EUROMOT

The European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers



POSITION PAPER

Position on Batteries – Access Rights to Certain Parts of the Battery Passport

13 November 2026













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EUROMOT POSITION

POSITION ON BATTERIES – ACCESS RIGHTS TO CERTAIN PARTS OF THE BATTERY PASSPORT

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1. Introduction

EUROMOT welcomes the Commission's efforts to clarify access rights to Battery Passport information. However, several important issues remain insufficiently addressed and risk creating legal uncertainty, inconsistent implementation and disproportionate disclosure obligations. To ensure a harmonised and workable framework, further clarification is required regarding commercially sensitive information, purchaser rights, verification procedures, download rights and the scope of eligible users. In addition, the Commission should introduce a transition period before the access-rights provisions become applicable.

2. Key Recommendations

EUROMOT calls on the Commission to:

- Clearly distinguish between information necessary for safe battery handling and commercially sensitive information;
- Clarify the scope of purchaser rights;
- Establish a harmonised verification and authorisation framework for eligible users;
- Limit access rights for battery repurposing activities to verified professional operators;
- Restrict download rights and clarify responsibilities relating to downloaded information;
- Clarify the role and eligibility of vocational training centres; and
- Introduce a transition period before the application of the access-rights provisions.

3. Protection of Commercially Sensitive Information

EUROMOT agrees that information necessary for the safe handling, removal and transport of batteries should be available to authorised users. However, further clarification is needed regarding the statement in Recital (3) that "information on safety measures is not commercially sensitive". Information relating to battery dismantling may reveal proprietary design features, engineering solutions and manufacturing know-how. Disclosure of detailed dismantling information may provide insights into battery architecture, integration methods, thermal management systems and other innovations that constitute valuable intellectual property. The Commission should therefore clearly distinguish between:

- Information necessary to ensure the safe handling, removal and transport of batteries; and
- Proprietary information concerning battery dismantling, design, architecture and engineering solutions.

Clear safeguards are needed to ensure that legitimate access requirements do not inadvertently undermine the protection of intellectual property and commercially sensitive information.

4. Clarification of Purchaser Rights

The proposal grants access rights to "purchasers" of batteries but does not clearly define the scope of those rights or the categories of information that may be accessed. Further clarification is needed to ensure consistent interpretation across economic operators and Member States. In particular, the Commission should specify what information purchasers may access and how access rights should be managed in situations involving leasing arrangements, second-hand sales, fleet operators and intermediaries.

5. Verification and Authorisation Framework

The proposal does not establish a harmonised mechanism for verifying whether an entity belongs to a category entitled to access Battery Passport information. Manufacturers and service providers would therefore need to develop their own verification procedures, resulting in inconsistent approaches across the Union. The Commission should establish a clear and harmonised verification framework, including responsibilities, verification criteria and authorisation procedures. In particular, the Commission should clarify which entity is responsible for verification, whether battery passport service providers, economic operators, designated third parties or another competent body should perform this function.

A common EU-wide approach is necessary to avoid fragmented implementation, reduce administrative burden and provide legal certainty for both information providers and authorised users.

6. Scope of Repurposing Operators

The proposal grants access rights to any natural or legal person carrying out battery repurposing activities. Given the broad definition of repurposing under Regulation (EU) 2023/1542, EUROMOT is concerned that this could result in access to sensitive dismantling information by actors lacking the necessary technical competence, safety procedures or regulatory oversight. Access rights should therefore be limited to professional repurposing operators and subject to appropriate verification requirements. This would help ensure that sensitive information is only made available to qualified entities with a legitimate operational need and appropriate accountability arrangements

7. Download Rights and Data Control

EUROMOT remains concerned about the provision allowing authorised users to download Battery Passport information. Once downloaded, information may be stored, copied, shared or retained beyond the intended purpose, making it difficult to ensure effective control over commercially sensitive information. The proposal currently relies on users deleting information when it is no longer required. However, such obligations may be difficult to monitor or enforce in practice. Downloaded information may remain available through local storage systems, shared drives, backups or other repositories.

The Commission should therefore carefully assess whether access through controlled viewing environments could provide a more effective means of balancing legitimate access needs with the protection of commercially sensitive information and intellectual property.

8. Vocational Training Centres

EUROMOT questions the inclusion of "vocational training centres" amongst the categories of entities entitled to access Battery Passport information. The proposal does not define this category nor explains why access to potentially sensitive information is necessary. The Commission should clarify:

- What constitutes a vocational training centre;
- The purpose for which access is granted;
- Which information may be accessed; and
- How eligibility will be verified.

If vocational training centres remain within the scope of the Implementing Regulation, their eligibility, purpose and permitted access rights should be subject to the same harmonised verification and authorisation framework applicable to all other authorised users

9. Implementation and Timing

Several key concepts remain unclear despite the proximity of the implementation date. Without additional guidance, manufacturers and service providers will be required to develop their own interpretations and access-management systems, risking divergent implementation across the Union. EUROMOT therefore calls on the Commission to:

- Provide additional guidance on access rights and verification procedures;
- Finalise a harmonised verification framework before the provisions become applicable; and
- Introduce a transition period, or otherwise postpone the application of the provisions relating to persons with a legitimate interest until the necessary guidance and verification mechanisms are in place.

10. Conclusion

EUROMOT supports the objectives of the Battery Passport but believes further clarification is necessary regarding commercially sensitive information, purchaser rights, verification procedures, download rights and the scope of entitled users. In particular, access to sensitive dismantling information should be limited to professional repurposing operators subject to appropriate verification requirements. A transitional period for the access-rights regime should be considered to ensure consistent implementation across the Union.

THIS IS EUROMOT

EUROMOT, the European Association of Internal Combustion Engine and Alternative Powertrain Manufacturers, represents the key manufacturers of internal combustion engines and alternative powertrains installed in industrial non-road mobile machinery, marine and stationary applications that are operating in Europe and worldwide.

Founded in 1991, we provide an unparalleled heritage and hub of expertise for businesses, authorities, regulators, and public stakeholders worldwide. In partnership with major sector associations and institutions, it is our mission to drive smart regulation and sustainable innovation.

Delivering dependable power for society at high energy conversion efficiency with low emissions remains a key objective of EUROMOT member companies. EUROMOT asserts internal combustion engines and alternative powertrains are a key enabler to address the additional societal need for decarbonisation across multiple industry sectors. This can be achieved by continuing to advance the development of highly efficient energy conversion systems capable of operating on low and net-zero Greenhouse Gas (GHG) energy carriers.

Headquartered in Brussels, EUROMOT is a European interest group, and our profile is registered in the EU Transparency Register under the identification number 6284937371-73. We have been granted consultative status at the United Nations IMO (International Maritime Organization, London) and United Nations ECE (Economic Commission for Europe - Geneva) and other relevant stakeholders.

OUR MEMBERS





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