EMJ.LIFE | PRE-DISCLOSURE EVIDENCE INFRASTRUCTURE

RESPONSE TO THE EUROPEAN COMMISSION

BATTERY PASSPORT ACCESS AND USE RIGHTS

Restricted information and legitimate interests
Response to the draft implementing regulation



SUPPORT WITH TARGETED DRAFTING AND IMPLEMENTATION RECOMMENDATIONS

EMJ LIFE HOLDINGS PTE. LTD.

Singapore | 13 November 2026

Controlled Consultation Response | v1.0 | Final

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EMJ.LIFE | PRE-DISCLOSURE EVIDENCE INFRASTRUCTURE

13 November 2026

European Commission
Brussels, Belgium

Via the Have Your Say feedback facility
Initiative 16473

Response on Battery Passport Access Rights

Draft implementing regulation on access to and use of certain information in the battery passport
Ref. Ares(2026)9814179, 19 October 2026

Dear Sir or Madam,

EMJ LIFE HOLDINGS PTE. LTD. welcomes the opportunity to comment on the draft implementing regulation. We support differentiated access for persons with a legitimate interest, purpose limitations for commercially sensitive information, and the specific treatment of safety information.

We respond as a Singapore-based Institutional Evidence Systems Integrator developing Pre-Disclosure Evidence Infrastructure. Our contribution concerns how a permitted user can demonstrate its role and mandate, understand the operations allowed on a particular dataset, and manage those permissions as the battery and its passport change.

We recommend clarifying the relationship between Articles 1 and 2, the permitted use by vocational training centres, and the distinction between purchaser representation and authorisation to share or publish. Related guidance should address responsibility transfers, necessary retention and proportionate verification across decentralised services.

The attached response separates suggested legislative wording from non-binding implementation guidance. It preserves the safety information exception, the existing free-access requirement and the parent Regulation's rules on passport continuity and termination. Our recommendations remain technology neutral and build on existing records and controls.

We consent to publication of this response, including the respondent name and the contact details below. Please direct correspondence to anderson@emj.life.

Yours faithfully,

Anderson Yu
Founder and Chief Executive Officer
For EMJ LIFE HOLDINGS PTE. LTD.
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Response Overview

Field	Information
Consultation	Access to and use of certain information in the battery passport Draft Commission Implementing Regulation
Draft reference	Ares(2026)9814179 | 19 October 2026 | Initiative 16473
Recipient	European Commission
Respondent	EMJ LIFE HOLDINGS PTE. LTD., Singapore
Perspective	Institutional Evidence Systems Integrator Pre-Disclosure Evidence Infrastructure
Overall position	Support with targeted drafting and implementation recommendations
Document control	EMJ.RESP.EU-BATTERY-PASSPORT.2026 | v1.0
Issue date and review cut off	13 November 2026
Feedback deadline	16 November 2026 | 23:59 Brussels time
Document status	Final public consultation response prepared for submission
Publication consent	Yes | No confidential treatment requested
Contact	Anderson Yu | anderson@emj.life

Executive Summary

We support the draft's role-based allocation of access and its controls on commercially sensitive information. The principal drafting recommendation is to state expressly that Article 2 limits the use of information to which a person is entitled under Article 1. Its collective references to several roles and datasets should not be read as enlarging those entitlements.

We also recommend clarifying the practical use of data by vocational training centres, distinguishing different forms of authorisation, and explaining what happens to permissions and downloaded information when responsibilities or purposes change. Proportionate implementation guidance should help operators apply these rules consistently using existing controls.

These recommendations preserve the freedom to use and share safety information. They also respect existing requirements for interoperability, free access according to rights, controlled modification, and passport continuity and termination [2].

Summary of Positions

Recommendation	Requested action	Section
R1 Access and purpose	Clarify that Article 2 does not extend the data entitlements granted by Article 1.	2.1
R2 Vocational training	Explain when training falls within the listed purposes and how centres may manage teaching use.	2.2
R3 Mandates and sharing	Distinguish purchaser representation, permission to share or publish, and authority to maintain a passport.	2.3
R4 Retention and lifecycle	Explain permissions and necessary records during responsibility transfers and at the end of a permitted purpose.	2.4
R5 Proportionate verification	Provide practical guidance for decentralised verification, free access and the safety information exception.	3

1 Institutional Profile and Scope of Response

EMJ LIFE HOLDINGS PTE. LTD., operating as EMJ.LIFE, is a Singapore-based Institutional Evidence Systems Integrator developing Pre-Disclosure Evidence Infrastructure. Our work concerns how information is organised for controlled institutional use and review. This response applies that perspective to permissions and supporting records for battery passport information.

References to Articles 1 to 3 are to the supplied draft [1]. References to Articles 77 and 78 and Annex XIII are to Regulation (EU) 2023/1542, using the consolidated text dated 13 August 2026 [2]. Suggested additions are our recommendations. The draft is not an adopted act, and its Article 3 does not establish an actual date of entry into force.

The response is based on documentary review. We have not tested an operational passport service or measured implementation costs. A record of identity, source or authorisation can support review of a decision; it does not by itself establish the accuracy of battery data, compliance, safety or assurance.

We focus on implementing the proposed access and use rules. We propose no privileged access category for evidence service providers, no mandatory proprietary identifier and no prescribed authentication technology. The statutory functions and powers of public authorities remain governed by the applicable legislation.

2 Detailed Technical Responses

2.1 Relationship Between Access and Purpose

R1 | Draft Articles 1, 2(1), 2(2) and 2(4); parent Regulation Article 77(9) and Annex XIII [1, 2].

Article 1 assigns different datasets to different categories of persons. For example, a purchaser receives access to component and spare-parts information under Article 1(2), and to individual battery information under Article 1(4). Vocational training centres receive detailed composition and dismantling information under Article 1(1). These allocations should remain clear when Article 2 is applied.

Article 2(1) collectively refers to the persons in Article 1(1), (2) and (4), and to the information in Annex XIII points 2(a) to (c) and 4. Its apparent function is to limit purposes. However, the expression granting access to those combined datasets could be read independently of the narrower allocations in Article 1. We recommend an express cross-reference rather than leaving the relationship to inference.

Suggested replacement for the opening words of Article 2(1)

> *The persons referred to in Article 1(1), (2) and (4) shall have access to the information to which they are entitled pursuant to Article 1 only for the purposes of the following activities:*

The activities in points (a) and (b) would follow that opening. The additional purpose for individual battery information under Article 2(2) would remain applicable to the persons specified there. The clarification would make the access decision depend on both the relevant entitlement and the permitted purpose.

A related clarification is useful in Article 2(4). For example, point (a) permits specified persons to share several categories of information with emergency services. Some of those persons do not receive all of those categories under Article 1. The sharing exception should explain how it operates within the person's underlying access entitlement.

Suggested clarification accompanying Article 2(4)

> *This paragraph does not extend the information to which a person has access pursuant to Article 1.*

A short implementation example could show a purchaser requesting individual battery information and component references, and a training centre requesting dismantling information. In each case, the purpose assessment would apply to the dataset available to that role. The example should also distinguish permission to access from permission to download, share, publish or modify information.

2.2 Vocational Training and Permitted Use

R2 | Draft recital 1, Article 1(1)(f), Article 2(1) and Article 2(4); parent Regulation Article 77(9) [1, 2].

We support the express inclusion of vocational training centres for battery repair, repurposing and remanufacturing. Article 1(1)(f) recognises their legitimate interest, but Article 2(1) lists evaluation and operational purposes without expressly identifying training. The final text or accompanying guidance should explain how the recognised role can exercise its entitlement in practice.

A centre may conduct supervised repair on a battery, demonstrate dismantling procedures, or prepare staff for repurposing work. The first activity may already be closely connected with the listed operational purposes. The treatment of demonstrations and teaching materials is less explicit. We request clarification of when directly related vocational training is covered, consistent with the necessity criteria and commercial-sensitivity safeguards in Article 77(9).

The clarification should identify any limits on using detailed composition or dismantling information in teaching. The centre's access should not automatically give every trainee an independent entitlement or permit unrestricted publication of course materials containing restricted data. Guidance could explain the distinction between use by personnel acting within the centre's controlled arrangements and onward disclosure to other recipients.

Suggested subject for non-binding implementation guidance

> *Explain when vocational training directly related to battery repair, repurposing or remanufacturing falls within Article 2(1), and how a centre referred to in Article 1(1)(f) may manage access by instructors and trainees within its own data entitlements and the applicable sharing restrictions.*

A practical example could distinguish supervised access to necessary dismantling information from posting the underlying diagrams on a publicly accessible teaching platform. It could also explain how the separate freedom to use and publish safety measures under Article 2(5) applies to that information. The categories should remain distinguishable when a document contains both safety measures and restricted technical detail.

We recommend resolving the interpretation before introducing a separate training purpose. If the Commission considers a textual amendment necessary, it should remain tied to the specified centres and the activities recognised by the parent Regulation. This response does not propose a general educational or research exception for commercially sensitive information.

2.3 Representation and Permission to Share

R3 | Draft Article 1(4) and Article 2(4)(c) and (e); parent Regulation Articles 77(4), 78(d) and 78(f) [1, 2].

The draft recognises a third party acting on behalf of a purchaser and separately allows the economic operator placing the battery on the market to authorise certain sharing or publication. These provisions should be implemented as distinct permissions. The relevant person, dataset and permitted operation can differ.

For purchaser representation under Article 1(4), useful guidance would explain how the purchaser's mandate is demonstrated, which batteries and purposes it covers, and how its expiry or withdrawal is communicated. A representative receives access in that capacity. Its status should not be treated as a general entitlement to restricted information about unrelated batteries or to model information outside the applicable allocation.

Permission under Article 2(4)(e) concerns sharing or publication. An example should identify the granting operator, the authorised person and the information concerned, together with the permitted action and any applicable recipients, purpose or duration. Guidance should explain the treatment of onward sharing and whether further delegation is authorised. A general statement that a person is trusted would leave these matters unresolved.

Authorisation to maintain a passport is a further, separate matter. Article 77(4) permits written authorisation to another operator to act on the responsible operator's behalf, while Article 78 restricts modification rights and the use of data by authorised storage or processing providers. A purchaser mandate or permission to share should not be presented as authority to change passport content or as overriding those service-provider restrictions.

Suggested subject for non-binding implementation guidance

> *Illustrate separately a purchaser mandate under Article 1(4), an authorisation to share or publish under Article 2(4)(e), and an authorisation to act on behalf of the responsible operator under Article 77(4) of Regulation (EU) 2023/1542. Identify the scope and conditions of each permission and explain how changes are communicated.*

The same guidance should distinguish the sharing of individual battery information with prospective purchasers under Article 2(4)(c) from publication to an unrestricted audience. It should explain that permission for one operation does not, by itself, authorise every subsequent operation. The exercise of permissions remains subject to other applicable law.

Records can be concise and maintained in existing systems. Their purpose is to let an operator or authorised reviewer determine which permission supported an action at the relevant time, without circulating the full underlying dataset whenever proof of permission is required.

2.4 Retention and Changes in Responsibility

R4 | Draft recital 2, Article 2(3) and Article 2(4)(e); parent Regulation Articles 77(7), 77(8) and 78(e) [1, 2].

We support the necessity limit on retaining downloaded information in Article 2(3). Guidance should explain how a permitted user identifies the end of its purpose and handles copies, working files and records that contain restricted information. A later potential commercial use should not be assumed to justify continued retention.

These arrangements must also work when responsibility changes. Article 77(7) provides for a new passport linked to the original passport or passports in the specified reuse, repurposing and remanufacturing circumstances. It also transfers responsibility when a battery becomes waste. The draft recital distinguishes the responsible operator's full access and ability to modify from the narrower rights of other treatment operators and recyclers.

An implementation example should identify which operator can issue or manage an authorisation under Article 2(4)(e) following a relevant transfer, how existing mandates are assessed, and how affected users learn that permissions have changed. Transfer of responsibility should not be implemented as an unexplained transfer of all previous access and sharing arrangements.

Proportionate records may help explain a completed access or disclosure, including the dataset or version concerned, the permission relied on, the action and its date. Such records may themselves contain sensitive information. Their content, access and retention therefore require a justified purpose. A record need not contain a full copy of the composition, diagrams or operating history accessed.

