations and possibilities, and the treatment, recycling and recovery processes to which the battery could be subject to at the end of their life. That electronic system should be established in phases with a prototype system being made available to the concerned economic operators and Member States authorities at least a year in advance of the finalisation of the implementing measures defining the final

Amendment

(93) In order to enhance transparency along supply and value chains for all stakeholders, it is necessary to provide for an electronic system that maximises the exchange of information, enabling tracking and tracing of batteries, provides information about the carbon intensity of their manufacturing processes as well as the origin of the materials used, their composition, including raw materials and hazardous chemicals, repair, *preparing for reuse* and dismantling operations and possibilities, and the treatment, recycling and recovery processes to which the battery could be subject to at the end of their life. That electronic system should be established in phases with a prototype system being made available to the concerned economic operators and Member States authorities at least a year in advance of the finalisation of the implementing measures defining the final

features and the data access policy of the system to enable their input and timely compliance. Such data access policy should take into account the relevant principles established in EU legislation, including the Commission's proposal for a Regulation of the European Parliament and of the Council on European data governance (Data Governance Act).⁶¹ In order to ensure uniform conditions for the implementation of the electronic exchange system for battery information, implementing powers should be conferred on the Commission.

⁶¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020PC0767&from=DA>

features and the data access policy of the system to enable their input and timely compliance. Such data access policy should take into account the relevant principles established in EU legislation, including the Commission's proposal for a Regulation of the European Parliament and of the Council on European data governance (Data Governance Act).⁶¹ In order to ensure uniform conditions for the implementation of the electronic exchange system for battery information, implementing powers should be conferred on the Commission.

⁶¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020PC0767&from=DA>

Or. en

Amendment 192

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation Recital 97

Text proposed by the Commission

(97) A procedure should exist under which interested parties are informed of measures intended to be taken with regard to batteries presenting a risk to human health, safety, property or the environment. It should also allow market surveillance authorities in the Member States, in cooperation with the relevant economic operators, to act at an early stage in respect of such batteries. In order to ensure uniform conditions for the implementation of this Regulation, **implementing** powers to adopt acts should be conferred on the Commission in order to determine whether national measures in respect of non-compliant batteries are justified or not.

Amendment

(97) A procedure should exist under which interested parties are informed of measures intended to be taken with regard to batteries presenting a risk to human health, safety, property or the environment. It should also allow market surveillance authorities in the Member States, in cooperation with the relevant economic operators, to act at an early stage in respect of such batteries. In order to ensure uniform conditions for the implementation of this Regulation, **delegated** powers to adopt acts should be conferred on the Commission in order to determine whether national measures in respect of non-compliant batteries are justified or not.

Amendment 193

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation**Recital 98***Text proposed by the Commission*

(98) The market surveillance authorities should have the right to require economic operators to take corrective actions on the basis of findings that either the battery is not compliant with the requirements of this Regulation or the economic operator infringes the rules on the placing or making available on the market of a battery, or on sustainability, safety *and* labelling or on supply chain due diligence.

Amendment

(98) The market surveillance authorities should have the right to require economic operators to take corrective actions on the basis of findings that either the battery is not compliant with the requirements of this Regulation or the economic operator infringes the rules on the placing or making available on the market of a battery, or on sustainability, safety, labelling *and information* or on supply chain due diligence.

Or. en

Amendment 194

Virginie Joron, Jean-Lin Lacapelle, Alessandra Basso

Proposal for a regulation**Recital 99***Text proposed by the Commission*

(99) Public procurement constitutes an important sector with regard to reducing the impacts on the environment of human activities and to stimulate market transformation towards more sustainable products. Contracting authorities, as defined in Directive 2014/24/EU⁶³ of the European Parliament and of the Council and Directive 2014/25/EU of the European Parliament and of the Council⁶⁴, and contracting entities as defined in Directive 2014/25/EU should take account of the

Amendment

(99) Public procurement constitutes an important sector with regard to reducing the impacts on the environment of human activities and to stimulate market transformation towards more sustainable products. Contracting authorities, as defined in Directive 2014/24/EU of the European Parliament and of the Council⁶³ and Directive 2014/25/EU of the European Parliament and of the Council⁶⁴, and contracting entities as defined in Directive 2014/25/EU should take account of the

environmental impacts when procuring batteries or products containing batteries, in order to promote and *stimulate* the market for clean and energy-efficient mobility and energy-storage and thus contribute to the environment, climate and energy policy objectives of the Union.

⁶³ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)

⁶⁴ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243)

environmental impacts when procuring batteries or products containing batteries, in order to promote and *encourage more local and European stakeholders to join* the market for clean and energy-efficient mobility and energy-storage and thus contribute to the environment, climate and energy policy objectives of the Union.

⁶³ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

⁶⁴ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243).

Or. fr

Amendment 195

Anna Cavazzini

Proposal for a regulation

Recital 99

Text proposed by the Commission

(99) Public procurement constitutes an important sector with regard to reducing the impacts on the environment of human activities and to stimulate market transformation towards more sustainable products. Contracting authorities, as defined in Directive 2014/24/EU⁶³ of the European Parliament and of the Council and Directive 2014/25/EU of the European Parliament and of the Council⁶⁴, and contracting entities as defined in Directive 2014/25/EU *should* take account of the environmental impacts when procuring batteries or products containing batteries, in order to promote and stimulate the

Amendment

(99) Public procurement constitutes an important sector with regard to reducing the impacts on the environment of human activities and to stimulate market transformation towards more sustainable products. Contracting authorities, as defined in Directive 2014/24/EU⁶³ of the European Parliament and of the Council and Directive 2014/25/EU of the European Parliament and of the Council⁶⁴, and contracting entities as defined in Directive 2014/25/EU *must* take account of the environmental impacts when procuring batteries or products containing batteries, in order to promote and stimulate the

market for clean and energy-efficient mobility and energy-storage and thus contribute to the environment, climate and energy policy objectives of the Union.

market for clean and energy-efficient mobility and energy-storage and thus contribute to the environment, climate and energy policy objectives of the Union.

⁶³ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)

⁶³ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)

⁶⁴ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243)

⁶⁴ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243)

Or. en

Amendment 196
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Recital 105

Text proposed by the Commission

(105) The Commission should adopt immediately applicable implementing acts determining whether a national measure taken in respect of a compliant battery that presents a risk is justified or not where, in duly justified cases relating to the protection of human health, safety, property or the environment, imperative grounds of urgency so require.

Amendment

deleted

Or. fr

Amendment 197
Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Recital 105

Text proposed by the Commission

(105) The Commission should adopt immediately applicable **implementing** acts determining whether a national measure taken in respect of a compliant battery that presents a risk is justified or not where, in duly justified cases relating to the protection of human health, safety, property or the environment, imperative grounds of urgency so require.

Amendment

(105) The Commission should adopt immediately applicable **delegated** acts determining whether a national measure taken in respect of a compliant battery that presents a risk is justified or not where, in duly justified cases relating to the protection of human health, safety, property or the environment, imperative grounds of urgency so require.

Or. en

Amendment 198

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation

Recital 105 a (new)

Text proposed by the Commission

Amendment

(105a) If a Member State identifies a compliant battery that poses a serious and urgent risk to human health, the safety of goods or the environment, the Commission should inform the other Member States and adopt immediately applicable implementing acts.

Or. fr

Amendment 199

Anna Cavazzini

Proposal for a regulation

Recital 106

Text proposed by the Commission

Amendment

(106) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced. The

(106) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that those rules are enforced. The

penalties provided for should be effective, proportionate and dissuasive.

penalties provided for should be effective, proportionate and dissuasive. *The Commission shall review the penalties established by the Member States and propose possible changes to them, when necessary, in view of ensuring an harmonised enforcement across the Union.*

Or. en

Amendment 200
Eugen Jurzyca

Proposal for a regulation
Recital 109

Text proposed by the Commission

(109) In order to allow Member States to adapt the register of producers set up under Directive 2006/66/EC and to take the necessary administrative measures regarding the organisation of the authorisation procedures by the competent authorities, while keeping continuity for economic operators, Directive 2006/66/EC should be repealed as of 1 July 2023. Obligations under that Directive related to monitoring and reporting the collection rate of portable batteries and the recycling efficiencies of recycling processes shall remain in force until 31 December **2023**, and the related obligations for the transmission of data to the Commission shall remain in force until 31 December **2025**, in order to ensure continuity until new calculation rules and reporting formats are adopted by the Commission under this Regulation.

Amendment

(109) In order to allow Member States to adapt the register of producers set up under Directive 2006/66/EC and to take the necessary administrative measures regarding the organisation of the authorisation procedures by the competent authorities, while keeping continuity for economic operators, Directive 2006/66/EC should be repealed as of 1 July 2023. Obligations under that Directive related to monitoring and reporting the collection rate of portable batteries and the recycling efficiencies of recycling processes shall remain in force until 31 December **2025**, and the related obligations for the transmission of data to the Commission shall remain in force until 31 December **2027**, in order to ensure continuity until new calculation rules and reporting formats are adopted by the Commission under this Regulation.

Or. en

Amendment 201
Antonius Manders

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation establishes requirements on sustainability, safety, labelling and information to allow the placing on the market or putting into service of batteries, as well as requirements for the collection, treatment and recycling of waste batteries.

Amendment

1. This Regulation establishes requirements on sustainability, safety, labelling and information to allow the placing on the market or putting into service of batteries, as well as requirements for the collection, treatment and recycling of waste batteries, ***also with a view to stimulating innovation and the use of widely available alternative raw materials.***

Or. en

Amendment 202
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Article premier – paragraph 2

Text proposed by the Commission

2. This Regulation shall apply to all batteries, namely portable batteries, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

Amendment

2. This Regulation shall apply to all batteries, namely portable batteries, ***in particular batteries for light means of transport,*** automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

Or. fr

Amendment 203
Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation
Article 1 – paragraph 2

Text proposed by the Commission

2. This Regulation shall apply to ***all***

Amendment

2. This Regulation shall apply to

batteries, *namely portable* batteries, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

portable batteries, *light means of transport* batteries, automotive batteries, electric vehicle batteries and industrial *batteries including stationary storage* batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

Or. en

Amendment 204

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 1 – paragraph 2

Text proposed by the Commission

2. This Regulation shall apply to all batteries, namely portable batteries, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

Amendment

2. This Regulation shall apply to all batteries, namely portable batteries, *including batteries for light means of transport*, automotive batteries, electric vehicle batteries and industrial batteries, regardless of their shape, volume, weight, design, material composition, use or purpose. It shall also apply to batteries incorporated in or added to other products.

