

SUBSIDIARY LEGISLATION 549.178

WASTE MANAGEMENT (WASTE BATTERIES)
REGULATIONS

14th October, 2025

LEGAL NOTICE 232 of 2025.

1. (1) The title of these regulations is the Waste Management (Waste Batteries) Regulations. Citation and scope.

(2) The scope of these regulations is to implement the requisites of the provisions of Chapter VIII of Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC.

2. In these regulations, unless the context otherwise requires: Interpretation.

"Act" means the Environment Protection Act; Cap. 549.

"Authority" or "competent authority" means the Environment and Resources Authority as established by article 6 of the Act;

"producer" shall have the same meaning as assigned to in Article 3(47)(d) of Regulation (EU) 2023/1542;

"Regulation (EU) 2023/1542" means Regulation (EU) 2023/1542 of the European Parliament and of the Council of 12 July 2023 concerning batteries and waste batteries, amending Directive 2008/98/EC and Regulation (EU) 2019/1020 and repealing Directive 2006/66/EC.

3. The Authority shall be the competent authority responsible for the implementation of the obligations established in Chapter VIII of Regulation (EU) 2023/1542. Designation of competent authority.

4. A producer shall appoint an authorised representative for extended producer responsibility for the batteries sold to end-users in Malta. Such appointment shall be made by written mandate by means of a declaration as listed in the Schedule. Extended producer responsibility.

5. (1) Each producer participating in an authorised producer responsibility organisation shall pay a non-refundable fee of ten euro (€10) to be registered with the Authority. Register of producers.

(2) Self-compliant producers shall pay the fee established in S.L. 549.172.

Category 1.44 of the First Schedule to the Environmental Permitting (Procedure for Application and their Determination) Regulations, which includes both the authorisation in accordance with Article 58 of Regulation (EU) 2023/1542 as well as the registration in accordance with Article 55 of Regulation (EU) 2023/1542.

(3) The register of producers shall be maintained by the Authority and made available on its website.

Independent expert.

6. The Authority may appoint an independent expert for the carrying out of the verification stipulated in Article 58(3) of Regulation (EU) 2023/1542 at the expense of the applicant.

Individual fulfilment of extended producer responsibility obligations.

7. (1) The authorisation procedure in accordance with Article 58 of Regulation (EU) 2023/1542 and the registration procedure in accordance with Article 55 of Regulation (EU) 2023/1542 shall constitute a single procedure.

(2) When the requirements of Article 58 of Regulation (EU) 2023/1542 are not fulfilled, the producer shall be notified by the Authority that participation in an authorised producer responsibility organisation for all batteries made available for the first time on the market in Malta shall be required.

Collection of waste batteries.

8. Waste batteries collected through systems funded by Local Councils, or by any local agency, shall be deposited at facilities operated by a local agency designated by the Minister and shall thereafter be handed over to authorised producer responsibility organisations:

(a) at a price that shall reflect the total cost recovery of collection and storage up to the point of take-over by the respective producer responsibility organisation, which price shall be subject to the scrutiny and approval of the Minister; and

(b) shall be proportionately distributed amongst authorised producer responsibility organisations on the basis of the average weight and the category of the batteries made available on the market for the first time by the members of the producer responsibility organisations in the three (3) preceding years, as may be determined by the Authority from time to time.

Auditing of information submitted to the Authority.

9. (1) Self-compliant producers and authorised producer responsibility organisations shall use the services of an independent auditor, approved by the Authority, to certify that all of the information reported to the Authority is in conformity with the obligations of Chapter VIII of Regulation (EU) 2023/1542.

(2) The annual report together with the audited report shall be submitted to the Authority within six (6) calendar months from the

closing of the year.

10. The Authority may impose an administrative penalty in accordance with articles 80 and 81 of the Act in case of any breach of Chapter VIII of Regulation (EU) 2023/1542 or these regulations: Administrative penalties.

Provided that the applicable administrative penalty for any person disposing of waste batteries in the form of unsorted municipal waste shall be one hundred euro (€100) per battery disposed.

SCHEDULE (regulation 4)

WRITTEN MANDATE DECLARATION

Name of Producer:

Address:

hereby appoints

Name of legal or natural person established in Malta:

Address:

, as the producer's authorised representative in Malta in accordance with regulation 4.

Name of legal or natural person established in Malta:

hereby represents and undertakes the responsibilities as the authorised representative in Malta for

Name of Producer:

, in accordance with the Waste Management (Waste Batteries) Regulations (L.N. 232 of 2025).

This mandate, signed by both parties, commences on the date of signature unless otherwise declared, and shall cease once either party informs the competent authority in Malta managing the national register that this mandate has been terminated.

On one part,

Name of Producer:

Signature:

Date:

On one other part,

Name of Authorised Representative:

Signature:

Date:
