COMMITTEE FOR EUROPEAN
CONSTRUCTION EQUIPMENT

POSITION PAPER

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Implementation of the Batteries Regulation (EU) 2023/1542: CECE Position on the Digital Battery Passport

The Committee for European Construction Equipment (CECE) represents the interests of European construction equipment manufacturers. Through its national member associations, CECE speaks on behalf of an industry comprising approximately 1,200 companies, employing around 300,000 people and generating an annual turnover of €60 billion.

In the context of the Batteries Regulation (EU) 2023/1542, CECE supports the objectives of enhancing sustainability, transparency, and traceability in the battery value chain. However, the current timeline for the introduction of the digital battery passport raises serious concerns regarding feasibility and legal certainty.

CECE key concerns

The requirement for a Battery Passport, as established under Article 77 of the Batteries Regulation, is currently set to apply from 18 February 2027. **CECE calls for this deadline to be postponed by two years, to 18 February 2029** due to several critical unresolved issues that hinder effective implementation. CECE therefore calls on the European Commission to adopt a **standalone stop-the-clock proposal** postponing the battery passport application deadline, similar to the approach taken for battery due diligence obligations under the Omnibus IV Simplification Package.

To ensure regulatory consistency and the effectiveness of digital information obligations, **CECE further requests that any stop-the-clock proposal explicitly includes the QR code obligation under Article 13(6).** The QR code is an integral entry point to the digital battery passport and related information. Decoupling its application timeline from the battery passport would undermine the coherence and practical functioning of the digital framework.

CECE key concerns underpinning this request are outlined below.

1. Lack of harmonised standards and common specifications

The harmonised standards and common specifications that are expected to define the underlying IT architecture for the Digital Battery Passport have not yet been finalised. This absence of both agreed harmonised standards and common specifications create significant uncertainty and practical barriers for industry stakeholders attempting to design, invest in, and deploy compliant systems in a timely

manner. In parallel, the implementing and delegated acts related to the carbon footprint declaration under Article 7(1) have not yet been published. The lack of common specification in this area further obscures the exact compliance obligations and undermines legal certainty for economic operators preparing for implementation.

2. Misalignment in the regulatory timeline

The broader regulatory timeline already reflects delays in adjacent areas. Notably, the due diligence reporting requirements have been postponed to 18 August 2027 under the Omnibus IV package, with official guidance now expected no earlier than summer 2026. This demonstrates that key elements of the regulatory framework are still under development and not yet operational.

3. Uncertainty regarding data requirements

Substantial ambiguity also persists regarding specific data requirements set out in Annex VI, Part A, Batteries Regulation particularly concerning hazardous materials and critical raw materials. Although further clarification was expected via an implementing act under Article 13(10), this act has not yet been adopted.

4. Absence of the digital product passport registry

The digital product passport registry – introduced through corrigendum 2024/90493 to Regulation (EU) 2024/1781 via the addition of Article 77(10) – is not yet in place. The absence of this central infrastructure makes it impossible to fully operationalise the system as envisaged by the legislation.

5. Absence of periodicity related to battery passport for dynamic data

Annex XIII, point 4 requires populating the battery passport without defining clear criteria for data periodicity, while obliging economic operators to ensure data accuracy and timeliness. Data could be updated only upon status changes ("zero periodicity"), during battery events or maintenance ("low periodicity"), or in real time, which would require dedicated telematic devices and entail significant administrative and cybersecurity burdens. This lack of clarity will create additional economic burden for construction machinery manufacturers. Clarification is therefore needed.

Conclusions and Recommendations

Maintaining the current implementation date would force manufacturers to develop provisional systems based on incomplete and evolving requirements. This would almost certainly lead to significant rework once the missing elements are clarified, resulting in inefficient use of resources and avoidable costs.

CECE therefore strongly recommends postponing the application date for the digital battery passport to 18 February 2029. This additional time is essential to ensure that all necessary standards, implementing acts, guidance, and infrastructure are fully developed and aligned, thereby enabling a smooth, efficient, and legally certain transition to compliance.

CECE further recommends that the QR code obligation under Article 13(6) be explicitly included in the scope of any stop-the-clock proposal. The QR code serves as a key access point to the digital battery passport and related digital information. Aligning its application date with that of the digital battery passport is necessary to ensure regulatory consistency and the effective functioning of the overall digital framework.

CECE remains available to engage with policymakers to further discuss the proposed amendment and to provide technical expertise in support of a workable and effective implementation framework.