



**RIGHT TO
REPAIR**

Feedback on Batteries Regulation

list of products exempted from the general removability and replaceability requirements

Brussels, 26.05.2026



The [Right to Repair Europe](#) coalition represents over 190 organisations from 30 European countries. It represents environmental NGOs and repair actors such as community repair groups, social economy actors, spare parts distributors, self-repairers, repair and refurbishing businesses, and any citizen who would like to advocate for their right to repair. This is a rapidly growing movement, and its objective to make repair affordable, accessible and mainstream is aligned with the objectives of the European Green Deal and the Circular Economy Action Plan. Browse member organisations by country [here](#).



Introduction

Regulation (EU) 2023/1542 requires that portable batteries incorporated into products sold in the EU generally be removable and replaceable by consumers. This is a major step forward in extending product lifespans, but by proposing to add new product categories to the list of exemptions, the Commission could undermine its scope.

We oppose the extension of these exemptions and call on the Commission to:

1. **Ensure that any exemption is accompanied by requirements** regarding the availability of parts, tools, and technical information for professional repairers.
2. **Reverse the burden of proof** by requiring the manufacturer to demonstrate the technical impossibility of a removable battery, rather than requiring civil society organizations to prove the contrary. The Commission must explicitly include this principle in the delegated act.
3. **Limit the scope of exemptions** to cases of proven and documented technical impossibility, not to arguments based on cost or design.

Reject the exemption for toys and wearables

We propose, first and foremost, that this temporary exemption for toys be **eliminated entirely**. The safety arguments put forward by the industry are unfounded: child safety and parental access to the battery are two distinct design issues. A battery secured by a single screw is inaccessible to a child but accessible to a parent. Requiring a professional to replace a toy's battery effectively excludes toys from repair.

- If an exemption were nevertheless to be maintained for toys, **the Commission must require manufacturers to prove that no design allowing for safe parental access is technically feasible**, rather than accepting a unilateral declaration.

Regarding wearables, we are concerned about the Commission's decision to include them in the derogation in spite of:

- **The JRC's recommendation** for a strict application of 5 criteria, including the impossibility to redesign the appliance so that it safely operates in the environment described (C. Spiliotopoulos e.a., [Technical input for the Guidelines on removability and replaceability of portable and Light Means of Transport batteries](#) (2024), JRC136588, p. 9);
- **The technical support study's** finding that the evidence provided by the applicants does not indicate that redesigning the wearable devices under consideration would result in the device no longer operating safely in the described environment (Y. Baron e.a., [Technical support to the adoption of delegated acts and Commission reports related to the new Batteries Regulation between 2024 and 2027 – Task 1 Report: Support to the adoption of a delegated act pursuant to Article 11](#) (2025), p. 99.).

Consequently:

- *We kindly ask the Commission to clarify **why a draft is proposed that goes against these findings**.*
- *We call for clear guidance to be provided, stipulating that requests for derogations shall only be admissible when all 5 criteria as identified in the JRC report are met.*

We reiterate our call for the establishment of the **following clear criterion for demonstrating failure to meet the 'no way to redesign' indicator**: if a single example can be found of a product within the same product category and providing the same functionality, that has a replaceable battery whilst being compliant with all legal requirements, this proves that it is in fact possible to design this type of product with replaceable batteries. Therefore, such a single example should suffice to deny a request for derogation based on the 'no way to redesign' rationale (see [Right to Repair Feedback on Battery Regulation Article 11 Derogations \(2025\)](#), p. 5).

The argument that water resistance justifies a non-replaceable battery is also the result of a design choice. Studies by [iFixit on the Pixel Watch 4](#) demonstrate that it is possible to design water-resistant products that can be repaired by the general public. The arguments put forward by manufacturers to obtain an exemption illustrate a problematic design choice rather than an industrial impossibility.

Consequently, we request that:

- *The Commission rejects requests for exemptions from the requirement for replaceable batteries in wearables without proof of demonstrated technical impossibilities, on the grounds that the constraints cited are design constraints.*

Ensure that the exemption allows repairs to be performed by independent professionals.

The delegated act must ensure that, even for exempted products, repairs remain feasible for independent repairers. Otherwise, manufacturers could lock out the repair market.

Consequently, we requests that:

- *Tools, gaskets, seals, and fasteners (including part numbers, material specifications, and assembly instructions) be made available to independent professionals, either for sale or by other means.*
- *Manufacturers provide tightening tolerances, methods for verifying restored sealing, and installation instructions to independent repairers.*
- *No software restrictions that would render a battery replaced outside the manufacturer's network inoperable or dysfunctional (such as part pairing) be permitted.*

Establish minimum requirements for all exempted categories

Regardless of the category, any partial exemption must be accompanied by binding information requirements:

- **Online publication** of instructions for battery removal and replacement, accessible free of charge to end users, even if replacement is restricted to professionals.
- **Minimum period of availability of technical information** for independent professionals, aligned with the general law applicable to all products (7 to 10 years after the last unit of the model was placed on the market).

Clarify the definition of “humid environments”

The delegated act must establish a precise **technical definition** of “**humid environments**” **justifying an exemption**.

We recommends:

- *That this definition be **incorporated and made binding in the delegated act itself**, rather than left to the unilateral discretion of manufacturers. A product cannot be declared “intended for a damp environment” solely to circumvent the requirements of the regulation.*

Contact

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