Suggested subject for non-binding implementation guidance

> *Explain how users determine necessary retention under Article 2(3), how mandates and sharing permissions are managed when passport responsibility changes, and how any independently required records are limited to their applicable purpose, access conditions and retention period.*

The guidance should preserve the different lifecycle rules in the parent Regulation. Article 78(e) requires availability after the responsible operator ceases to exist or ceases its Union activity. Article 77(8) provides that the passport ceases to exist after recycling. Continued availability during the battery's lifecycle should not be interpreted as indefinite survival of the passport after recycling.

If other legislation independently requires a record to be retained, guidance should explain the relationship without creating a general exemption from Article 2(3). This response does not seek a right to preserve the full passport indefinitely or to recreate it through retained copies after its statutory termination.

3 Proportionality and Implementation

R5 | Draft Articles 1, 2(4) and 2(5); parent Regulation Articles 77(5), 78(b), 78(g) and 78(h). Context: Commission FAQ, questions 6.3 to 6.6 [1 to 3].

We recommend practical guidance on verifying a claimed role and, where relevant, a purchaser mandate. The Commission FAQ distinguishes restricted-data access from registration and describes decentralised management of authentication [3]. The final access rules should be supported by examples that operators can apply across different services.

The examples could show proportionate use of existing permits, registers or other suitable evidence of a role. They should accommodate natural persons and smaller operators, explain requests for further evidence and provide a way to correct a refusal. The evidence needed should reflect the role, dataset and purpose. A role check should not become a requirement that every repairer own the battery concerned.

An identity check establishes who is requesting access. The operator must separately apply the relevant role, mandate and data entitlement. A registry entry, corporate identifier or organisational email address should not be treated as sufficient proof of every restricted-data right. We recommend no mandatory new identifier, central authorisation register or single authentication technology.

Free access and safety information

Article 78(b) already requires access free of charge according to the applicable rights. Verification arrangements should support that entitlement without making it dependent on the purchase of an unrelated service. This observation concerns the exercise of statutory access rights; it does not determine the terms of separate commercial services.

Article 2(5) gives the persons in Article 1(3) unrestricted use, download, sharing, publication and reuse of safety measures in Annex XIII point 2(d). Guidance should preserve this specific treatment. Permission checks for commercially sensitive information should not be copied indiscriminately onto subsequent sharing of safety measures.

The exceptions for emergency services and poison centres in Article 2(4) address specified additional information and persons. Examples should keep those exceptions distinct from Article 2(5). Operators should be able to provide the relevant safety information without unnecessarily bundling restricted composition, dismantling or individual battery data into the same disclosure.

Testing practical implementation

Before prescribing additional record fields, the Commission could test these examples with purchasers, repairers, training centres and passport operators. Useful observations would include time to establish a role, reasons for refusals, the ability to withdraw a mandate, and the work needed to separate safety information from other data. These observations would inform guidance; they would not establish market-wide savings or compliance.

4 Illustrative Access and Use Example

The following hypothetical example illustrates the recommendations. It is an EMJ.LIFE example, not a Commission interpretation or an operational case study. Each action remains subject to the final legislation and other applicable requirements.

A purchaser engages an adviser to assess an individual battery for further use. A separate vocational training centre requests dismantling information for a directly related supervised exercise. Later, a permitted lifecycle operation changes the responsible operator.

Stage	Access or use decision	Supporting record or clarification
1 Purchaser mandate	The adviser requests individual battery information in Annex XIII point 4 under Article 1(4), for a purpose permitted by Article 2.	Identify the purchaser, representative, relevant battery, mandate scope and validity. The mandate does not confer passport editing rights.
2 Training request	The centre requests point 2(c) dismantling information under Article 1(1)(f). Its training purpose is assessed using the clarification requested in R2.	Record the centre's role and purpose. Explain who may use the information within the centre and whether any teaching disclosure is permitted.
3 Onward use	The adviser's access does not itself permit public release. A proposed disclosure is checked against the applicable Article 2(4) exception or authorisation.	Distinguish prospective-buyer sharing from unrestricted publication. An assessment that reproduces restricted source information also requires appropriate treatment.
4 Responsibility change	The relevant operator applies Article 77(7), including the linked new passport where required, and manages permissions for its responsibility period.	Identify the applicable operator and communicate mandate or authorisation changes. Avoid assuming that previous permissions all continue unchanged.
5 End of purpose	Downloaded information is reviewed for deletion under Article 2(3). Recycling separately triggers the passport termination rule in Article 77(8).	Any independently necessary record has its own justified scope and retention period. A full technical copy is not retained merely because an access log is useful.

