
STATUTORY INSTRUMENTS

2021 No. 1467

The Electric Vehicles (Smart Charge Points) Regulations 2021

PART 2

Requirements in relation to charge points

Smart functionality

- 5.—(1) A relevant charge point must have smart functionality.
- (2) A relevant charge point has smart functionality if—
- (a) it is able to send and receive information via a communications network;
 - (b) it is able to respond to signals or other information received by it by—
 - (i) increasing or decreasing the rate of electricity flowing through the charge point;
 - (ii) changing the time at which electricity flows through the charge point;
 - (c) it is capable of using the functionality referred to in sub-paragraphs (a) and (b) to provide demand side response services, including response DSR services; and
 - (d) at least one user interface, which enables the charge point to be operated in accordance with these Regulations, is incorporated in the charge point or otherwise made available to the owner.

Electricity supplier interoperability

6. A relevant charge point must not be configured so that it will cease to have smart functionality if the owner changes their electricity supplier.

Loss of communications network access

7. A relevant charge point must be configured so that, in the event that it ceases to be connected to a communications network, it remains capable of charging an electric vehicle.

Safety

8.—(1) A relevant charge point must be configured so that it will not allow a relevant person to carry out a specified operation where to do so would or may result in a risk to the health or safety of persons.

- (2) In this regulation—
- (a) “relevant person” means the owner, or an end-user of the relevant charge point who is not the owner;
 - (b) “specified operation” means—
 - (i) overriding, in accordance with regulation 10(3)(a), the default mode of charging during the default charging hours;

- (ii) overriding, in accordance with regulation 10(3)(b), the provision of demand side response services;
- (iii) overriding, in accordance with regulation 11(2)(a), the random delay referred to in regulation 11(1)(b).

Measuring system

9.—(1) A relevant charge point must be configured so that on each occasion it is used, it measures or calculates—

- (a) the electricity it has imported or exported (as the case may be), such measurement or calculation to be in watt-hours or kilowatt-hours; and
- (b) the amount of time for which it is importing or exporting electricity.

(2) A relevant charge point must be configured in a way which enables the owner of the relevant charge point to view the information referred to in paragraph (1) by reference to—

- (a) any occasion on which it was used to import or export electricity within the preceding 12 months;
- (b) any month within the preceding 12 months;
- (c) the entirety of the preceding 12 month period.

(3) A relevant charge point must be configured so that it is able—

- (a) on each occasion it is used, to measure or calculate every one second the electrical power it has imported or exported (as the case may be), such measurement or calculation to be in watts or kilowatts; and
- (b) to provide the information referred to in sub-paragraph (a) via a communications network.

(4) A relevant charge point must be configured so that—

- (a) a figure measured or calculated in accordance with paragraph (1) or (3) above is accurate to within 10% of the actual figure; and
- (b) any inaccuracies are not systematic. For the purposes of this regulation, an inaccuracy is systematic if, as a consequence of the design or manufacture of the relevant charge point, it is consistent or predictable.

Off-peak charging

10.—(1) Subject to paragraph (2), a relevant charge point must be configured so that—

- (a) it incorporates pre-set default charging hours which are outside of peak hours;
- (b) when it is first used, the owner is given the opportunity to—
 - (i) accept the pre-set default charging hours;
 - (ii) remove the pre-set default charging hours; or
 - (iii) set different default charging hours;
- (c) at any time after it is first used, the owner is able to—
 - (i) change or remove the default charging hours if these are in effect;
 - (ii) set default charging hours if none are in effect.

(2) The requirements in paragraph (1) do not apply where—

- (a) the relevant charge point is sold with a DSR agreement;
- (b) the relevant charge point is configured to comply with the requirements of the DSR agreement; and

- (c) details of the DSR agreement are included in the statement of compliance in accordance with the requirements of paragraph (2)(b) of regulation 13.
- (3) A relevant charge point must be configured—
 - (a) to charge a vehicle during the default charging hours (if any), save that the owner of the relevant charge point must be able to override the default mode of charging during the default charging hours; and
 - (b) so that the owner of the relevant charge point is able to override the provision of demand side response services.
- (4) In this regulation—
 - (a) “default charging hours” means a default period during which the relevant charge point charges a vehicle regardless of what time the vehicle is first connected to it;
 - (b) “peak hours” means 8am to 11am on weekdays and 4pm to 10pm on weekdays.

Randomised delay

- 11.**—(1) A relevant charge point must be configured so that—
- (a) it is capable of operating, at each relevant time, with a delay of up to 1800 seconds, such delay to be of a random duration which is determined, to the nearest second, at each such relevant time; and
 - (b) the maximum duration of the delay referred to in paragraph (2)(a) can be increased or decreased remotely via a communications network.
- (2) A relevant charge point must be configured so that—
- (a) subject to paragraphs (2)(b) and (3), at each relevant time it operates with a delay of up to 600 seconds, such delay to be of a random duration which is determined, to the nearest second, at each such relevant time;
 - (b) at each relevant time, the owner of the relevant charge point is able to cancel the delay referred to in sub-paragraph (a) above.
- (3) A relevant charge point must be configured so that the delay referred to in paragraph (2)(a) above will not operate where—
- (a) the owner, or an end-user of the relevant charge point who is not the owner, has overridden it;
 - (b) an equivalent random delay has already been applied to the operation of the relevant charge point in respect of the relevant time; or
 - (c) it is providing response DSR services at the relevant time.
- (4) In this regulation “relevant time” means the point at which, but for the delay referred to in paragraph (2)(a)—
- (a) electricity would start flowing through the relevant charge point for the purpose of charging a vehicle; or
 - (b) the rate of electricity flowing through the relevant charge point would be increased or decreased.

Security

- 12.** Schedule 1 has effect.

Assurance

13.—(1) When a relevant charge point is sold, it must be accompanied by a statement of compliance.

(2) A statement of compliance means a document which—

- (a) identifies the relevant charge point by reference to its model or type;
- (b) contains statements that the relevant charge point complies with these Regulations and that the seller is responsible for ensuring that the relevant charge point complies with these Regulations;
- (c) includes the name and address of the seller; and
- (d) is signed by or on behalf of the seller and dated.

(3) There must be a technical file in respect of a relevant charge point.

(4) Where a person to whom a relevant charge point is sold requests a copy of the technical file, that person must be supplied with a copy of that file.

(5) In this regulation, a technical file means documentation which makes it possible to assess the relevant charge point's compliance with these Regulations and which meets the requirements set out in paragraph (6).

(6) The documentation in the technical file must—

- (a) address the design, manufacture and operation of the relevant charge point;
- (b) include a general description of the relevant charge point and a copy of the operating manual in respect of it;
- (c) include, subject to paragraph (7), written descriptions in plain English of the solutions adopted to meet the requirements of regulations 5 to 11 of, and paragraphs 1 to 10 of Schedule 1 to, these Regulations;
- (d) include written descriptions and explanations in plain English in respect of any diagrams or drawings used in the documentation;
- (e) include copies of any test reports that have been completed in respect of the relevant charge point and that are deemed relevant to proving compliance with these Regulations;
- (f) include details of the version of the software operating on the relevant charge point at the time of sale; and
- (g) be up-to-date at the time of sale.

(7) Where, by virtue of regulation 4(2), a relevant charge point does not comply with the requirements in paragraphs 1 to 10 of Schedule 1 to these Regulations, the written descriptions referred to in paragraph (6)(c) do not need to refer to those requirements.

Register of sales

14. A person must keep a register of any relevant charge point which the person has sold within the past ten years.