Or. en

Amendment 205

Antonius Manders

Proposal for a regulation

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. With the exclusion of Chapter VII and for a maximum of five years after the entry into force of the Regulation, the Regulation shall not apply to the following industrial batteries, automotive batteries and electric vehicle designed

before the entry into force of the Regulation:

-Batteries placed on the market to be incorporated in safety-sensitive applications designed before the entry into force of the Regulation;

-Batteries to be used as spare parts for equipment designed before the entry into force of the Regulation.

Or. en

Justification

Transitional measures for products and spare parts that have been designed and produced before the entry into force of the Regulation are necessary

Amendment 206

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 1 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. 4. With the exclusion of Chapter VII, this regulation shall not apply to industrial batteries designed before the entry into force of this Regulation:

a) Placed on the market to be incorporated in safety-sensitive applications designed before the entry into force of the Regulation;

b) or to be used as spare parts for equipment designed before the entry into force of the Regulation.

Or. en

Amendment 207

Anna Cavazzini

Proposal for a regulation

Article 2 – paragraph 1 – point 20 a (new)

Text proposed by the Commission

Amendment

(20 a) ‘battery removability and replaceability’ means non-destructive disassembly, or reversible extraction of the battery pack or modules from the device or constituent components without functional damage that would preclude reassembly or reuse.

Or. en

Amendment 208

Anna Cavazzini

Proposal for a regulation

Article 2 – paragraph 1 – point 21

Text proposed by the Commission

Amendment

(21) ‘QR code’ means a matrix **barcode** that links to information about a battery model;

(21) ‘QR code’ means a matrix **code** that links to information about a battery model;

Or. en

Amendment 209

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 2 – paragraph 1 – point 21

Text proposed by the Commission

Amendment

(21) ‘QR code’ means a matrix **barcode** that links to information about a battery model;

(21) ‘QR code’ means a matrix that links to information about a battery model;

Or. en

Justification

Clarification. A QR code does not consist of bars.

Amendment 210

Eugen Jurzyca

Proposal for a regulation

Article 2 – paragraph 1 – point 21

Text proposed by the Commission

(21) ‘QR code’ means a matrix **barcode** that links to information about a battery model;

Amendment

(21) ‘QR code’ means a matrix that links to information about a battery model;

Or. en

Amendment 211

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 2 – paragraph 1 – point 21

Text proposed by the Commission

(21) ‘QR code’ means a matrix **barcode** that links to information about a battery model;

Amendment

(21) ‘QR code’ means a matrix that links to information about a battery model;

Or. en

Amendment 212

Eugen Jurzyca

Proposal for a regulation

Article 2 – paragraph 1 – point 26

Text proposed by the Commission

(26) ‘**repurposing**’ means any operation that results in parts or the complete battery being used for a different purpose or application than the one that the battery was originally designed for;

Amendment

(26) ‘**preparing for reuse**’ means any operation **carried out by an authorised facility** that results in parts or the complete battery being used for a different purpose or application than the one that the battery was originally designed for.

Or. en

Justification

This amendment aims to achieve the consistency of the EU legislation with the Directive 2008/98/EC.

Amendment 213

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 2 – paragraph 1 – point 33

Text proposed by the Commission

(33) ‘conformity assessment’ means the process demonstrating whether the sustainability, safety *and* labelling requirements of this Regulation relating to a battery have been fulfilled;

Amendment

(33) ‘conformity assessment’ means the process demonstrating whether the sustainability, safety, labelling *and information* requirements of this Regulation relating to a battery have been fulfilled;

Or. en

Amendment 214

Anna Cavazzini

Proposal for a regulation

Article 2 – paragraph 1 – point 36

Text proposed by the Commission

(36) ‘*supply chain* due diligence’ means the obligations of the economic operator which places a rechargeable industrial battery or an electric-vehicle battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Amendment

(36) ‘due diligence’ means the obligations of the economic operator which places a rechargeable industrial battery or an electric-vehicle battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying, *preventing* and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials, *chemical and secondary raw materials* required for battery manufacturing, *linked to its manufacturing operations and linked to*

all business relationships;

Or. en

Justification

To be consistent with UN Guiding Principles on Business and Human Rights and OECD Due Diligence Guidance for Responsible Business Conduct, due diligence is not only about the supply chain, but also about own operations and other business relationships.

Amendment 215

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation

Article 2 – paragraph 1 – point 36

Text proposed by the Commission

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a rechargeable industrial battery or an electric-vehicle battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Amendment

(36) ‘supply chain due diligence’ means the obligations, ***with regard to social and environmental risks***, of the economic operator which places a rechargeable industrial battery or an electric-vehicle battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Or. fr

Amendment 216

Claudia Gamon, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 2 – paragraph 1 – point 36

Text proposed by the Commission

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a ***rechargeable industrial battery or an electric-vehicle*** battery on

Amendment

(36) ‘supply chain due diligence’ means the obligations of the economic operator, ***including online market platforms***, which places a battery on the market, ***with regard***

the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

to social and environmental risk categories, and where applicable, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Or. en

Justification

Clarification with regards to supply chain due diligence policies, which have to be applied to all batteries and not be limited only to rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2kWh

Amendment 217

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 2 – paragraph 1 – point 36

Text proposed by the Commission

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a ***rechargeable industrial battery or an electric-vehicle battery*** on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Amendment

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Or. en

Amendment 218

Antonius Manders

Proposal for a regulation
Article 2 – paragraph 1 – point 36

Text proposed by the Commission

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a **rechargeable industrial battery or an electric-vehicle battery** on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Amendment

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a battery on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Or. en

Amendment 219
Eugen Jurzyca

Proposal for a regulation
Article 2 – paragraph 1 – point 36

Text proposed by the Commission

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a **rechargeable industrial battery or an electric-vehicle battery** on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Amendment

(36) ‘supply chain due diligence’ means the obligations of the economic operator which places a **stationary storage batteries battery or an electric-vehicle battery** on the market, in relation to its management system, risk management, third party verifications by notified bodies and disclosure of information with a view to identifying and addressing actual and potential risks linked to the sourcing, processing and trading of the raw materials required for battery manufacturing;

Or. en

Amendment 220
Anna Cavazzini

Proposal for a regulation
Article 2 – paragraph 1 – point 40

Text proposed by the Commission

(40) ‘reuse’ means the complete or partial direct re-use of the battery for the original purpose the battery was designed for;

Amendment

(40) ‘reuse **of a battery**’ means the complete or partial direct re-use of the battery for the original purpose the battery was designed for;

Or. en

Amendment 221
Eugen Jurzyca

Proposal for a regulation
Article 2 – paragraph 1 – point 40

Text proposed by the Commission

(40) ‘reuse’ means ***the complete or partial direct re-use of the*** battery for the original purpose ***the battery was designed for***;

Amendment

(40) ‘reuse **of a battery**’ means ***any operation by which a*** battery, ***which is not waste, is used again*** for the original purpose;

Or. en

Justification

Clarification of a definition is needed, as the word “reuse” is used not only for batteries but also for secondary raw materials.

Amendment 222
Christian Doleschal

Proposal for a regulation
Article 2 – paragraph 1 – point 56 a (new)

Text proposed by the Commission

Amendment

(56 a) 'Remanufacturing' means any process involving the dismantling of a product, the rebuilding and replacement of components, and the testing of individual parts and the whole product against the original design specifications,

where the performance after remanufacturing should be the same or better than the original performance specification ('as new').

Or. en

Amendment 223
Eugen Jurzyca

Proposal for a regulation
Article 2 – paragraph 1 – point 56 a (new)

Text proposed by the Commission

Amendment

(56 a) ‘remanufacturing’ means any treatment that involves dismantling a product, restoring and replacing components, and testing the individual parts and the whole product to its original design specifications, with the performance after remanufacture expected to be the same or better than the original performance specification (‘like new’);

Or. en

Justification

The text uses the word “remanufacturing” without providing its definition. This definition originates from the Blue Guide revision of June 2020 (based on ERN definition Horizon 2020, grant agreement No 645984).

Amendment 224
Eugen Jurzyca

Proposal for a regulation
Article 2 – paragraph 1 – point 56 b (new)

Text proposed by the Commission

Amendment

(56 b) ‘nominal energy’ means the amount of energy that can be withdrawn from the battery at a particular constant current, starting from a fully charged

*state declared by the manufacturer,
expressed in Wh;*

Or. en

Amendment 225
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall not, for reasons relating to sustainability, safety, labelling and information requirements of batteries or management of waste batteries covered by this Regulation, prohibit, restrict or impede the making available on the market or the putting into service of batteries that comply with this Regulation.

Amendment

1. Member States shall not, for reasons relating to sustainability, safety, labelling and information requirements of batteries or management of waste batteries covered by this Regulation, prohibit, restrict or impede the making available on the market or the putting into service of batteries that comply with this Regulation ***if they pose no risk.***

Or. fr

Amendment 226
Virginie Joron, Jean-Lin Lacapelle, Alessandra Basso

Proposal for a regulation
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. If an authority of a Member State identifies a battery that is labelled 'compliant' but actually poses a serious and urgent risk to human health, the safety of goods or the environment, it shall take the requisite measures to eliminate the risk and shall immediately inform the Commission.

The Commission shall inform the other Member States and adopt immediately applicable implementing acts.

Amendment 227

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. By 31 December 2025 and by 31 December 2030, the Commission shall publish the assessments of currently available recycling technologies and a prognosis of end-of-life batteries available for recycling and the average amount of cobalt, lead, lithium or nickel recovered from batteries per year.