5 Closing Remarks

We recommend a focused clarification of the relationship between Articles 1 and 2, followed by practical guidance on training, mandates, sharing and lifecycle changes. This would help users exercise their rights while preserving commercial sensitivity, free access and the specific freedom to use safety information. The final rules should remain proportionate and technology neutral.

Appendix A Response Matrix

The matrix follows the draft provisions. A request for clarification identifies a possible implementation or drafting difficulty; it does not assert that a court or competent authority has adopted that interpretation.

Draft provision	Position and requested action	Section
Recitals 1 and 2 Article 1(1)	Support the named roles. Clarify training use. Preserve the distinction between legitimate-interest access and the responsible operator's wider maintenance responsibilities.	2.2, 2.4
Article 1(2) and (3)	Support differentiated component access and safety access. Preserve the specific freedom for safety information under Article 2(5).	2.1, 3
Article 1(4)	Support purchaser representation. Explain evidence, scope, expiry and withdrawal of the purchaser mandate.	2.3
Article 2(1)	Clarify expressly that the purpose limitation applies to information to which the person is entitled under Article 1. Explain training within the permitted purposes.	2.1, 2.2
Article 2(2)	Retain the additional purpose for making individual batteries available to independent aggregators or market participants. No separate amendment proposed.	2.1
Article 2(3)	Support necessary-use retention. Explain termination of purpose, downloaded copies and independently required records without a blanket archive exception.	2.4
Article 2(4)(a) to (d)	Preserve the specified sharing exceptions and public-authority powers. Clarify their relationship to underlying access rights and distinguish prospective-buyer sharing from publication.	2.1, 2.3, 3
Article 2(4)(e)	Clarify the scope of permission to share or publish, communication of changes, onward use and authority after responsibility transfers.	2.3, 2.4
Article 2(5)	Support unrestricted use and sharing of the specified safety measures by the persons referred to in Article 1(3). Keep mixed datasets distinguishable.	2.2, 3
Article 3	No amendment proposed. The draft's publication-based entry rule does not establish an actual commencement date before adoption and publication.	1

Implementation proposals build on the parent Regulation's existing interoperability, access, integrity and security requirements. They do not establish an additional assurance engagement or guarantee data quality.

Appendix B Scope and Review Record

Institutional independence

This independent response is issued by EMJ LIFE HOLDINGS PTE. LTD. It is not issued on behalf of the European Commission, a battery manufacturer or a passport operator. No endorsement, acceptance or adoption is claimed. The response does not constitute an assurance opinion or a determination of legal compliance.

Review method and version

We reviewed the supplied five-page draft, its official consultation record, Articles 77 and 78 and Annex XIII of the parent Regulation, and the relevant Commission FAQ. We distinguish draft provisions, existing legal requirements and our recommendations. All suggested wording and the hypothetical example are EMJ.LIFE contributions.

Version	Date	Record
1.0	13 November 2026	Final public consultation response prepared for submission. Submission and official publication are separate events.

Appendix C Source Documents

[1] European Commission. Draft implementing regulation on access to and use of certain information in the battery passport. Ref. Ares(2026)9814179, 19 October 2026. Five-page English draft, document identifier 090166e5356723d0. Principal references: recitals 1 to 5 and Articles 1 to 3. Official consultation and draft attachment

[2] Regulation (EU) 2023/1542 concerning batteries and waste batteries. Consolidated text dated 13 August 2026. Principal references: Articles 77 and 78 and Annex XIII points 2 and 4. The consolidated text is a documentation aid; authentic acts are published in the Official Journal. EUR-Lex consolidated text

[3] European Commission. EU Digital Product Passport FAQ for Batteries. Principal references: questions 2.1, 6.3 to 6.6 and 9.1 to 9.5. Used as explanatory context, not as a substitute for legislation. Commission FAQ

Review cut off: 13 November 2026. The Have Your Say record identifies the feedback deadline as 16 November 2026 at 23:59 Brussels time. References to the draft do not describe an adopted requirement. Source descriptions are paraphrased.