

“SIXTH PART”
BATTERIES AND ACCUMULATORS

§ 48a

Basic provisions and definitions

- (1) If not stated otherwise in this section of the law, the general provisions of this law are valid for processing used batteries and accumulators, handling used batteries and accumulators and handling waste from the processing of used batteries and accumulators.
- (2) A battery or accumulator is considered to be any source of electric energy produced by direct transformation of chemical energy, which consists of one or several primary non-chargeable cells or one or several secondary chargeable cells.
- (3) A set of batteries is any set of batteries or accumulators joined together and/or sheathed in external packaging to create one whole, which is undividable and cannot be opened.
- (4) Used batteries or accumulators are considered to be any batteries or accumulators which do not meet the required quality, have exceeded their guarantee period or are from scrap equipment which has been disposed by their owner, whether by choice or by duty.
- (5) A portable battery or accumulator is every battery, button cell, set or batteries or accumulators, which hermetically sealed, can be transferred manually and is not an industrial battery or accumulator, nor a car battery or accumulator.
- (6) A button cell is each round, portable battery or accumulator whose diameter is greater than the height and which is used for a determined purpose, for example in hearing aids, clocks, small portable devices and in back up sources.
- (7) A car battery or accumulator is any battery or accumulator used for the starter, lighting, or ignition of a motor vehicle.
- (8) An industrial battery or accumulator is any battery or accumulator, which is designed exclusively for industrial or professional use, or is used in any type of transport vehicle driven by electrical energy.
- (9) Processing is any activity performed on the used batteries and accumulators after they have been handed to a facility for sorting and preparation for recycling.
- (10) The processor of used batteries and accumulators is a physical entity - entrepreneur, or legal entity who has been awarded authorisation in accordance with §8 Art. 3 item a).
- (11) The producer is any person who, within his business activities, regardless of the used method of sale, presents batteries or accumulators on the market, including batteries and accumulators inserted into devices or means of transport in the area of the Slovak Republic within his business activities.
- (12) A distributor is any person who, within his business activities, provides batteries and accumulators to the final user.
- (13) For the purposes of this law, presenting batteries and accumulators on the market means the moment when batteries or accumulators produced in the Slovak Republic are, with or without payment, presented for sale, distribution or use for the first time, or if they are the subject of the transfer of ownership rights for the first time; the import of batteries and accumulators to the Slovak Republic is also considered to be presenting batteries and accumulators on the market.
- (14) Limits for the collection of used portable batteries and accumulators, with the aim of decreasing their amount and dangerousness, will be stated by the government of the Slovak Republic for the particular calendar year as a volume percentage of the share of weight of used portable batteries and accumulators collected in the particular calendar

- year and the average weight of portable batteries and accumulators which were directly sold to the final user or delivered for sale to the final user by the producers.
- (15) Recycling means repeated processing of waste materials in the production process for their original purpose or other purpose apart from reproducing energy.

§ 48b

Restrictions

The following is restricted from being presented on the market

- a) batteries or accumulators which contain more than 0.0005 vol. percentage of mercury including cases when such batteries and accumulators form part of devices; this restriction is not related to button cells with a content of mercury not exceeding 2 vol. percent,
- b) portable batteries or accumulators including those which are part of devices which contain more than 0.002 vol. percent of cadmium; this restriction is not related to portable batteries and accumulators designed for use in emergency and warning systems including emergency lighting, medical devices or in wireless electrical devices.

§ 48c

Duties of the producer, distributor, and seller

(1) Equipment which includes batteries and accumulators must contain instructions and a description of how to safely remove batteries and accumulators from these devices, together with information for users regarding their material content; this duty is not related to equipment where, for safety reasons, performance, medical reasons or reasons of data integrity, a permanent supply of electrical energy is necessary and permanent between the equipment and a battery or accumulator is required.

(2) A distributor of batteries and accumulators must

- a) in his place of sale, provide collection of all types of used portable batteries and accumulators regardless of the production brand, date of their presentation on the market and regardless of the place of purchase of the new portable battery or accumulator, or any other goods, during his opening hours, without a demand for any payment for such collection;
- b) inform the final users of the possibility for returning used batteries and accumulators to his sales place,
- c) only pass the collected, used batteries and accumulators to an authorised processor or physical entity - entrepreneur, or to a legal entity who provides collection of used portable batteries and accumulators on the basis of a contracted relationship with an authorised processor.

(3) When presenting batteries and accumulators on the market in the Slovak Republic,

the producer must provide accurate chemical and material content of the batteries and accumulators to all authorised processors for the needs of determination of technological and technical methods of their processing and recycling.