Or. en

Justification

Currently no methods to determine the recycled content in products are in place. As the battery market is growing fast, it is challenging to predict the production volumes, and hence it is even harder to foresee the volumes of collected and recovered waste batteries. Setting mandatory levels of recycled content risks slowing market development if recovered volumes are insufficient to meet the demand in Europe.

Amendment 228

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 8 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. The Commission shall, by 31 December 2028 and by 31 December 2032, adopt the delegated acts in accordance with Article 73, defining the specific targets for the minimum share of cobalt, lead, lithium and nickel recovered from waste, based on the assessments referred to in previous subparagraph.

Justification

Currently no methods to determine the recycled content in products is in place. As the battery market is growing exponentially, it is challenging to predict the production volumes, and hence it is even harder to foresee the volumes of collected and recovered waste batteries. Setting mandatory levels of recycled content risks slowing market development if recovered volumes are insufficient to meet the demand in Europe.

Amendment 229

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation**Article 8 – paragraph 3**

Text proposed by the Commission

Amendment

3. From 1 January 2035, industrial batteries, electric vehicle batteries and automotive batteries with internal storage and a capacity above 2 kWh that contain cobalt, lead, lithium or nickel in active materials shall be accompanied by a technical documentation demonstrating that those batteries contain the following minimum share of cobalt, lead, lithium or nickel recovered from waste present in active materials in each battery model and batch per manufacturing plant:

- (a) 20% cobalt;**
- (b) 85 % lead;**
- (c) 10% lithium;**
- (d) 12% nickel.**

Amendment 230

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation**Article 9 – title**

Text proposed by the Commission

Amendment

Performance and durability requirements
for portable batteries of general use

Performance and durability requirements
for portable batteries of general use **and
batteries for light means of transport**

Or. en

Amendment 231

Anna Cavazzini

Proposal for a regulation

Article 9 – title

Text proposed by the Commission

Amendment

Performance and durability requirements
for portable batteries **of general use**

Performance and durability requirements
for portable batteries, **including batteries
powering light means of transport**

Or. en

Amendment 232

**Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria
Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose**

Proposal for a regulation

Article 9 – title

Text proposed by the Commission

Amendment

Performance and durability requirements
for portable batteries **of general use**

Performance and durability requirements
for portable batteries **and batteries for
light means of transport**

Or. en

Amendment 233

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. **From 1 January 2027**, portable batteries of general use shall meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Amendment

1. **24 months after the entry into force of the delegated act referred to in the paragraph 2**, portable batteries of general use shall meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Or. en

Justification

The industry should have sufficient time to adopt the products and processes when implementing the requirements under the Regulation. Therefore each transition period for the implementation related to the secondary acts shall be set as 24 months after the secondary acts enter into force. There have been multiple examples when the Commission delayed the secondary acts, while the entry into force has not been accordingly postponed, leaving only a few months for the industry to implement the requirements.

Amendment 234

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. From 1 January 2027, portable batteries of general use shall meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Amendment

1. From 1 January 2027, portable batteries of general use **and batteries for light means of transport** shall meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Or. en

Amendment 235

Anna Cavazzini

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. From 1 January **2027**, portable batteries ***of general use shall*** meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Amendment

1. From 1 January **2025**, portable batteries, ***including batteries powering light means of transport,*** meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Or. en

Amendment 236

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 9 – paragraph 1

Text proposed by the Commission

1. From 1 January 2027, portable batteries ***of general use*** shall meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Amendment

1. From 1 January 2027, portable batteries ***and batteries for light means of transport*** shall meet the values for the electrochemical performance and durability parameters set out in Annex III as laid down in the delegated act adopted by the Commission pursuant to paragraph 2.

Or. en

Amendment 237

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. By 31 December 2025, the Commission shall adopt a delegated act in accordance with Article 73 to supplement

Amendment

2. By 31 December 2025, the Commission shall adopt a delegated act in accordance with Article 73 to supplement

this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Annex III that portable batteries of general use shall attain.

this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Annex III that portable batteries of general use **and batteries for light means of transport** shall attain.

Or. en

Amendment 238

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. By 31 December 2025, the Commission shall adopt a delegated act in accordance with Article 73 to supplement this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Annex III that portable batteries **of general use** shall attain.

Amendment

2. By 31 December 2025, the Commission shall adopt a delegated act in accordance with Article 73 to supplement this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Annex III that portable batteries **and batteries for light means of transport** shall attain.

Or. en

Amendment 239

Anna Cavazzini

Proposal for a regulation

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. By 31 December 2025, the Commission shall adopt a delegated act in accordance with Article 73 to supplement this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Annex III that portable batteries **of general use** shall attain.

Amendment

2. By 31 December 2025, the Commission shall adopt a delegated act in accordance with Article 73 to supplement this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Annex III that portable batteries shall attain.

Amendment 240

Anna Cavazzini

Proposal for a regulation**Article 9 – paragraph 2 – subparagraph 2***Text proposed by the Commission*

In preparing the delegated act referred to in the first subparagraph, the Commission shall consider the need to reduce the life cycle environmental impact of portable batteries *of general* use and take into consideration relevant international standards and labelling schemes. The Commission shall also *ensure that* the provisions laid down by that delegated act *do not have a significant negative impact* on the functionality of those batteries or the appliances into which those batteries are incorporated, the affordability and the cost for end-users and the industry's competitiveness. *No excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.*

Amendment

In preparing the delegated act referred to in the first subparagraph, the Commission shall consider the need to reduce the life cycle environmental impact of portable batteries use and take into consideration relevant international standards and labelling schemes. The Commission shall also *take into account the impact of* the provisions laid down by that delegated act on the functionality of those batteries or the appliances into which those batteries are incorporated, the affordability and the cost for end-users and the industry's competitiveness.

Or. en

Amendment 241

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation**Article 9 – paragraph 2 – subparagraph 2***Text proposed by the Commission*

In preparing the delegated act referred to in the first subparagraph, the Commission shall consider the need to reduce the life cycle environmental impact of portable batteries of general use and take into

Amendment

In preparing the delegated act referred to in the first subparagraph, the Commission shall consider the need to reduce the life cycle environmental impact of portable batteries of general use and take into

consideration relevant international standards and labelling schemes. The Commission shall also ensure that the provisions laid down by that delegated act do not have a significant negative impact on the functionality of those batteries or the appliances into which those batteries are incorporated, the affordability and the cost for end-users and the industry's competitiveness. No excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.

consideration relevant international standards and labelling schemes, **while single-use batteries should be a rare exception**. The Commission shall also ensure that the provisions laid down by that delegated act do not have a significant negative impact on the functionality of those batteries or the appliances into which those batteries are incorporated, the affordability and the cost for end-users and the industry's competitiveness. No excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.

Or. en

Amendment 242

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 9 – paragraph 2 – subparagraph 2

Text proposed by the Commission

In preparing the delegated act referred to in the first subparagraph, the Commission shall consider the need to reduce the life cycle environmental impact of portable batteries of general use and take into consideration relevant international standards and labelling schemes. The Commission shall also ensure that the provisions laid down by that delegated act do not have a significant negative impact on the functionality of those batteries or the appliances into which those batteries are incorporated, the affordability and the cost for end-users and the industry's competitiveness. No excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.

Amendment

In preparing the delegated act referred to in the first subparagraph, the Commission shall consider the need to reduce the life cycle environmental impact of portable batteries of general use **and batteries for light means of transport** and take into consideration relevant international standards and labelling schemes. The Commission shall also ensure that the provisions laid down by that delegated act do not have a significant negative impact on the functionality of those batteries or the appliances into which those batteries are incorporated, the affordability and the cost for end-users and the industry's competitiveness. No excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.

Or. en

Amendment 243

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 10

Text proposed by the Commission

Amendment

Article 10

deleted

***Performance and durability requirements
for rechargeable industrial batteries and
electric vehicle batteries***

***1. From [12 months after entry into force
of the Regulation], rechargeable
industrial batteries and electric vehicle
batteries with internal storage and a
capacity above 2 kWh shall be
accompanied by a technical
documentation containing values for the
electrochemical performance and
durability parameters laid down in Part A
of Annex IV.***

***The technical documentation referred to
in the first subparagraph shall also
contain an explanation of the technical
specifications, standards and conditions
used to measure, calculate or estimate the
values for the electrochemical
performance and durability parameters.
That explanation shall include, at least,
the elements laid down in Part B of
Annex IV.***

***2. From 1 January 2026, rechargeable
industrial batteries with internal storage
and a capacity above 2 kWh shall meet
the minimum values laid down in the
delegated act adopted by the Commission
pursuant to paragraph 3 for the
electrochemical performance and
durability parameters set out in Part A of
Annex IV.***

***3. By 31 December 2024, the Commission
shall adopt a delegated act in accordance
with Article 73 to supplement this
Regulation by establishing minimum
values for the electrochemical***

performance and durability parameters laid down in Part A of Annex IV that rechargeable industrial batteries with internal storage and capacity above 2 kWh shall attain.

In preparing the delegated act referred to in the first subparagraph, the Commission shall consider the need to reduce the life cycle environmental impact of rechargeable industrial batteries with internal storage and a capacity above 2 kWh and ensure that the requirements laid down therein do not have a significant negative impact on the functionality of those batteries or the appliances into which those batteries are incorporated, its affordability and industry's competitiveness. No excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.

Or. en

Justification

The carbon footprint is a better and future proof indicator for the environmental performance of batteries because it is based on a lifecycle assessment, including the use phase.

