Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 18,393, 24 ta' Marzu, 2009
Taqsima B

L.N. 88 of 2009

PRODUCT SAFETY ACT (CAP. 427)

The Batteries and Accumulators (Amendment) Regulations, 2009

IN exercise of the powers conferred by articles 38 and 39 of the Product Safety Act, the Minister of Finance, the Economy and Investment has, on the advice of the Malta Standards Authority, made the following regulations:-

Citation.

1. The title of these regulations is the Batteries and Accumulators (Amendment) Regulations, 2009, and they shall be read and construed as one with the Batteries and Accumulators Regulations, 2007, hereinafter referred to as "the principal regulations".

L.N. 311 of 2007.

Scope.

2. These regulations provide additional measures, procedures and guidance to those in the principal regulations as well as implement the provisions of Directive 2008/103/EC of the European Parliament and of the Council of 19th November 2008 amending Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators as regards placing batteries and accumulators on the market.

Amends regulation 4 of the principal regulations.

3. Definition 6 of regulation 4 of the principal regulations shall be renumbered as definition 7 thereof and immediately after definition 5 there shall be added the following definition:-

"6. "placing on the market" means supplying or making available, whether in return for payment or free of charge, to a third party within the Community and includes import into the customs territory of the Community.".

Renumbers regulation 7 of the principal regulations.

4. Regulation 7 of the principal regulations shall be renumbered as regulation 9 thereof.

Adds new regulation 7 to the principal regulations.

5. Immediately after regulation 6 of the principal regulations there shall be added the following new regulation:

"Promotion and improvement of battery performance.

7. Manufacturers shall promote research and improve the overall environmental performance of batteries and accumulators throughout their entire life cycle as well as develop and market batteries and accumulators which contain smaller quantities of dangerous substances or which contain less polluting substances, in particular as substitutes for mercury, cadmium and lead.".

Adds new regulation 8 to the principal regulations.

6. Immediately after the new regulation 7 of the principal regulations, there shall be added the following new regulation:-

"Placing on the market.

8. (1) The placing on the market, of batteries and accumulators that meet the requirements of these regulations, shall not be impeded, prohibited or restricted.

(2) Batteries or accumulators which do not meet the requirements of these regulations shall not be placed on the market after the commencement of these regulations. Batteries and accumulators which do not meet the requirements of these regulations and which are placed on the market after this date shall be withdrawn from the market.".

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