(4) When selling new portable batteries and accumulators to final users, expenses for collection, processing and recycling are not stated separately.

§ 48d

Collection and processing of used batteries and accumulators

- (1) It is forbidden to mix used batteries and accumulators with domestic waste.
- (2) The holder of used batteries and accumulators is obliged to hand them to a distributor or seller [§48c Art. 2 item a)] or to the collector of used batteries and accumulators in accordance with §48c Art. 2 item c) or to an authorised processor of used batteries and accumulators.
- (3) Used batteries and accumulators must be collected separately from other types of waste.
- (4) If the portable batteries or accumulators are collected together with waste from electrical and electronic devices, they are removed from the collected waste from electrical and electronic devices and are handled as used batteries and accumulators.
- (5) The producer and importer of batteries and accumulators, as well as an importer of devices into which these batteries and accumulators are inserted, must provide collection, processing and recycling for all these types of batteries and accumulators via joining a system of collection, transport, processing and recycling, in accordance with the Programme in the Slovak Republic, in an amount of batteries and accumulators imported by him into the Slovak Republic market.

§ 48e

Disposal

- (1) Disposal and any energy recycling of used batteries and accumulators is forbidden.
- (2) It is permitted to only dispose of non-recyclable remains of used batteries and accumulators, which have been through a process of recycling and can only be carried out via activities D1 or D10 in accordance with enclosure No. 3.

§ 48f

Fees to the Recycling Fund for batteries and accumulators

- (1) A producer and importer of batteries and accumulators, as well as importers of devices which include batteries and accumulators, must pay a fee to the Recycling Fund for batteries and accumulators in the amount determined in accordance with § 56.
- (2) A producer and importer who presents products stated in Article 1 to the Slovak Republic market is responsible for payment and the accuracy of the abovementioned fee.

- (3) A producer and importer pay the fee to the Recycling Fund for each calendar quarter. The amount of the fee is determined in accordance with §56 from the real volume of production or import within the relevant quarter. The fee is due for payment on the thirtieth day of the following quarter.
- (4) It is a producer's and importer's duty to register with the Recycling Fund within 30 days from commencement of production or import of batteries, accumulators or devices with inbuilt batteries and accumulators, for which they must the fee, announce changes in data necessary for registration to the Recycling Fund within 30 days from this change and allow authorities of state inspection of waste management (§73) to inspect their registrations with the Recycling Fund, inspect the accuracy of the fee and check its payment, and provide correct and complete information.
- (5) A producer and importer of batteries and accumulators must
 - a) maintain and archive documentation regarding the volume of his production, import, export and re-export of batteries and accumulators, classified under automobile, industrial and portable batteries and accumulators;
 - b) report the stated documented data quarterly to the Recycling Fund and to the appropriate district Environmental Office.
- (6) The person who provides collection, processing and recycling of used batteries and accumulators must:
 - a) maintain and archive documentation regarding the collection of used batteries and accumulators and regarding the volume of their processing and recycling, classified under automobile, industrial and portable batteries and accumulators;
 - b) report the stated documented data quarterly to the Recycling Fund and to the appropriate district Environmental Office.
- (7) The Recycling Fund reports summarised data from documentation to the Ministry in accordance with Article 5 item b) and Article 6 item b) for the appropriate calendar year, at the latest by the end of February of the following calendar year.

§ 48g

Labelling

A producer and importer of batteries and accumulators must:

- a) label the batteries with a label which displays separated collection, for all batteries and accumulators, and which will display a crossed waste bin on wheels,
- b) only present batteries and accumulators to the Slovak Republic market with legible and non-removable labelling stating the capacity of the accumulators,
- c) label the batteries, accumulators and button cells stating the content of mercury greater than 0.0005%, cadmium greater than 0.002% or lead greater than 0.004%, the chemical symbol Hg, Cd or Pb depending upon the metal present; a symbol stating the content of heavy metals will be displayed under the mark listed in the general binding legal regulations [§68 Art. 3 item n)] and will cover at least one quarter of the dimensions of this label,
- d) use a label which will mark as separated waste, so this will cover at least 3% of the largest side of the battery, accumulator or set of batteries, whilst the maximum stated size of the label is 5 x 5 cm; for cylindrical cells, the label must cover at least 1.5% of the surface of the battery or accumulator and in this case, the size of the label must be at least 5 x 5 cm,

- e) label batteries, accumulators or sets of batteries whose size is such that the label would be smaller than 0.5 x 0.5 cm, via a label printed on the packaging with dimensions of 1 x 1 cm,
- f) print the mark in a clear, legible and non-erasable way.”