Amendment 244

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 10 – title

Text proposed by the Commission

10 Performance and durability requirements for ***rechargeable industrial*** batteries and electric vehicle batteries

Amendment

10 Performance and durability requirements for ***stationary storage*** batteries and electric vehicle batteries

Or. en

Amendment 245

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

1. From [12 months after entry into force of the Regulation], rechargeable industrial batteries **and** electric vehicle batteries with internal storage and a capacity above 2 kWh shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

Amendment

1. From [12 months after entry into force of the Regulation], rechargeable industrial batteries, electric vehicle batteries with internal storage and a capacity above 2 kWh **and batteries for light means of transport** shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

Or. fr

Amendment 246
Kateřina Konečná

Proposal for a regulation
Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

1. From [12 months after entry into force of the Regulation], **rechargeable industrial batteries** and electric vehicle batteries **with internal storage and a capacity above 2 kWh** shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

Amendment

1. From [12 months after entry into force of the Regulation], **stationary battery energy storage systems** and electric vehicle batteries shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

Or. en

Amendment 247
Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation
Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. From [**12** months after entry into force of the Regulation], **rechargeable industrial** batteries and electric vehicle batteries with internal storage and a **capacity** above 2 kWh shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

1. From [**24** months after entry into force of the Regulation], **stationary storage** batteries and electric vehicle batteries with internal storage and a **nominal energy** above 2 kWh shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

Or. en

Amendment 248

Andreas Schwab, Antonius Manders

Proposal for a regulation

Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

1. From [**12** months after entry into force of the Regulation], rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2 kWh shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

Amendment

1. From 12 months after entry into force of the Regulation, rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2 kWh shall be accompanied by a technical documentation containing values for the electrochemical performance and durability parameters laid down in Part A of Annex IV.

Or. en

Justification

In order to allow for industry to adopt to the new requirements, an adaptation period of 12 months is necessary.

Amendment 249

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The technical documentation referred to in

Amendment

The technical documentation *of stationary*

the first subparagraph shall also contain an explanation of the technical specifications, standards and conditions used to measure, calculate or estimate the values for the electrochemical performance and durability parameters. That explanation shall include, at least, the elements laid down in Part B of Annex IV.

storage batteries with internal storage and a nominal energy above 2 kWh referred to in the first subparagraph shall also contain an explanation of the technical specifications, standards and conditions used to measure, calculate or estimate the values for the electrochemical performance and durability parameters. That explanation shall, ***if applicable***, include, at least, the elements laid down in Part B of Annex IV.

Or. en

Amendment 250

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 10 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The information referred to in the first and second subparagraph regarding electric vehicle batteries shall be available to consumers prior to purchasing the vehicle.

Or. en

Amendment 251

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The Commission is empowered to adopt delegated acts in accordance with Article 73 to amend the electrochemical performance and durability parameters laid down in Annex IV in view of technical, scientific progress and, for the electric vehicle batteries with internal

storage and nominal energy above 2 kWh, to align them with the Global Technical Regulations of The United Nations on in vehicle battery durability (UNECE GTRs).

Or. en

Amendment 252
Anna Cavazzini

Proposal for a regulation
Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. By 1 January 2026, the real-life performance and durability of rechargeable industrial batteries and electric vehicle batteries shall be available via the publicly available part of the electronic exchange system as set out in Article 64 and Annex XIII.

Or. en

Amendment 253
Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation
Article 10 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. In preparing the delegated act referred to in the second subparagraph, the Commission shall ensure that no excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.

Or. en

Amendment 254
Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. From 1 January 2026, rechargeable industrial batteries with internal storage and a capacity above 2 kWh shall meet the minimum values laid down in the delegated act adopted by the Commission pursuant to paragraph 3 for the electrochemical performance and durability parameters set out in Part A of Annex IV.

Amendment

2. From 1 January 2026, rechargeable industrial **batteries and electric vehicle** batteries with internal storage and a capacity above 2 kWh shall meet the minimum values laid down in the delegated act adopted by the Commission pursuant to paragraph 3 for the electrochemical performance and durability parameters set out in Part A of Annex IV.

Or. en

Amendment 255

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. From **1 January 2026**, **rechargeable industrial** batteries **with internal storage and a capacity above 2 kWh** shall meet the minimum values laid down in the delegated act adopted by the Commission pursuant to paragraph 3 for the electrochemical performance and durability parameters set out in Part A of Annex IV.

Amendment

2. From **24 months after the entry into force of the delegated act referred to in the paragraph 3**, **stationary storage** batteries shall meet the minimum values laid down in the delegated act adopted by the Commission pursuant to paragraph 3 for the electrochemical performance and durability parameters set out in Part A of Annex IV.

Or. en

Justification

The industry should have sufficient time to adopt the products and processes when implementing the requirements under the Regulation. Therefore each transition period for the implementation related to the secondary acts shall be set as 24 months after the secondary acts enter into force. There have been multiple examples when the Commission delayed the secondary acts, while the entry into force has not been accordingly postponed, leaving only a few months for the industry to implement the requirements.

Amendment 256
Kateřina Konečná

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. From 1 January 2026, **rechargeable industrial** batteries **with internal storage and a capacity above 2 kWh** shall meet the minimum values laid down in the delegated act adopted by the Commission pursuant to paragraph 3 for the electrochemical performance and durability parameters set out in Part A of Annex IV.

Amendment

2. From 1 January 2026, **stationary battery energy storage systems and electric vehicle** batteries shall meet the minimum values laid down in the delegated act adopted by the Commission pursuant to paragraph 3 for the electrochemical performance and durability parameters set out in Part A of Annex IV.

Or. en

Amendment 257
Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation
Article 10 – paragraph 3 – introductory part

Text proposed by the Commission

3. By 31 December 2024, the Commission **shall** adopt a delegated act in accordance with Article 73 to supplement this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Part A of Annex IV that **rechargeable industrial** batteries **with internal storage and capacity above 2 kWh** shall attain.

Amendment

3. By 31 December 2024, the Commission **may** adopt **once sufficient market knowledge has been acquired and once proper assessment is carried out including the assessment of the impact on the objectives of the Regulation to decrease the carbon footprint** a delegated act in accordance with Article 73 to supplement this Regulation by establishing minimum values for the electrochemical performance and durability parameters laid down in Part A of Annex IV that **stationary storage** batteries shall attain.

Or. en

Amendment 258

Anna Cavazzini

Proposal for a regulation

Article 11 – title

Text proposed by the Commission

Amendment

Removability *and* replaceability of portable batteries

Removability, replaceability *and repairability* of portable batteries, *including batteries powering light means of transport*

Or. en

Amendment 259

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Evelyne Gebhardt, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 11 – title

Text proposed by the Commission

Amendment

Removability and replaceability of *portable* batteries

Removability and replaceability of batteries

Or. en

Amendment 260

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Evelyne Gebhardt, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 11 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Batteries containing several cells shall be modular by design to enable the removability and replaceability of the case, control electronics or individual cells. They shall be made available for the expected average lifetime of the product as spare parts at affordable costs, with

non-discriminatory price for independent operators and be delivered within a maximum of 10 working days.

For batteries with a control software, software updates shall be provided for the expected lifetime of the product to ensure the safe use of the battery without limiting its functionality.

Battery management systems shall be readable by end-users and easily modifiable by independent qualified personnel for the purpose of battery reuse.

Or. en

Amendment 261

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Evelyne Gebhardt, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. Portable batteries incorporated in appliances shall be readily removable and replaceable by the end-user *or* by independent operators during the lifetime of the appliance, if the batteries have a shorter lifetime than the appliance, or at the latest at the end of the lifetime of the appliance.

Amendment

1. Portable batteries incorporated in appliances *and batteries for light means of transport* shall be readily removable and replaceable by the end-user *and* by independent operators, *including community repair initiatives* during the lifetime of the appliance, if the batteries have a shorter lifetime than the appliance, or at the latest at the end of the lifetime of the appliance.

Repair instructions shall be made publicly available online in an easily understandable way for end users, including consumers, for the expected lifetime of the product.

Or. en

Amendment 262

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten

Løkkegaard

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. Portable batteries incorporated in appliances shall be readily removable and replaceable **by the end-user or** by independent operators during the lifetime of the appliance, if the batteries have a shorter lifetime than the appliance, or at the latest at the end of the lifetime of the appliance.

Amendment

1. Portable batteries incorporated in appliances shall be readily removable and replaceable by independent operators during the lifetime of the appliance, if the batteries have a shorter lifetime than the appliance, or at the latest at the end of the lifetime of the appliance. **Removability and replaceability requirements may only apply to battery packs as a whole and not individual cells or other parts included in the battery pack.**

Or. en

Amendment 263

Anna Cavazzini

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. Portable batteries incorporated in appliances shall be readily removable and replaceable by the end-user or by independent operators **during the lifetime of the appliance, if the batteries have a shorter lifetime than the appliance, or at the latest at the end of the lifetime of the appliance.**

Amendment

1. Portable batteries incorporated in appliances **and light means of transport,** shall be readily removable and replaceable by the end-user or by independent operators.

Or. en

Amendment 264

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. Portable batteries incorporated in appliances shall be readily removable and replaceable by the end-user or by independent operators during the lifetime of the appliance, if the batteries have a shorter lifetime than the appliance, or at the latest at the end of the lifetime of the appliance.

Amendment

1. **By 1 January 2026**, portable batteries incorporated in appliances shall be readily removable and replaceable by the end-user or by independent operators during the lifetime of the appliance, if the batteries have a shorter lifetime than the appliance, or at the latest at the end of the lifetime of the appliance. ***The Commission shall adopt guidance for establishing expected lifetime.***

Or. en

Amendment 265
Anna Cavazzini

Proposal for a regulation
Article 11 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A battery is readily replaceable where, after its removal from an appliance, it can be substituted by a ***similar*** battery, without affecting the functioning or the performance of that appliance.

Amendment

A battery is readily replaceable where, after its removal from an appliance ***or light mean of transport***, it can be substituted by a ***compatible spare*** battery ***by professional repairers and end users***, without affecting the functioning or the performance of that appliance ***or light mean of transport***. ***The replacement shall be possible using basic tools, as defined in standard EN45554:2020.***

Or. en

Amendment 266

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Evelyne Gebhardt, Marc Angel, Christel Schaldemose

Proposal for a regulation
Article 11 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

A battery is **readily** replaceable where, after its removal from an appliance, it can be substituted by a similar battery, without affecting the functioning or the performance of that appliance.

A battery is replaceable where, after its **reversible non-destructive** removal from an appliance, it can be substituted by a similar battery, **using either an original or qualified part**, without affecting the functioning, **safety** or the performance of that appliance.

