



Department
for Environment
Food & Rural Affairs

T: 020 7238 4345
helpline@defra.gsi.gov.uk
www.gov.uk/defra

Your ref:
Our ref:
Date: 26 January 2014

Dear Consultee

Consultation on amendments to the Government Guidance Notes on the Waste Batteries and Accumulators Regulations 2009: definitions of a portable battery

We are pleased to invite you to participate in a consultation on whether to amend the Government Guidance Notes on the Waste Batteries and Accumulators Regulations 2009, to provide clarity on the definition of what constitutes a “portable” battery.

Consultation Options

The proposed amendment will provide a clearer framework to help interpretation of whether a battery “*can be hand-carried by an average person without difficulty*”. It will remove the 4kg -10kg “grey area” within the existing guidance and state a clear weight limit to determine whether a battery can be “hand carried” and is therefore a portable battery.

This will not affect the other components of the existing definition and it will remain important for both producers, treatment operators and exporters to give consideration to the full range of factors when taking a view on whether a battery is portable or industrial.

The options are:

- Option 1 – Do nothing: Retain current guidance
- Option 2 - Introduce a single weight threshold of 4kg for portable batteries
- Option 3 - Introduce a single weight threshold of 3kg for portable batteries

Option 2 is the Government’s preferred option. However, we would welcome views from respondents on which option is most desirable and the reasons why. We would also welcome any further evidence and comments on the evidence provided in this consultation especially regarding the data which underpins the proposal and impacts on the costs/benefits.



Consultation process

This consultation paper is presented by the Department for Environment, Food and Rural Affairs, the Scottish Government, the Department of the Environment in Northern Ireland, and the Welsh Government. It can be found on the website:

https://www.gov.uk/government/publications?publication_filter_option=consultations

The consultation will start on 26 January 2015 and run for 4 weeks. Responses should be received **no later than 22 February 2015**.

All responses should be sent by email to packaging@defra.gsi.gov.uk, or by post to Producer Responsibility, Department for Environment, Food and Rural Affairs, Area 2B Nobel House, 17 Smith Square, London SW1P 3JR.

Please make sure that any email responses are clearly marked '**Portable Batteries Consultation Responses**'.

In your response, please explain who you are and, where relevant, whom you represent and give your name and appropriate contact details.

If you wish to receive a hard copy of the consultation document and impact assessment, please contact the relevant Administration.

Confidentiality & Data Protection

Information provided in response to this consultation document, including personal information, may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004). If you want information, including personal data that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

Enquiries and Complaints

If you have any queries about this consultation you should contact Ian Atkinson by email ian.atkinson@defra.gsi.gov.uk or telephone on 020 7238 4345.

Complaints relating to this consultation should be sent to Ola Osinibi, Defra's Consultation Co-ordinator, Rm 629, 9 Milbank, 17 Smith Square, London SW1P 3JR.

Government consultation guidelines can be found at www.cabinetoffice.gov.uk.

We look forward to hearing from you.

Yours faithfully

Ian Atkinson
Department for Environment, Food and Rural Affairs