



Office for Product
Safety & Standards

The Electric Vehicles (Smart Charge Points) Regulations 2021

Rachelle Marnell, EVSCP
Enforcement Manager

26 July 2022

The Electric Vehicles (Smart Charge Points) Regulations 2021

A smarter, more flexible energy system is a mechanism to help manage the increase in electricity demand from the transition to EVs. A smarter system presents opportunities and risk to consumers.

The Electric Vehicles (Smart Charge Points) Regulations 2021 have been introduced following consultation in 2019.

OPSS are the regulatory authority responsible for enforcing the EVSCP Regulations, exercising the powers in Schedule 2 of the legislation.

As an organisation, OPSS are working towards providing a regulatory environment in which businesses have the confidence to invest and grow and citizens and communities are properly protected.

We take a risk-based and proportionate approach to our enforcement activities and operate under [The Regulators' Code](#).

EVSCP Regulations: Application

<https://www.legislation.gov.uk/ukxi/2021/1467/contents/made>

Application

- A person must not sell, offer or advertise for sale a charge point (or smart cable) which does not meet the Regulations.
- ‘Selling’ includes the act of letting on hire, lending or giving (as per AEVA 2018).
- From 30 June 2022 (exc. Schedule 1).
- Charge Points intended for use within England, Scotland or Wales.
- Charging of cars or vans only.

Excluded

- Public chargepoints
- Non-smart cables
- Rapid Chargepoints (50kW+)
- Sales by an individual, outside the scope of their trade, business, craft or profession.

EVSCP Regulations: Requirements

<https://www.legislation.gov.uk/ukxi/2021/1467/contents/made>

Smart
Functionality

Electricity
supplier
interoperability

Loss of
communications
network access

Safety

Measuring
system

Off-peak
charging

Randomised
delay

Security

Assurance

Guidance

Home > Business and industry > Business regulation

Guidance

Regulations: electric vehicle smart charge points

Guidance for sellers.



Office for Product Safety & Standards

Complying with the Electric Vehicles (Smart Charge Points) Regulations 2021

Guidance for sellers of electric vehicle charge points in Great Britain

May 2022



Guidance

OPSS Enforcement Policy

Updated 29 June 2022

Contents

- 1) Introduction
- 2) What is this policy for?
- 3) Our approach to dealing with non-compliance
- 4) Conduct of investigations
- 5) Decisions on enforcement action
- 6) Compliance advice, guidance and support
- 7) Undertakings
- 8) Statutory (Legal) Notices
- 9) Monetary penalties
- 10) Simple Caution
- 11) Prosecution
- Annex A – Compliance Notices
- Annex B – Stop Notices
- Annex C – Variable Monetary Penalties
- Annex D – Enforcement Undertakings
- Annex E – Non-Compliance Penalty Notices
- Annex F – Compliance Notices

June 2022

1) Introduction

1.1 The Office for Product Safety and Standards (OPSS) is part of the Department for Business, Energy and Industrial Strategy (BEIS) and exercises the powers of the Secretary of State in relation to a range of regulations:

- a) We are the national regulator for product safety [see footnote 1](#), providing scientific and technical capability, enforcing in relation to cases that are nationally significant, novel or contentious, and working with local authorities, other market surveillance authorities and border control authorities to keep consumers safe and ensure business compliance.
- b) We are the national regulator for legal metrology, ensuring weighing and measuring instruments are accurate and reliable, and guiding the work of local authorities to give confidence to consumers and businesses in goods traded by quantity.
- c) We enforce in relation to a range of goods-based and standards-based regulations. These include certain energy efficiency, environmental pollution and product security requirements in product design and performance; standards and measurement in the energy supply infrastructure; and due diligence in the trade and use of designated raw materials – protecting consumers and the environment and helping to meet

Assurance Documents

Statement of Compliance

Model or Type

Contains statements of compliance

Seller is responsible for ensuring the charge point complies

Name and address of seller

Signed by (or on behalf of) seller and dated

Accompanies a charge point when sold

Technical File

Design, Manufacture and Operation

General description and operating manual

Descriptions of solutions to meet the Regulations

Written descriptions of diagrams

Copies of test reports (where applicable)

Up to date (inc. software version)