Or. en

Amendment 267

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A battery is readily replaceable where, after its removal from an appliance, it can be substituted by a **similar** battery, without affecting the functioning or the performance of that appliance.

Amendment

A battery is readily replaceable where, after its removal from an appliance, it can be substituted by a battery **that conforms to the original specifications**, without affecting the functioning or the performance of that appliance.

Or. en

Amendment 268

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1

Text proposed by the Commission

A battery is readily replaceable where, after its removal from an appliance, it can be substituted by a similar battery, without affecting the functioning **or the** performance of that appliance.

Amendment

A battery is readily replaceable where, after its removal from an appliance, it can be substituted by a similar battery, without affecting the functioning, performance **or safe operation** of that appliance.

Or. en

Amendment 269

Anna Cavazzini

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Portable batteries, including batteries powering light means of transport, shall be available as spare part of the equipment they power, for a minimum of 10 years after placing the last unit of the model on the market, with a reasonable and non-discriminatory price for independent personnel and end users. The manufacturer shall ensure the delivery of the spare battery within 15 working days after having received the order.

Or. en

Amendment 270

Claudia Gamon, Karen Melchior, Dita Charanzová, Vlad-Marius Botoș, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The economic operator placing the battery on the market shall make information available where such independent operators are established in the respective Member State

Or. en

Amendment 271

Anna Cavazzini

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

Detailed instructions for end users to safely remove and replace portable batteries, including battery powering light means of transport, must be made available by the manufacturer, on paper with the new equipment, and permanently online on their website.

Or. en

Amendment 272

Anna Cavazzini

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1 c (new)

Text proposed by the Commission

Amendment

Software shall not be used to impinge the replacement of a portable battery or of their key components with another compatible battery or key components.

Or. en

Amendment 273

Anna Cavazzini

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1 d (new)

Text proposed by the Commission

Amendment

Batteries powering light means of transport shall be designed so that the replacement of modules or other key components of the battery can be done without destroying the battery.

Or. en

Amendment 274

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

Amendment

2. The obligations set out in paragraph 1 shall not apply where

deleted

(a) continuity of power supply is necessary and a permanent connection between the appliance and the portable battery is required for safety, performance, medical or data integrity reasons; or

(b) the functioning of the battery is only possible when the battery is integrated into the structure of the appliance.

Or. en

Amendment 275
Anna Cavazzini

Proposal for a regulation
Article 11 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) continuity of power supply is necessary and a permanent connection between the appliance and the portable battery is required for safety, **performance**, medical or data integrity reasons; or

(a) continuity of power supply is necessary and a permanent connection between the appliance and the portable battery is required for safety, medical or data integrity reasons, or

Or. en

Justification

Performance opens a loophole

Amendment 276
Anna Cavazzini

Proposal for a regulation
Article 11 – paragraph 2 – point b

Text proposed by the Commission

Amendment

(b) *the functioning of the battery is only possible when the battery is integrated into the structure of the appliance.* ***deleted***

Or. en

Amendment 277

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Evelyne Gebhardt, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 11 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) *In these cases, the products shall be equipped with an easily understandable label informing about the non-replaceability of the battery and the batteries' expected lifetime.*

Or. en

Amendment 278

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation

Article 11 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) *Batteries made for mass consumption must be easily replaceable. The exemption laid down in 2(b) shall only be applicable as of 1 January 2026.*

Or. fr

Amendment 279

Anna Cavazzini

Proposal for a regulation

Article 11 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) For products falling under the exemptions in paragraph 2, clear product information should illustrate to consumers that the device contains a non-replaceable battery.

Or. en

Amendment 280

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard

Proposal for a regulation

Article 11 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. the novelty of the application requires a fixed connection to the battery and does not allow for a removable battery to guarantee its proper functioning

Or. en

Justification

The requirement of removability should apply for appliances that are established on the market. However, to not impede the market access for novel, innovative products, an exemption for innovative products shall apply.

Amendment 281

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 11 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall adopt

3. **Not later than 1 July 2025**, the

guidance to facilitate harmonised application of the derogations set out in paragraph 2.

Commission shall adopt **guidance for establishing expected lifetime set out in paragraph 1 as well as** guidance to facilitate harmonised application of the derogations set out in paragraph 2.

Or. en

Amendment 282
Anna Cavazzini

Proposal for a regulation
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Removability and replaceability of EV and industrial batteries and of key components enabling their use

- 1. EV batteries shall be removable and replaceable by professional repairers.***
- 2. EV and industrial batteries shall be modular in design so that the control electronics or battery modules can be replaced by accredited professional repairers.***
- 3. EV and industrial batteries shall be designed so that the replacement of modules or other key components like connectors or fuse can be done without destroying the battery.***
- 3. Detailed instructions for professional repairers to safely remove and replace EV batteries or battery modules must be made available by the manufacturer, on paper with the new vehicle, and permanently online on the EV producer's website.***
- 4. Detailed instructions for professional repairers to safely remove and replace key components of industrial batteries or modules composing an industrial battery must be made available by the manufacturer, on paper with the new industrial battery, and permanently online***

on the producers' website.

5. Software must not be used to impinge the replacement of a EV or industrial battery or their key components with another compatible battery or key components.

Or. en

Amendment 283

Róża Thun und Hohenstein, Antonius Manders, Romana Tomc, Tom Vandenkendelaere, Maria da Graça Carvalho, Andrey Kovatchev, Marion Walsmann, Geoffroy Didier

Proposal for a regulation

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Common chargers

From 1 January 2026, rechargeable batteries designed for electric vehicles and light means of transport, as well as rechargeable batteries incorporated into specific categories of electrical and electronic equipment covered by Directive 2012/19/EU, shall be charged by making use of common chargers.

The Commission is empowered to adopt, no later than by 31 December 2024, a delegated act in accordance with Article 73 determining the categories of products and equipment to which this Article shall apply.

When adopting the delegated act referred to in paragraph 2, the Commission shall take into account the size of the market, the reduction of waste, and the reduction of costs for consumers and other end-users.

Or. en

Amendment 284

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Evelyne Gebhardt, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Common chargers

Rechargeable batteries of light means of transport within certain categories or classes shall be constructed in a way that they comply with common chargers as of 1 January 2026.

The Commission shall, by 31 December 2024, adopt delegated acts to establish harmonised specifications regarding categories or classes of light means of transport and common chargers. Those delegated acts shall be adopted in accordance with the procedure referred to in Article 73.

Or. en

Amendment 285

Anna Cavazzini

Proposal for a regulation

Article 11 b (new)

Text proposed by the Commission

Amendment

Article 11 b

Safety of repaired batteries

1. The safety of repaired batteries shall be assessed based on non destructive tests adapted to them.

2. The Commission is empowered to adopt delegated acts in accordance with Article 73 to define the appropriate testing methods to ensure the safety of repaired

batteries.

3. Professional repairers carrying out repair of batteries shall ensure that the examination, performance testing, packing and shipment of batteries and their components is carried out following adequate quality control and safety instructions.

Or. en

Amendment 286

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

1. Stationary battery energy storage systems shall be accompanied by technical documentation demonstrating that they are safe during their normal operation and use, including evidence that they have been successfully tested for the safety parameters laid down in Annex V, for which state-of-the-art testing methodologies should be used.

Amendment

1. Stationary battery energy storage systems shall be accompanied by technical documentation *easily understandable* demonstrating that they are safe during their normal operation and use, including evidence that they have been successfully tested for the safety parameters laid down in Annex V, for which state-of-the-art testing methodologies should be used.

Or. en

Amendment 287

Eugen Jurzyca

Proposal for a regulation Article 13 – paragraph 5 – point a

Text proposed by the Commission

(a) from *1 January 2027, for all* batteries the information referred to in paragraph 1;

Amendment

(a) from *[24 months after the entry into force of the delegated act establishing harmonised specifications for the labelling requirements adopted referred to in paragraph 7], for* batteries the

information referred to in paragraph 1;

Or. en

Amendment 288

Eugen Jurzyca

Proposal for a regulation

Article 13 – paragraph 5 – point b

Text proposed by the Commission

(b) from **1 January 2027**, for portable and automotive batteries the information referred to in paragraph 2;

Amendment

(b) from **[24 months after the entry into force of the delegated act establishing harmonised specifications for the labelling requirements adopted referred to in paragraph 7]**, for portable and automotive batteries the information referred to in paragraph 2;

Or. en

Amendment 289

Eugen Jurzyca

Proposal for a regulation

Article 13 – paragraph 5 – point f

Text proposed by the Commission

(f) from **1 July 2024**, for electric vehicle batteries and for **rechargeable industrial** batteries with internal storage and a **capacity** above 2 kWh the carbon footprint declaration referred to in Article 7(1);

Amendment

(f) from **[36 months after the entry into force of the delegated act establishing the methodology to calculate the total carbon footprint referred to in Article 7(1)]**, for electric vehicle batteries and for **stationary storage** batteries with internal storage and a **nominal energy** above 2 kWh the carbon footprint declaration referred to in Article 7(1);

Or. en

Amendment 290

Eugen Jurzyca

Proposal for a regulation
Article 13 – paragraph 5 – point g

Text proposed by the Commission

(g) from **1 January 2026**, for electric vehicle batteries and for **rechargeable industrial** batteries with internal storage and a **capacity** above 2 kWh the carbon footprint performance class referred to in Article 7(2);

Amendment

(g) from **[36 months after the entry into force of the delegated act establishing the carbon footprint performance classes]** for electric vehicle batteries and for **stationary storage** batteries with internal storage and a **nominal energy** above 2 kWh the carbon footprint performance class referred to in Article 7(2);

Or. en

Amendment 291

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation
Article 13 – paragraph 6

Text proposed by the Commission

6. Labels and QR code referred to in paragraphs 1 to 5 shall be printed or engraved visibly, legibly **and** indelibly on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery.

Amendment

6. Labels and QR code referred to in paragraphs 1 to 5 shall be printed or engraved visibly, legibly, indelibly on the battery **and accessible for persons with disabilities in accordance with requirements of Directive (EU) 2019/882 (European Accessibility Act), the information does not exceed a level of complexity superior to level B1 (intermediate) of the Council of Europe's Common European Framework of Reference for Languages, as well as is provided in easy-to-read format.** Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery. **In case of second life or repurposing of the battery, the label shall be replaced by a new one reflecting its second use status.**

Amendment 292

Anna Cavazzini

Proposal for a regulation**Article 13 – paragraph 6***Text proposed by the Commission*

6. Labels and QR code referred to in paragraphs 1 to 5 shall be printed or engraved visibly, legibly and indelibly on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery.

Amendment

6. Labels and QR code referred to in paragraphs 1 to 5 shall be printed or engraved visibly, legibly and indelibly on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery. ***For portable batteries, including batteries powering light means of transport, industrial batteries and EV batteries, the QR code shall provide access to the battery passport as described in Article 65.***

Or. en

Amendment 293

Christian Doleschal

Proposal for a regulation**Article 13 – paragraph 6***Text proposed by the Commission*

6. Labels and QR **code** referred to in paragraphs 1 to 5 shall be printed or engraved visibly, legibly and indelibly on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery.

Amendment

6. ***The*** labels and QR **codes** referred to in paragraphs 1 to 5 shall be printed or engraved ***on*** visibly, legibly and indelibly on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery. ***In case of secondary use or re-use of the battery, such label shall be replaced by a new label. This new label should indicate the status of the secondary use.***

Amendment 294**Eugen Jurzyca****Proposal for a regulation****Article 13 – paragraph 6***Text proposed by the Commission*

6. Labels and QR code referred to in paragraphs 1 to 5 shall be **printed or engraved visibly, legibly and indelibly** on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery.

Amendment

6. Labels and QR code referred to in paragraphs 1 to 5 shall be **visible, legible and indelible** on the battery. Where this is not possible or not warranted on account of the nature and size of the battery, labels shall be affixed to the packaging and to the documents accompanying the battery. ***In case of second life or repurposing of the battery, any such label shall be replaced with a new label reflecting its second use status.***

Or. en

Justification

We should not limit the way labels or QR codes are attached to the equipment.

Amendment 295**Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra****Proposal for a regulation****Article 14 – paragraph 1***Text proposed by the Commission*

1. ***Rechargeable industrial batteries and electric vehicle*** batteries with internal storage and a ***capacity*** above 2 kWh shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in Annex VII.

Amendment

1. ***Stationary storage lithium and sodium*** batteries with internal storage and a ***nominal energy*** above 2 kWh shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in Annex VII. ***Producers of electric vehicle batteries with a nominal energy above 2 kWh shall make data available at the end of the first vehicle lifecycle***

through reasonable means on the parameters for determining the state of health and expected lifetime of batteries, as laid down in the technical specifications of the UNECE GTR once applicable in EU law (State of Certified Range, State of Certified Energy).

Or. en

Justification

Not all rechargeable industrial batteries have battery management system. The proposal was developed considering only the specificities of lithium and sodium batteries. Lead and nickel batteries generally do not need such system to be managed. In general, these batteries are not suitable for second life applications.

Amendment 296
Anna Cavazzini

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Rechargeable industrial batteries **and** electric vehicle batteries with internal storage and a capacity above 2 kWh shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in Annex VII.

Amendment

1. Rechargeable industrial batteries, electric vehicle batteries with internal storage and a capacity above 2 kWh, **as well as portable batteries powering light means of transport** shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in Annex VII.

Or. en

Amendment 297
Andreas Schwab

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Rechargeable industrial batteries

Amendment

1. Rechargeable industrial batteries

and electric vehicle batteries with internal storage and a capacity above 2 kWh shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in *Annex VII*.

and electric vehicle batteries with internal storage and a capacity above 2 kWh shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in *the technical specifications of the UNECE GTR once applicable in EU law*.

Or. en

Amendment 298

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

1. Rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2 kWh shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in Annex VII.

Amendment

1. Rechargeable industrial batteries and electric vehicle batteries with internal storage and a capacity above 2 kWh *as well as batteries powering light means of transport* shall include a battery management system containing data on the parameters for determining the state of health and expected lifetime of batteries as laid down in Annex VII.

Or. en

Amendment 299

Kateřina Konečná

Proposal for a regulation Article 14 – paragraph 1

Text proposed by the Commission

1. ***Rechargeable industrial batteries*** and electric vehicle batteries with ***internal storage and a capacity above 2 kWh shall include*** a battery management system containing data on the parameters for determining the state of health and

Amendment

1. ***Stationary battery energy storage systems*** and electric vehicle batteries ***equipped*** with a Battery Management System containing data on the parameters for determining the state of health and expected lifetime of batteries as

expected lifetime of batteries as laid down in Annex VII.

laid down in Annex VII.

Or. en

Amendment 300

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 14 – paragraph 2 – introductory part

Text proposed by the Commission

2. Access to the data in the battery management system referred to in paragraph 1 shall be provided ***on a non-discriminatory basis*** to the legal or natural person who has legally purchased the battery or any third party acting on their behalf at any time for the purpose of:

Amendment

2. Access to the ***read only*** data in the battery management system referred to in paragraph 1 shall be provided ***with due regard for business confidentiality and other competitive concerns*** to the legal or natural person who has legally purchased the battery or any third party acting on their behalf at any time for the purpose of:

Or. en

Amendment 301

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 14 – paragraph 2 – introductory part

Text proposed by the Commission

2. Access to the data in the battery management system referred to in paragraph 1 shall be provided on a non-discriminatory basis to the legal or natural person who has legally purchased the battery or any third party acting on their behalf at any time for the purpose of:

Amendment

2. Access to ***read-only*** the data in the battery management system referred to in paragraph 1 shall be provided on a non-discriminatory basis to the legal or natural person who has legally purchased the battery or any third party acting on their behalf at any time for the purpose of:

Or. en

Amendment 302

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 14 – paragraph 2 – point b

Text proposed by the Commission

(b) facilitating the reuse, **repurposing** or remanufacturing of the battery;

Amendment

(b) facilitating the reuse, **preparing for reuse** or remanufacturing of the battery;

Or. en

Amendment 303

Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation

Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Portable batteries of general use (for bicycles, for example) and automotive batteries shall be marked with a label containing the information on their guaranteed minimum performance, guaranteed minimum durability, average lifespan and the standard deviation when used in specific applications. The label must indicate if the battery is produced or recycled in the Union. It must also instruct end-users on how to dispose of batteries.

Or. fr

Amendment 304

Antonius Manders

Proposal for a regulation

Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The battery management system for electric vehicle batteries shall be designed in such a manner that it can

communicate with smart charging systems, including by having vehicle-to-grid, vehicle-to-load, vehicle-to-vehicle, vehicle-to-powerbank and vehicle-to-home charging functions.

Or. en

Justification

A communication functionality in the design of the battery management system for electric vehicles is needed to allow bi-directional smart charging. Since a car is typically only used 5% per day, having this function available will enable the car to serve as energy storage and as a power source as well. This will contribute to facilitating the energy transition.

Amendment 305

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 14 – paragraph 3

Text proposed by the Commission

Amendment

3. The provisions of this Article shall apply in addition to those laid down in Union law on type approval of vehicles. **deleted**

Or. en

Amendment 306

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. The Commission is empowered to adopt delegated acts in accordance with Article 73 to determine the state of health and expected lifetime of batteries for the electric vehicle batteries with internal storage and nominal energy above 2 kWh, in line with the UNECE GTR on Electric Vehicles and the Environment.

In preparing the delegated act referred to

in the second subparagraph, the Commission shall ensure that no excessive administrative burden shall be imposed on manufacturers of the batteries and the appliances concerned.

Or. en

Amendment 307

Anna Cavazzini

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

2. Batteries which are tested following harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by such harmonised standards.

Amendment

2. Batteries which are tested following harmonised standards or parts thereof, ***or common specifications as referred to in Article 16***, the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by such harmonised standards, ***or common specifications referred to in Article 16***.

Or. en

Amendment 308

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

2. Batteries which are tested following harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in Articles 9,

Amendment

2. Batteries which are tested following harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in Articles 9,

10, 13 and 59(5)(a) to the extent that those requirements are covered by such harmonised standards.

10, 13 and 59(5)(a) to the extent that those requirements *or parts thereof* are covered by such harmonised standards.

Or. en

Amendment 309

Eugen Jurzyca

Proposal for a regulation

Article 15 – paragraph 2

Text proposed by the Commission

2. Batteries which are tested following harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by such harmonised standards.

Amendment

2. Batteries which are tested following harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements referred to in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by such harmonised standards *or parts thereof*.

Or. en

Amendment 310

Eugen Jurzyca

Proposal for a regulation

Article 15 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. By 01 January 2026, the Commission shall adopt delegated acts in order to determine the exceptions from the Article 15(2) for the destructive tests and its parameters for batteries where such tests have unproportioned costs, especially for manufacturers of small series of models. 3. Batteries which are in conformity with harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to

be in conformity with the requirements set out in Article 12 to the extent that those requirements are covered by such harmonised standards or parts thereof.

Or. en

Amendment 311
Eugen Jurzyca

Proposal for a regulation
Article 15 – paragraph 2 b (new)

Text proposed by the Commission

Amendment

2 b. *For portable batteries, the conformity assessment procedure will apply to the portable batteries of general use as defined in art. 2(8) of this Regulation.*

Or. en

Amendment 312
Anna Cavazzini

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

Amendment

3. Batteries which are in conformity with harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements set out in Article 12 to the extent that those requirements are covered by such harmonised standards.

3. Batteries which are in conformity with harmonised standards or parts thereof, ***or common specifications referred to in Article 16***, the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements set out in Article 12 to the extent that those requirements are covered by such harmonised standards ***or common specification***.

Or. en

Amendment 313

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

3. Batteries which are in conformity with harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements set out in Article 12 to the extent that those requirements are covered by such harmonised standards.

Amendment

3. Batteries which are in conformity with harmonised standards or parts thereof the references of which have been published in the Official Journal of the European Union shall be presumed to be in conformity with the requirements set out in Article 12 to the extent that those requirements ***or parts thereof*** are covered by such harmonised standards.