Available upon request

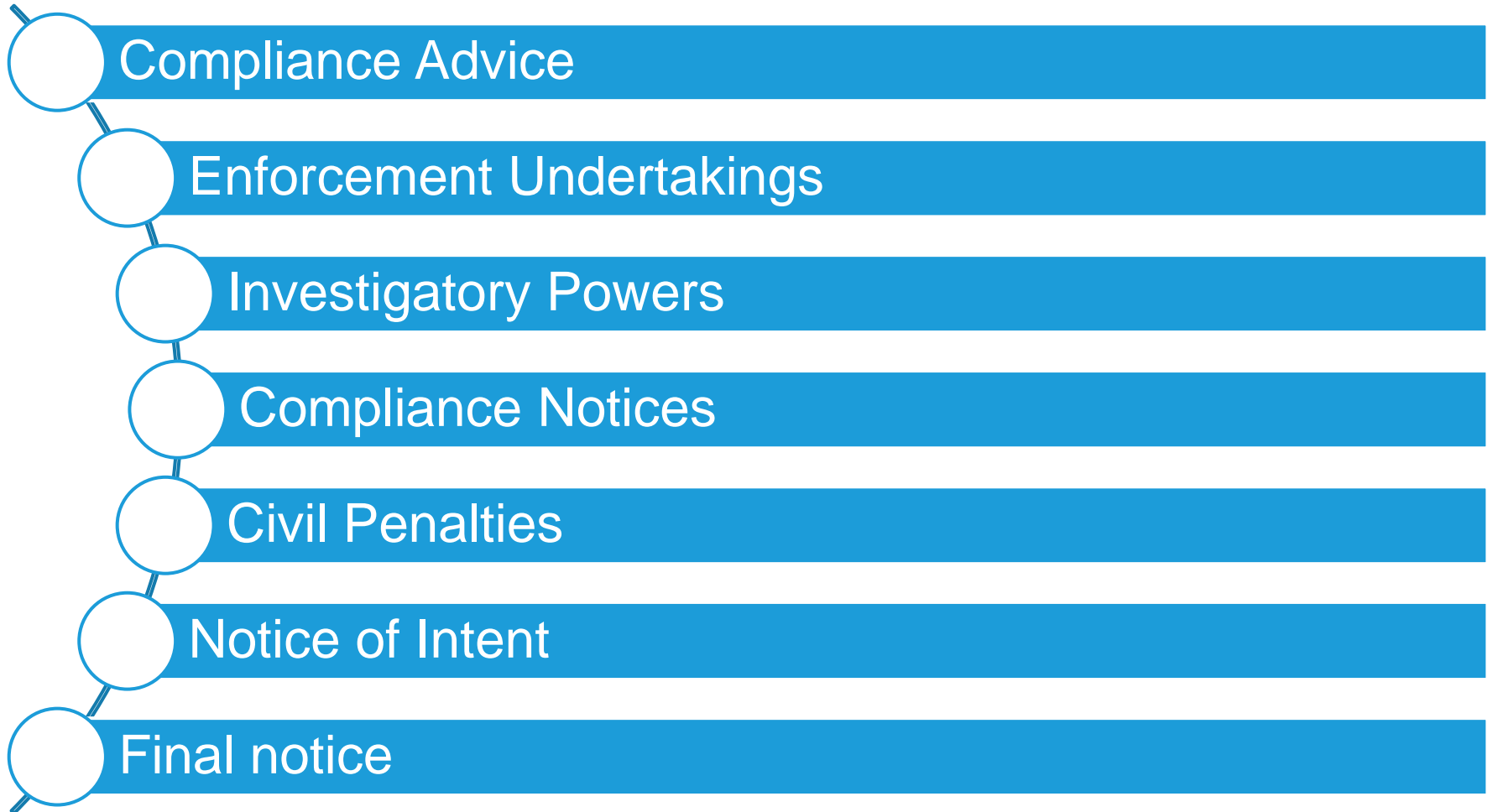
Register of Sales

Maintained by a seller

For previous 10 years

Available to the enforcement authority if requested (investigatory powers)

Enforcement Powers



Enforcement Undertakings

For breaches of regulation 4.

An Enforcement Undertaking is a commitment by a business to undertake specific actions within a specified timeframe.

Any Enforcement Undertaking must describe how the statement of compliance will reflect the areas of compliance and non-compliance.

An Enforcement Undertaking must be made by the business and signed by an authorised person.

Schedule 2, Part 3, paragraph 21 of the legislation.

A pro-forma has been made available but is optional.

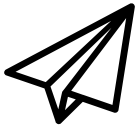
There is no specific time frame within which we must respond but we aim to respond within 28 calendar days of receiving an Enforcement Undertaking.

Enforcement Undertakings must be published.

Further Information...

Information and guidance relating to these Regulations is available on GOV.UK:
<https://www.gov.uk/guidance/regulations-electric-vehicle-smart-charge-points>

Enquiries and requests for advice on our enforcement of the Regulations can be made by contacting OPSS by the following means:



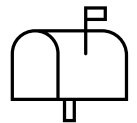
evscp@beis.gov.uk



www.rohs.bis.gov.uk/enquiry



0121 345 1201



Office for Product Safety and Standards, PO Box 17200,
Birmingham B2 2YT