Or. en

Amendment 314

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard

Proposal for a regulation

Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall be empowered to adopt implementing acts laying down common specifications for the requirements set out in Articles 9, 10, 12, 13, 59(5)(a) or tests referred to in Article 15(2), where:

Amendment

1. ***The Commission shall actively support the work of European enterprises in international standardisation committees. In exceptional cases, after consulting relevant stakeholders, and after having requested one or more European standardisation organisations to draft EU standards,*** the Commission shall be empowered to adopt implementing acts laying down common specifications for the requirements set out in Articles 9, 10, 12, 13, 59(5)(a) or tests referred to in Article 15(2), where:

Or. en

Justification

The work of European standardisation bodies need to be considered before deciding whether or not there is a need to adopt an implementing measure. Double standards shall be avoided.

Amendment 315

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall be empowered to adopt implementing acts laying down common specifications for the requirements set out in Articles 9, **10**, 12, 13, 59(5)(a) or tests referred to in Article 15(2), where:

Amendment

1. The Commission, ***after consulting recognised European standards organisations***, shall be empowered to adopt implementing acts laying down common specifications for the requirements set out in Articles 9, 12, 13, 59(5)(a) or tests referred to in Article 15(2), where:

Or. en

Amendment 316

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall be empowered to adopt ***implementing*** acts laying down common specifications for the requirements set out in Articles 9, 10, 12, 13, 59(5)(a) or tests referred to in Article 15(2), where:

Amendment

1. The Commission shall be empowered to adopt ***delegated*** acts laying down common specifications for the requirements set out in Articles 9, 10, 12, 13, 59(5)(a) or tests referred to in Article 15(2), where:

Or. en

Amendment 317

Arba Kokalari

Proposal for a regulation
Article 16 – paragraph 1 – point b

Text proposed by the Commission

(b) the Commission observes undue delays in the adoption of requested harmonised standards, or considers that relevant harmonised standards are not sufficient; or

Amendment

(b) the Commission, ***after conducting dialogues with relevant stakeholders and standardisation organisations***, observes undue delays in the adoption of requested harmonised standards, or considers that relevant harmonised standards are not sufficient; or

Or. en

Amendment 318

Claudia Gamon, Karen Melchior, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard

Proposal for a regulation
Article 16 – paragraph 1 – point b

Text proposed by the Commission

(b) the Commission ***observes undue delays in the adoption of requested harmonised standards***, or considers that relevant harmonised standards are not sufficient; or

Amendment

(b) the Commission considers that relevant harmonised standards are not sufficient; or

Or. en

Justification

The Mention of an "undue delay" as a criterion creates uncertainty as it is not defined.

Amendment 319

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation
Article 16 – paragraph 1 – point b

Text proposed by the Commission

(b) the Commission observes undue delays in the adoption of requested harmonised standards, ***or considers that***

Amendment

(b) the Commission observes undue delays in the adoption of requested

relevant harmonised standards are not sufficient; or

harmonised standards; or

Or. en

Amendment 320

Anna Cavazzini

Proposal for a regulation

Article 16 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the Commission *observes undue delays in the adoption of requested harmonised standards*, or considers that relevant harmonised standards are not sufficient; or

(b) *In the absence of published standards at the time of the application of product-specific requirements, or if* the Commission considers that relevant harmonised standards are not sufficient; or

Or. en

Amendment 321

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 16 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *the Commission has decided in accordance with the procedure referred to in Article 11(5) of Regulation (EU) No 1025/2012 to maintain with restriction or to withdraw the references to the harmonised standards or parts thereof by which those requirements or tests are covered.*

deleted

Or. en

Amendment 322

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard

Proposal for a regulation
Article 16 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 74(3).

Amendment

Those implementing acts shall ***take into account the findings of the stakeholder consultation and the work by European standardisation bodies referred to in paragraph 1 and*** be adopted in accordance with the examination procedure referred to in Article 74(3). ***The Commission shall ensure coherence with the provisions of this article when revising the European standardisation regulation (EU) No 1025/2012.***

Or. en

Amendment 323

Claudia Gamon, Dita Charanzová, Vlad-Marius Botoș, Svenja Hahn, Morten Løkkegaard

Proposal for a regulation
Article 16 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 74(3).

Amendment

The Commission shall seek to align the common specifications with international standards unless a deviation seems justified. In an exceptional, justified case, implementing acts shall be adopted in accordance with the examination procedure referred to in Article 74(3).

Or. en

Justification

A strategic Involvement of EU manufacturers in standardisation is crucial. Whereas for other sectors non-european manufacturers play a leading role in standardisation committees, European battery manufacturers have actively involved in these committees. This strategic involvement shall be strengthened. The Commission shall only be able to adopt other standards in duly justified cases to avoid the creation of burdensome overlaps.

Amendment 324

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Those **implementing** acts shall be adopted in accordance with the examination procedure referred to in Article 74(3).

Amendment

Those **delegated** acts shall be adopted in accordance with the examination procedure referred to in Article 73.

Or. en

Amendment 325

Anna Cavazzini

Proposal for a regulation

Article 16 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

In cases where the common specifications are found to have shortcomings, the Commission should by delegated act amend or repeal the common specifications in question.

Or. en

Justification

Safeguard coming from recital 31, with a modification from implementing to delegated act.

Amendment 326

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 16 – paragraph 2

Text proposed by the Commission

Amendment

2. Batteries which are tested following common specifications or parts thereof

2. Batteries which are tested following common specifications or parts thereof

shall be presumed to be in conformity with the requirements set out in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by those common specifications or parts thereof, **and, if applicable, to the extent that the minimum values established for those requirements are attained.**

shall be presumed to be in conformity with the requirements set out in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by those common specifications or parts thereof.

Or. en

Amendment 327
Kateřina Konečn

Proposal for a regulation
Article 16 – paragraph 2

Text proposed by the Commission

2. Batteries which are tested following common specifications or parts thereof shall ***be presumed to be in conformity*** with the requirements set out in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by those common specifications or parts thereof, and, if applicable, to the extent that the minimum values established for those requirements are attained.

Amendment

2. Batteries which are tested following common specifications or parts thereof shall ***conform*** with the requirements set out in Articles 9, 10, 13 and 59(5)(a) to the extent that those requirements are covered by those common specifications or parts thereof, and, if applicable, to the extent that the minimum values established for those requirements are attained.

Or. en

Amendment 328

Adriana Maldonado Lpez, Maria-Manuel Leito-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation
Article 16 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Delegated acts referred to in paragraph 1 shall be repealed with the date of publication of harmonised standards, covering the requirements or tests referred to in paragraph 1, in the

Amendment 329

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

**Proposal for a regulation
Article 17 – paragraph 1**

Text proposed by the Commission

1. Before a battery is placed on the market or put it into service, the manufacturer or its authorised representative shall ensure that an assessment of the product's conformity with the requirements of Chapters II and III of this Regulation is carried out.

Amendment

1. Before a **new** battery **model** is placed on the market or put it into service, the manufacturer or its authorised representative shall ensure that an assessment of the product's conformity with the requirements of Chapters II and III of this Regulation is carried out.

Amendment 330

Eugen Jurzyca

**Proposal for a regulation
Article 17 – paragraph 1**

Text proposed by the Commission

1. Before a battery is placed on the market or put it into service, the manufacturer or its authorised representative shall ensure that an assessment of the product's conformity with the requirements of Chapters II and III of this Regulation is carried out.

Amendment

1. Before a **new** battery **model** is placed on the market or put it into service, the manufacturer or its authorised representative shall ensure that an assessment of the product's conformity with the requirements of Chapters II and III of this Regulation is carried out.

Amendment 331

Eugen Jurzyca

Proposal for a regulation
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. *A portable battery model is to be considered a new model when the battery specification changes by more than 0,1g or 20% mass, whichever is greater, for the cathode, anode or electrolyte.*

Or. en

Amendment 332
Eugen Jurzyca

Proposal for a regulation
Article 17 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. *Other than portable battery type model shall be considered a new model when the change is substantial and there is a potential risk of the change in the battery performance or characteristics related to the requirements of Chapters II and III of this Regulation.*

Or. en

Amendment 333
Eugen Jurzyca

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

Amendment

2. Conformity assessment of batteries with the requirements set out in Articles 6, 9, 10, 11, 12, 13 and 14 shall be carried out in accordance with the procedure set out in Part A of Annex VIII.

2. **24months after publication by the Commission of the list of notified bodies as provided in Article 30**, conformity assessment of batteries with the requirements set out in Articles 6, 9, 10, 11, 12, 13 and 14 shall be carried out in accordance with the procedure set out in

Amendment 334
Anna Cavazzini

Proposal for a regulation
Article 17 – paragraph 2

Text proposed by the Commission

2. Conformity assessment of batteries with the requirements set out in Articles 6, 9, **10, 11, 12**, 13 and 14 shall be carried out in accordance with the procedure set out in Part A of Annex VIII.

Amendment

2. Conformity assessment of batteries with the requirements set out in Articles 6, 9, **11**, 13 and 14 shall be carried out in accordance with the procedure set out in Part A of Annex VIII.

Amendment 335
Eugen Jurzyca

Proposal for a regulation
Article 17 – paragraph 3

Text proposed by the Commission

3. Conformity assessment of batteries with requirements set out in Articles 7, 8 and 39 shall be carried out in accordance with the procedure set out in Part B of Annex VIII.

Amendment

3. Conformity assessment of batteries with requirements set out in Articles 7, 8 and 39 shall be carried out in accordance with the procedure set out in Part B of Annex VIII, **if applicable**.

Justification

This text is referring to requirements on carbon footprint (art.7), content of recycled material (art. 8) and due diligence (art. 39). In part B of Annex VIII (first part) the manufacturer is required to carry out one or more test to verify the conformity. There is no test for carbon footprint, content of recycled material and due diligence.

Amendment 336

Anna Cavazzini

**Proposal for a regulation
Article 17 – paragraph 3**

Text proposed by the Commission

3. Conformity assessment of batteries with requirements set out in Articles 7, 8 and 39 shall be carried out in accordance with the procedure set out in Part B of Annex VIII.

Amendment

3. Conformity assessment of batteries with requirements set out in Articles 7, 8, **10, 12** and 39 shall be carried out in accordance with the procedure set out in Part B of Annex VIII.

Or. en

Justification

Changes the module defining the process for conformity assessment to go beyond self declaration but include an active check of the paper work by conformity assessment bodies

**Amendment 337
Eugen Jurzyca**

**Proposal for a regulation
Article 17 – paragraph 4**

Text proposed by the Commission

4. The Commission is empowered to adopt delegated acts in accordance with Article 73 to amend Annex VIII by ***introducing additional verification steps in the conformity assessment modules or*** replacing ***those*** modules by other modules set out in Decision No 768/2008/EC, if necessary after adapting them to the specific requirements for batteries.

Amendment

4. The Commission is empowered to adopt delegated acts in accordance with Article 73 to amend Annex VIII by replacing modules by other modules set out in Decision No 768/2008/EC, if necessary after adapting them to the specific requirements for batteries.

Or. en

Amendment 338

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

5. Records and correspondence relating to the conformity assessment of batteries shall be drawn up in **an** official language of the Member State where the notified body carrying out the conformity assessment procedures referred to in paragraphs 1 and 2 is established, or in a language accepted by that body.

Amendment

5. Records and correspondence relating to the conformity assessment **procedures** of batteries shall be drawn up in **the** official language **or languages** of the Member State where the notified body carrying out the conformity assessment procedures referred to in paragraphs 1 and 2 is established, or in a language accepted by that body.

Or. en

Amendment 339
Eugen Jurzyca

Proposal for a regulation
Article 17 – paragraph 5

Text proposed by the Commission

5. Records and correspondence relating to the conformity assessment of batteries shall be drawn up in an official language of the Member State where the notified body carrying out the conformity assessment procedures **referred to in paragraphs 1 and 2** is established, or in a language accepted by that body.

Amendment

5. Records and correspondence relating to the conformity assessment of batteries shall be drawn up in an official language of the Member State where the notified body carrying out the conformity assessment procedures is established, or in a language accepted by that body.

Or. en

Amendment 340
Christian Doleschal

Proposal for a regulation
Article 17 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. This provision shall apply 18 months after the date of publication by the

Amendment 341

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 18 – paragraph 2

Text proposed by the Commission

2. The EU declaration of conformity shall have the model structure set out in Annex IX, shall contain the elements specified in the relevant modules set out in Annex VIII and shall be ***continuously*** updated. It shall be translated into the language or languages required by the Member State in which the battery is placed on the market or put into service.

Amendment

2. The EU declaration of conformity shall have the model structure set out in Annex IX, shall contain the elements specified in the relevant modules set out in Annex VIII and shall be updated ***if significant changes to the battery are made***. It shall be translated into the language or languages required by the Member State in which the battery is placed on the market or put into service ***and have, preferably, electronic form***.

Amendment 342

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 18 – paragraph 2

Text proposed by the Commission

2. The EU declaration of conformity shall have the model structure set out in Annex IX, shall contain the elements specified in the relevant modules set out in Annex VIII and shall be continuously updated. It shall be translated into the language or languages required by the Member State in which the battery is placed on the market or put into service.

Amendment

2. The EU declaration of conformity ***must be able to be filled electronically and*** shall have the model structure set out in Annex IX, shall contain the elements specified in the relevant modules set out in Annex VIII and shall be continuously updated. It shall be translated into the language or languages required by the Member State in which the battery is placed ***or made available*** on the market or

put into service.

Or. en

Amendment 343

Eugen Jurzyca, Evžen Tošenovský, Alexandr Vondra

Proposal for a regulation

Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. This provision shall apply for 24 months, after the Commission has published the list of notified bodies as provided in Article 30.

Or. en

Amendment 344

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. By drawing up the EU declaration of conformity, the manufacturer shall assume responsibility for the compliance of the product.

Or. en

Amendment 345

Christian Doleschal

Proposal for a regulation

Article 18 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. This provision shall apply 18 months after the date of publication by the Commission of the list of notified bodies.

Or. en

Amendment 346
Eugen Jurzyca

Proposal for a regulation
Article 20 – paragraph 3

Text proposed by the Commission

3. The CE marking shall be followed by the identification number of the notified body **that has carried out the conformity assessment**. That identification number shall be affixed by the notified body itself or, under its instructions, by the manufacturer or by the manufacturer's authorised representative.

Amendment

3. The CE marking shall be followed by the identification number of the notified body **if required under Annex VIII, part B**. That identification number shall be affixed by the notified body itself or, under its instructions, by the manufacturer or by the manufacturer's authorised representative.

Or. en

Amendment 347
Virginie Joron, Jean-Lin Lacapelle

Proposal for a regulation
Article 20 – paragraph 5

Text proposed by the Commission

5. Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action in the event of improper use of that marking.

Amendment

5. Member States shall build upon existing mechanisms to ensure correct application of the regime governing the CE marking and shall take appropriate action, **carrying out audits and imposing sanctions**, in the event of improper use of that marking.

Or. fr

Amendment 348

Eugen Jurzyca

**Proposal for a regulation
Article 20 – paragraph 5 a (new)**

Text proposed by the Commission

Amendment

5 a. This provision shall apply for 24 months, after the Commission has published the list of notified bodies as provided in Article 30.

Or. en

**Amendment 349
Christian Doleschal**

**Proposal for a regulation
Article 20 – paragraph 5 a (new)**

Text proposed by the Commission

Amendment

5 a. This provision shall apply 18 months after the date of publication by the Commission of the list of notified bodies.

Or. en

**Amendment 350
Eugen Jurzyca**

**Proposal for a regulation
Article 22 – paragraph 1**

Text proposed by the Commission

Amendment

1. Member States shall designate a notifying authority that shall be responsible for setting up and carrying out the necessary procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, including compliance with Article 25.

1. Member States shall designate a notifying authority that shall be responsible for setting up and carrying out the necessary procedures for the assessment and notification of conformity assessment bodies and the monitoring of notified bodies, including compliance with Article 27.

Or. en

Amendment 351
Eugen Jurzyca

Proposal for a regulation
Article 23 – paragraph 1

Text proposed by the Commission

Amendment

1. A notifying authority shall be established, organised and operated so as to safeguard the objectivity and impartiality of its activities and to avoid conflicts of interest with notified bodies and conformity assessment bodies applying for notification in accordance with Article 28.

deleted

Or. en

Amendment 352
Eugen Jurzyca

Proposal for a regulation
Article 23 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. A notifying authority shall be established in such a way that no conflict of interest with conformity assessment bodies occurs. A notifying authority shall be organised and operated so as to safeguard the objectivity and impartiality of its activities.

Or. en

Amendment 353
Eugen Jurzyca

Proposal for a regulation
Article 23 – paragraph 4

Text proposed by the Commission

Amendment

4. A notifying authority shall safeguard the confidentiality of the information it obtains. However, it **shall** exchange information on notified bodies with the Commission as well as with notifying authorities of other Member States and other relevant national authorities.

4. A notifying authority shall safeguard the confidentiality of the information it obtains. However, it **may, upon request and proper consideration,** exchange information on notified bodies with the Commission as well as with notifying authorities of other Member States and other relevant national authorities.

Or. en

Amendment 354

Claudia Gamon, Karen Melchior, Dita Charanzová, Vlad-Marius Botoș, Sandro Gozi, Stéphanie Yon-Courtin

Proposal for a regulation

Article 23 – paragraph 5

Text proposed by the Commission

Amendment

5. A notifying authority shall have a sufficient number of competent personnel at its disposal for the proper performance of its tasks.

5. A notifying authority shall have a sufficient number of competent personnel **and sufficient funding** at its disposal for the proper performance of its tasks.

Or. en

Amendment 355

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 25 – paragraph 3

Text proposed by the Commission

Amendment

3. A conformity assessment body shall be a third-party body independent from any and all business ties and from the **battery model** it assesses, in particular from battery manufacturers, the battery manufacturers' trade partners, shareholding investors on the battery manufacturers' plants and from other notified bodies and

3. A conformity assessment body shall be a third-party body independent from any and all business ties and from the **batteries** it assesses, in particular from battery manufacturers, the battery manufacturers' trade partners, shareholding investors on the battery manufacturers' plants and from other notified bodies and

the notified bodies' business associations,
parent companies or subsidiaries.

the notified bodies' business associations,
parent companies or subsidiaries.

Or. en

Amendment 356
Eugen Jurzyca

Proposal for a regulation
Article 25 – paragraph 4 – introductory part

Text proposed by the Commission

4. A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the batteries which they assess, nor the representative of any of those parties. This shall not preclude the use of batteries that are necessary for the operations of the conformity assessment body or the use of batteries for personal purposes.

Amendment

4. A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, installer, **importer, distributor**, purchaser, owner, user or maintainer of the batteries which they assess, nor the **authorised** representative of any of those parties. This shall not preclude the use of batteries that are necessary for the operations of the conformity assessment body or the use of batteries for personal purposes.

Or. en

Amendment 357

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation
Article 25 – paragraph 4 – introductory part

Text proposed by the Commission

4. A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the batteries which they assess, nor the representative of

Amendment

4. A conformity assessment body, its top level management and the personnel responsible for carrying out the conformity assessment tasks shall not be the designer, manufacturer, supplier, **importer, distributor**, installer, purchaser, owner, user or maintainer of the batteries which

any of those parties. This shall not preclude the use of batteries that are necessary for the operations of the conformity assessment body or the use of batteries for personal purposes.

they assess, nor the *authorised* representative of any of those parties. This shall not preclude the use of batteries that are necessary for the operations of the conformity assessment body or the use of batteries for personal purposes.

Or. en

Amendment 358

Adriana Maldonado López, Maria-Manuel Leitão-Marques, Clara Aguilera, Maria Grapini, Sylvie Guillaume, Andreas Schieder, Biljana Borzan, Marc Angel, Christel Schaldemose

Proposal for a regulation

Article 25 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The conformity assessment body shall ensure rotation between the responsible personnel carrying out the conformity assessment tasks.

Or. en